

ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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CAP. LV.

An Act to abolish the Gaol of *Newgate* in the County of the City of *Dublin*, and provide Compensation for the Officers thereof, and to enable the Grand Jury of the County of the said City to increase the Salaries of the Chaplains of certain other Gaols thereof, and to re-assess on the County of the said City certain Arrears of Grand Jury Cess. [28th *July* 1849.]

WHEREAS the Gaol of *Newgate* in the County of the City of *Dublin* has for some Time been used as a Depôt for Prisoners under Sentence or Rule of Transportation: And whereas it is expedient to abolish the said Gaol of *Newgate* as a Prison for the Reception of Prisoners, save as such Depôt: Be it therefore 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 after the passing of this Act it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, by and with the Advice and Consent of the Privy

Lord Lieutenant and Privy Council may order

all Prisoners (not under Sentence of Transportation) confined in the Gaol of Newgate in Dublin to be removed to other Prisons, and after their Removal Newgate to cease to be a Prison for the said City.

Privy Council thereof, by an Order in Council, to order and declare that on or before a Day to be specified in such Order all Prisoners then being and remaining in Custody in the said Gaol of *Newgate* (if any), save such Prisoners as shall be confined therein under Sentence or Rule of Transportation, shall be transmitted and removed to such other Gaol or Gaols, Prison or Prisons, of the County of the City of *Dublin* as shall be specified and directed by the said Order, and that all such Prisoners as might heretofore have been lawfully committed to the said Gaol of *Newgate*, save Prisoners under Sentence or Rule of Transportation, shall on and after the said Day so to be specified in the said Order, be committed to such other Gaol or Gaols, Prison or Prisons, of the said County of the City of *Dublin* as shall be specified and directed in the said Order; and when such Order shall have been made, then on and after the said Day so specified in such Order no Court or Justice of the Peace, or other Person, shall commit any Prisoner or Person, save Prisoners under Sentence or Rule of Transportation, to Custody in the said Gaol of *Newgate*, but all such Prisoners as might theretofore be lawfully committed to the said Gaol of *Newgate* shall be committed to such Gaol or Prison of the County of the City of *Dublin* as shall be so specified and directed by the said Order in Council; and on the said Day so specified, or as soon thereafter as all Prisoners (if any) then remaining in Custody in the said Gaol of *Newgate*, save as aforesaid, shall be transmitted or removed to such other Gaol or Gaols, Prison or Prisons, as aforesaid, the said Gaol of *Newgate* shall cease to be a Gaol or Prison for the Custody of Prisoners for the County of the City of *Dublin*; and the Duties of the several Officers thereof, or belonging thereto, shall cease and determine, and their respective Offices shall be abolished; and thenceforth it shall not be lawful for the Grand Jury of the County of the City of *Dublin* to present any Sum of Money whatsoever for the Support of the said Gaol of *Newgate*, or for any Office or Officer thereunto belonging, save as herein-after mentioned: Provided always, that nothing herein contained shall prevent the same continuing as a Depôt for Prisoners under Sentence or Rule of Transportation, until the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall otherwise declare.

The Gaol of Newgate, when no longer required as a Depôt, to be sold by Trustees to be appointed by the Grand Jury.

II. And be it enacted, That as soon as the said Gaol of *Newgate* shall, under the Provisions of this Act, cease to be a Prison for the Custody of Prisoners for the County of the City of *Dublin*, and the Lord Lieutenant or other Chief Governor or Governors of *Ireland* shall, by Warrant under his or their Hand, declare that the same is no longer required as a Depôt for Prisoners under Sentence or Rule of Transportation, it shall and may be lawful for the Grand Jury of the said County of the City of *Dublin*, at any Presenting Term, by Presentment,

