

ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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CAP. XXX.

An Act for the better Preservation of Sheep, and more speedy Detection of Receivers of stolen Sheep, in *Ireland*. [26th *June* 1849.]

WHEREAS it is expedient to make Provision for the more speedy Detection of the Receivers of stolen Sheep in *Ireland:* Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, if any credible Witness shall prove on Oath before a Justice of the Peace for any County in *Ireland* that there is reasonable Cause to suspect that the Carcass of any Sheep or Lamb stolen from any Person, or any Mutton, Fat, Skin, or Fleece of such Sheep or Lamb, is concealed in any Dwelling House, Outhouse, Garden, Yard, or other Place or Places, and if the Carcass of any Sheep or Lamb, or any Mutton, Mutton Fat, Skin, or Fleece, so suspected to have been stolen, shall, by virtue of any Search Warrant issued by such Justice, be found in the Possession of any Person with his Knowledge in or at such Dwelling House, Outhouse, Garden, Yard, or other Place or Places specified in such Warrant, or on any Premises

Power to Constables to search suspected Houses for Sheep, &c. supposed to have been stolen, and apprehend Parties, &c.

specified in such Warrant, of any Person, with his Knowledge, it shall be lawful for any Justice or Justices before whom such Person shall be brought (unless such Person shall satisfy said Justice or Justices that he came lawfully by the same) to commit such Person to the Common Gaol or House of Correction, in order that he may be brought forward for Trial at the next Court of Petty Sessions, unless he enter into such Bail, with One or more solvent or sufficient Securities, as may be required for his Appearance before such Court;

Penalty on Persons apprehended if Carcasses, &c. not proved to have been lawfully come by.

and if such Person so apprehended, after Proof upon Oath of such finding of such Carcass, Mutton, Mutton Fat, Skin, or Fleece as aforesaid, shall not satisfy the Justices sitting at Petty Sessions that he came lawfully thereby, he shall be held guilty of a Misdemeanor, and shall forfeit and pay any Sum, not exceeding Five Pounds, which to such Justices shall seem fit, together with the Charges previous to and attending his Conviction, which such Justices are hereby authorized to award;

On Nonpayment of Penalty, Committal for Time therein specified.

and upon Nonpayment thereof, either immediately after the Conviction or within such Period as such Justices at the Time of such Conviction shall appoint, (which they are hereby empowered to appoint,) such Justices shall commit such Offender to the Common Gaol or House of Correction of the County in which such Offence shall have been committed, by Warrant under their Hands and Seals, there to remain, without Bail or Mainprize, with or without hard Labour, as the said Justices may see fit, for any Time not exceeding Three Calendar Months, unless the Penalty and such Charges, if so awarded, shall be sooner paid;

Application of Penalty.

such pecuniary Penalty to be divided, by the Justices before whom such Conviction has been made, into equal Portions, one Portion to be given to the nearest Dispensary, and the other to be paid and applied according to the Provisions of an Act passed in the Session held in the First and Second Years of the Reign of Her present Majesty, intituled *An Act for the more effectual levying of Fines, Penalties, Issues, Deodands, and Amerciaments, and of forfeited Recognizances estreated, in* Ireland, *and for the Application and Distribution thereof*, or of any Act or Acts amending the said Act.

1 & 2 Vict. c. 99.

If Case appears fit for Indictment for Felony, Justice to abstain from adjudicating in a summary Way.

II. Provided always, and be it enacted, That if the Justices before whom such Person shall be so brought or shall so appear shall find the Evidence given against such Person before such Justices to be such that in the Opinion of such Justices the Case is one in which there ought to be a Prosecution by Indictment for Felony, it shall be lawful for such Justices to abstain from adjudicating in a summary Manner thereon, and to deal with the Case as one to be prosecuted at the Assizes or Quarter Sessions.

III. And be it enacted, That in case any Person convicted under this Act shall have paid the Sum adjudged to be paid, together with Costs, if awarded under such Conviction, or shall have received a Remission thereof from the Crown, or shall have suffered the Imprisonment awarded for Nonpayment thereof, in every such Case he shall be released from all further or other Proceedings for the same Cause. Parties punished under this Act not to be proceeded against a Second Time for the same Offence.

IV. Provided always, and be it enacted, That the Prosecution for every Offence punishable on summary Conviction by virtue of this Act shall be commenced within Two Months after the Commitment of the Offence, and not otherwise. Limitation of Prosecution.

V. And be it enacted, That in the Construction of this Act every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as one Person or Thing; and every Word importing the Masculine Gender only shall extend and be applied to a Female as well as a Male; and the Word "County" shall extend to and include County of a City, County of a Town or City, or Town and County. Interpretation of Terms.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1849.