ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ

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C A P. LXXIV.

An Act to extend and render more effectual for Five Years an Act passed in the Fourth Year of His late Majesty *George* the Fourth, to amend an Act passed in the Fiftieth Year of His Majesty *George* the Third, for preventing the administering and taking unlawful Oaths in *Ireland*. [24th *August* 1839.]

WHEREAS it is expedient to extend and render more effectual the Provisions of an Act made in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend and render more effectual the Provisions of an Act made in the Fiftieth Year of His late Majesty's Reign, for preventing the administering and taking unlawful Oaths in* Ireland; 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 from and after the First Day of *September* One thousand eight hundred and thirty-nine any and every Society now established or hereafter to be established in *Ireland*,

4 G. 4. c. 87.

All Societies of the Nature herein described declared to

be unlawful; and all Persons becoming Members thereof, or corresponding therewith, deemed guilty of unlawful Combination.

Ireland, of the Nature herein-after described, shall be and be deemed and taken to be an unlawful Combination and Confederacy; (that is to say,) any and every Society so constituted that the Members thereof may or shall communicate with, or be known to each other by, or may use for the Purpose of being known as such, any secret Sign or Signs, or Password or Passwords, by way of Question and Answer or otherwise; and any and every Society formed or acting wholly or in part for the Purchase of Arms, or for the Distribution of Arms among the Members thereof, or among any other Persons, by Lot or otherwise, or which shall collect any Funds for any such Purpose, or purchase or procure, or cause to be purchased or procured, any Arms for any such Purpose of Distribution as aforesaid; and every Person who, after the said First Day of *September* in this present Year, shall become a Member of any such Society, or act or assist in or at any Meeting or Proceeding of any such Society, or who, being a Member of any such Society, shall after that Day act as a Member thereof, and every Person who, after that Day, shall, directly or indirectly, knowingly maintain Correspondence or Intercourse with any such Society, or with any Division, President, Treasurer, Secretary, Delegate, or other Officer or Member thereof, as such, or shall make use of any secret Sign or Signs, or Password or Passwords of any such Society as herein-before mentioned, or fitted to be used for or towards the forming of any such Society, or for any Purpose of any such Society whether actually formed or not, or knowingly have in his Possession any Copy, written or printed, of any such Password or Passwords, or other secret Mode of Communication, or of any Oath, Engagement, Test, or Declaration made use of or purporting to be made use of by any such Society, or by any Division of any Society declared to be unlawful by the said Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, and shall not be able satisfactorily to account for the same, shall be deemed guilty of an unlawful Combination and Confederacy, and shall be liable to such and the like Penalties, Proceedings, and Punishment as if he were guilty of an unlawful Combination or Confederacy under the Provisions of the said last-mentioned Act; and every such Offender shall and may be proceeded against and punished in the Manner and according to the Provisions of the said last-mentioned Act, as if he were guilty of an unlawful Combination or Confederacy under such last-mentioned Act; and any Person who shall knowingly permit any Meeting of any Society hereby declared to be an unlawful Combination or Confederacy, or of any Division of any such Society, to be held in his House or Apartment, shall be liable to such and the like Penalties and Punishment as if he knowingly permitted any Meeting of any Society declared by the said Act to be an unlawful Society, or of any Division of any such Society, to be held in his House or Apartment, and shall and may be proceeded against and punished in the Manner and according to the Provisions of the said Act, as if he had so knowingly permitted such Meeting to be held; and all the Provisions of the said Act shall and may be put in force and applied accordingly for the Punishment of any such Offender, and of any Person who shall knowingly permit any Meeting of any Society hereby declared to be unlawful, or of any Division of any such

Society to be held in his House or Apartment, and for the Mitigation of such Punishment, and for the Application of Penalties, Limitation of Actions, and other Purposes therein specified, as if the same were repeated and re-enacted in this Act with reference to such Offenders and Persons respectively: Provided always, that nothing herein contained shall extend or apply to any Partners in Trade duly licensed to sell Arms or to keep Arms for Sale, or to any Society or Association formed or acting by the Authority of Her Majesty, or of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or of the Lieutenant of any County, with the Concurrence or Sanction of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*.