Presentment, to appoint so many and such Persons, not less than Six and not more than Twelve in Number, as to them shall seem fit, as Trustees for the Sale of the said Gaol; and thereupon the said Gaol of *Newgate* and the Site thereof, and all the Rights, Members, and Appurtenances thereto belonging, shall vest in the said Trustees, their Heirs, Executors, Administrators, and Assigns, as the Case may be, for all such Estate or Interest as and for which the same is now held, possessed, or enjoyed by any Person or Persons, to the Use of or in trust for the Grand Jury of the County of the City of *Dublin*, or for the said County of the City of *Dublin*; and it shall and may be lawful for any Three or more of the said Trustees so to be appointed by the said Grand Jury to sell and dispose of the said Gaol and the Site thereof, and the Rights, Members, and Appurtenances thereof, either by public Auction or by private Contract, and either in One Lot or in several Lots, or the Materials thereof separately, as to them shall seem fit, to such Person or Persons as shall be willing to become the Purchaser or Purchasers of the same, or any Part thereof; and any Three or more of such Trustees so appointed by the said Grand Jury shall have full Power and Authority to enter into all necessary Contracts for such Sale or Sales, and to rescind and vary the same, and to give full and effectual Discharge or Discharges for the Purchase Money of the said Premises, or any Part thereof, and to execute all necessary Conveyances for vesting the same in the Purchaser or Purchasers thereof, or any Part thereof, for all the Estate or Interest vested in the Trustees so appointed by the said Grand Jury, their Heirs, Executors, Administrators, or Assigns, as aforesaid, in the said Premises, or in the said Part or Parts thereof respectively so sold and conveyed; and all such Purchase Money, after deducting the necessary Expenses of such Sale or Sales, shall be paid to the Treasurer of the County of the City of *Dublin*, to be placed to the Credit of the County of the said City.

Compensation for the Officers of Newgate.

III. And be it enacted, That it shall be lawful for the Grand Jury of the County of the City of *Dublin* at the Presenting Term next after the Abolition of the Offices of the said Officers of the Gaol of *Newgate* as aforesaid, and for every subsequent Grand Jury of the said County of the said City at every subsequent Presenting Term, and they are respectively hereby required, from Time to Time to present One Moiety of such respective annual Sums as the Commissioners of Her Majesty's Treasury, or any Three or more of them, shall, by an Order made after the passing of this Act, approve and direct, but not exceeding the respective annual Sums mentioned in the Schedule hereunto annexed, the same to be paid by half-yearly Instalments, to the several Persons named in the said Schedule during the Terms of their respective Lives, for the Loss of their respective Offices

Offices so abolished as herein-before mentioned: Provided always, that if any of the Persons so named in the said Schedule and therein described as competent for Service shall be nominated and appointed to any Office or Employment in or relating to any of the Gaols of the County of the City of *Dublin*, the Salary and Emoluments of which Office or Employment shall be equal to or shall exceed the Amount of Salary and Emoluments to which such Officer is now entitled, and which are mentioned and set forth in the said Schedule, then and in such Case the Compensation so hereby provided for every Person so appointed and employed shall cease and determine from the Day of such Nomination and Appointment: Provided also, that if any Person so to be nominated and appointed as aforesaid shall decline or refuse to accept such Office or Employment, his or her Compensation under this Act shall utterly cease and determine.

Compensations to Persons superannuated or removed.

IV. And be it enacted, That when and as often as any Person named in the said Schedule, and hereafter appointed to any Office or Employment in or relating to any of the Gaols of the County of the City of *Dublin*, shall, in consequence of Infirmity, Injury sustained in the Discharge of his Duty, or other Cause, be superannuated and removed from his last-mentioned Office or Employment in such Prison as incompetent, it shall and may be lawful for the Grand Jury of the said County of the City of *Dublin* and they are hereby required to award to such Person such Compensation or Retiring Allowance, in addition to the Sum named in the said Schedule, in connexion with the Name of such Person as shall, taking into consideration the Length of Service and Merits of such Person, seem to them just and reasonable, but so that the total annual Sum to be received by such Party for Compensation or Retiring Allowance under this Act shall not exceed Three Fourths of the annual Salary of such last-mentioned Office or Employment; and the said Grand Jury shall, at each *Easter* and *Michaelmas* Term, present to and for such Person so superannuated as aforesaid the Moiety of such Sum as shall have been awarded to such Person, in addition to the Sum named in the said Schedule in connexion with the Name of such Person as aforesaid: Provided always, that if such Person shall be removed from his Office or Employment in any of the said Prisons for such Misconduct as would warrant his Removal from any Office held during good Behaviour, he shall not be entitled to any Compensation or Retiring Allowance other than the Sum named in the said Schedule in connexion with the Name of such Person.

The Treasury may sanction an Increase in such Su-

V. And whereas certain of the said Officers of the Gaol of *Newgate* in the said Schedule mentioned had previously to their Appointment to such Offices served in the *Dublin* Police Force, and it may be reasonable

reasonable that the Length of their Service in the said Police Force should be taken into consideration in estimating the Amount of Compensation or Superannuation Allowance to be paid to them under the Provisions of this Act: Be it therefore enacted, That it shall be lawful for any of the said Officers who shall have been serving in the said Police Force before and at the Time of his Appointment to an Office in the said Gaol of *Newgate* to apply to the Commissioners of Her Majesty's Treasury that in consideration of such previous Service in the said Police Force an Addition may be made to the annual Sum named in the said Schedule in connexion with the Name of such Person, and thereupon it shall be lawful for the said Commissioners or any Three of them to order in manner aforesaid that such additional annual Sum as they may deem reasonable in consideration of such previous Length of Service in the said Police Force shall be paid to such Party, in addition to the said annual Sum herein-before provided to be paid as Compensation or Superannuation to such Party, and the same shall be presented by the said Grand Jury from Time to Time, and be paid to such Party, together with and in like Manner as the said annual Sum herein-before provided to be paid as Compensation or Superannuation to such Party: Provided always, that the total annual Sum to be so received by such Party shall in no Case exceed the Amount of Three Fourths of the annual Salary payable to such Party in respect of his Office which shall have been so abolished or from which he shall have been superannuated.

perannuation Allowances in consideration of a previous Service in the Dublin Police Force.

VI. And whereas on account of the Increase of the Number of Prisoners who shall hereafter be confined in the Gaols or Prisons of the County of the City of *Dublin*, called the *Richmond* Bridewell and the *Richmond* Female Penitentiary, it is expedient to augment the Sums which the Grand Juries of the said County of the City of *Dublin* are authorized to present annually as a Recompence for the Services of the Chaplains of the said Prisons: And whereas the Number of Prisoners professing the Roman Catholic Religion in each of the said Gaols is so considerable as to require the entire Services of a Roman Catholic Clergyman wholly unconnected with the Discharge of any other ecclesiastical or parochial Duties: Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the Grand Jury of the County of the City of *Dublin*, at each *Easter* and *Michaelmas* Term, to present a Sum not exceeding the Sum of Fifty Pounds Sterling as and for the Salary of each of the Roman Catholic Chaplains of the *Richmond* Bridewell and *Richmond* Female Penitentiary, provided it shall fully appear to the said Grand Jury and to the Court that such Chaplain has devoted his entire Time to the Duties of such Office during the preceding Half Year, and duly and regularly discharged the several Duties of his Office; and that it

Provision for Chaplains of Gaols.

shall be lawful to and for the said Grand Jury of the County of the City of *Dublin*, at each *Easter* and *Michaelmas* Term, to present a Sum not exceeding the Sum of Twenty-five Pounds as and for the Salary of the Protestant Chaplains of each of the said Prisons, and a Sum not exceeding the Sum of Sixteen Pounds Thirteen Shillings and Four-pence as and for the Salary of the Protestant Dissenting Chaplains of each of the said Prisons, provided it shall appear to the said Grand Jury and to the Court that such Chaplains have duly and regularly executed the several Duties of their Offices; and provided also, that it shall not be lawful for any Grand Jury to present any Salary for any such Chaplain as aforesaid, if it shall appear to them that such Chaplain is interdicted or prohibited from exercising the Functions of his Office either by the Rules of the Church to which he belongs or by any other competent Authority.