Not to extend to Freemasons Societies, &c., provided that Two Members thereof certify upon Oath that such Societies have been formed according to the Rules prevailing in those Societies.

II. And whereas certain Societies have been long accustomed to be holden in this Kingdom, under the Denomination of Societies or Lodges of Freemasons, and Societies or Knots of Friendly Brothers of the benevolent Order of *Saint Patrick*, the Meetings whereof have been in great measure directed to charitable Purposes; be it therefore enacted, That nothing in this Act shall extend to the Meetings of any such Society or Lodge which shall before the passing of this Act have been usually holden, or which after the passing of this Act shall, by or from any such Society or Lodge now existing, be formed under the said Denomination, and in conformity to the Rules prevailing among the said Societies of Freemasons or Friendly Brothers: Provided always, that this Exemption shall not extend to any such Society or Lodge unless Two of the Members composing the same shall certify upon Oath, which Oath any Justice of the Peace or other Magistrate is hereby empowered to administer, that such Society or Lodge has before the passing of this Act been usually held, or if so formed after the passing of this Act has been so formed, under the Denomination of a Lodge of Freemasons, or Society of Friendly Brothers of the said Order, and in conformity to the Rules prevailing among the Societies or Lodges of Freemasons or of such Societies of such Friendly Brothers in this Kingdom; which Certificate, duly attested by the Magistrates before whom the same shall be sworn, and subscribed by the Persons so certifying, shall, within the Space of Two Calendar Months after the passing of this Act, or within the Space of Two Calendar Months after such Formation of such Society or Lodge as aforesaid, be deposited with the Clerk of the Peace for the County, Riding, Division, Shire, or Place where such Society or Lodge hath been usually held or shall be so formed: Provided also, that this Exemption shall not extend to any such Society or Lodge, unless the Name or Denomination thereof, and the usual Place or Places, and the Time or Times of its Meetings, and the Names and Descriptions of all and every the Members thereof, be registered with such Clerk of the Peace as aforesaid within such Two Months, and also on or before the Twenty-fifth Day of *March* in every succeeding Year while this Act shall continue in force.

Such Certificate to be attested by the Magistrates, and deposited with the Clerk of the Peace.

Name of the Society to be registered with the Clerk of the Peace.

Clerk of the Peace to enrol the Certificate, and make the Registry.

III. And be it enacted, That the Clerk of the Peace, or the Person acting in his Behalf, in any such County, Riding, Division, Shire, or Place, is hereby authorized and required to receive such Certificate, and make such Registry as aforesaid, and to enrol the same among the

the Records of such County, Riding, Division, Shire, or Place, and to lay the same once in every Year before the General Session of the Justices for such County, Riding, Division, Shire, or Place; and that it shall and may be lawful for the said Justices, or for the major Part of them, at any of their General Quarter Sessions, if they shall so think fit, upon Complaint made to them upon Oath of any One or more credible Persons that the Continuance of the Meetings of any such Lodge or Society is likely to be injurious to the public Peace and good Order, to direct that the Meetings of any such Society or Lodge within such County, Riding, Division, Shire, or Place shall from thenceforth be discontinued; and any such Meeting held notwithstanding such Order of Discontinuance, and before the same shall by the like Authority be revoked, shall be deemed an unlawful Combination and Confederacy under the Provisions of this Act.

Interpretation Clause.

IV. And be it enacted, That in the Construction of this Act the Word "Society" shall be construed to mean and include Association, Brotherhood, Lodge, Knot, Club, or Confederacy; and the Word "Division" shall be construed to mean and include any Branch, Committee, or other select Body of any such Society; and the Word "County" shall be construed to mean and include any County at large, or County of a City or of a Town, or City or Town and County; and every Word importing the Singular Number only shall extend and be applied to several Persons or Things as well as to 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; unless there be something in the Subject or Context repugnant to such Construction respectively.

Continuance of Act.

V. And be it enacted, That this Act shall continue in force for Five Years from the First Day of *September* One thousand eight hundred and thirty-nine, and no longer.

Act may be amended this Session.

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

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