Insolvent Arrears due by the several Parishes at the Presenting Term next after passing of this Act, to be assessed on the City at large.

VII. And whereas large Sums of Money heretofore presented to be raised by Grand Jury Presentments in the said County of the City of *Dublin* are now due and owing by several of the Parishes and Portions of Parishes thereof, which have accrued due and accumulated by reason of the Insolvency and Inability of the said Parishes and Portions of Parishes to pay the same, and the same are in fact irrecoverable; And whereas it is expedient that the said insolvent Arrears now due should be re-applotted and assessed on the County of the City of *Dublin* at large, instead of the Parish or Portion of a Parish where such Arrears became due: Be it therefore enacted, That it shall and may be lawful for the Grand Jury of the said County of the City of *Dublin*, at the Presenting Term next after the passing of this Act, or, in case the same shall not then be done, at the Presenting Term next after, to ascertain, by such Ways and Means as to them shall seem fit, the Particulars and Amount of insolvent Arrears of Grand Jury Cess then remaining due and unpaid by the several Parishes of the said County of the City of *Dublin*, and to present and assess the Amount of such insolvent Arrears so ascertained upon the several Parishes or Portions thereof in the County of the City of *Dublin*, according and in proportion to their respective Valuation in the general Valuation or Assessment returned to the Treasurer of the Levy of the City of *Dublin* under the Act passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to amend the Laws relating to the Levy of Grand Jury Cess in the County of the City of* Dublin, which Sums so presented shall be chargeable, payable, and recoverable in the same Manner as the other Sums presented at the said Term.

1 & 2 Vict. c. 51.

Act may be amended, &c.

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

SCHE-

SCHEDULE to which this Act refers.

Names.	Offices.	Present Amount of Salaries and Emoluments.	Qualification for Service.	Annual Amount of Compensation.
		£ s. d.		£ s. d.
John Smyth - -	Governor - - -	577 18 3	Incompetent	338 10 0
Frederick Bournes -	Deputy Governor -	234 0 4	Competent	136 10 2
Robert S. Bell - -	Registrar and Turnkey -	127 13 9½	Incompetent	74 9 8
Thomas M'Dermott -	Turnkey - - -	77 13 9½	Competent	38 16 11
Robert Canterbury -	Ditto - - -	77 13 9½	Competent	38 16 11
John Carter - -	Ditto - - -	77 13 9½	Competent	32 7 5
Cassan Matthews -	Hospital Turnkey -	80 5 9½	Competent	33 9 1
James K. Thompson -	Schoolmaster and Turnkey	60 3 2½	Competent	20 1 1
James E. Toole -	Assistant Turnkey -	49 15 2½	Incompetent	20 14 8
John Ramsbottom -	Ditto - - -	49 15 2½	Incompetent	20 14 8
James Raymond -	Ditto - - -	49 15 2½	Competent	12 8 9
Mrs. Matilda Christian -	Matron - -	85 13 9½	Incompetent	49 19 9
Mrs. Anne Bell - -	Ditto - - -	65 13 9½	Incompetent	32 16 11
Mrs. Jane Richardson -	Hospital Matron -	35 3 9½	Incompetent	17 11 11
Rev. Thos. R. Shore -	Protestant Chaplain -	50 0 0	- - -	25 0 0
Rev. J. C. M'Cann -	Roman Catholic Chaplain	50 0 0	- - -	16 13 4
Rev. William Wilson -	Protestant Dissenting Chaplain - -	33 6 8	- - -	8 6 8

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