CHAP. 25.

An Act to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time persons suspected of being members of the Ribbon Society, or of being concerned in the commission of any crime or outrage under the direction or influence of the said Ribbon Society in the county of Westmeath, or in certain adjoining portions of the county of Meath and the King's County; and to continue "The Peace Preservation (Ireland) Act, 1870." [16th June 1871.]

A.D. 1871.

WHEREAS an unlawful society, combination, and confederacy of a secret nature, generally known by the name of the Ribbon Society, at present exists within the county of Westmeath, and certain adjoining portions of the county of Meath and of the King's County:

And whereas owing to the prevalence of the said society murder and other crimes of the most serious nature have been perpetrated within the districts above referred to, and by reason partly of sympathy with the perpetrators of such crimes, and still more by the terror created by the action of the said society, the existing laws have been found to be insufficient for the due protection of life and property in the districts aforesaid:

And whereas it is therefore expedient that further and other provision should be made for the protection of life and property within the said districts:

And whereas the Peace Preservation (Ireland) Act, 1870, will expire on the first day of August one thousand eight hundred and seventy-one, and it is expedient to continue the same for a further period:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and

A.D. 1871.

Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as "The Protection of Life and Property in certain Parts of Ireland Act, 1871."

Application of Act.

2. This Act shall apply to Ireland only.

PART I.

Interpretation.

3. In this part of this Act—

The term "Lord Lieutenant" shall mean the Lord Lieutenant of Ireland for the time being, and shall include the Lords Justices or other chief governors or governor of Ireland for the time being: and

The term "Chief Secretary" shall mean the Chief Secretary of the Lord Lieutenant of Ireland.

Provisions of this part of this Act to apply when order issued by Lord Lieutenant.

4. It shall be lawful for the Lord Lieutenant, by and with the advice of the Privy Council of Ireland, from time to time, to direct and declare by order (which may be in the Form No. I. in the Schedule A. to this Act annexed or to the like effect) to be published in the Dublin Gazette, that from and after a day to be named therein the provisions of this part of this Act shall be in force in relation to the county and baronies mentioned in the Schedule B. to this Act annexed, or to such county or to any of such baronies, or to any parts or part of such county or of such baronies, or of any of them respectively; and thereupon from and after the day named in such order the provisions of this part of this Act shall be in force and have effect in relation to the county, baronies, barony, or parts or part of such county or of such baronies, or of any of them respectively specified in such order, and such county, baronies, barony, parts or part are or is in this part of this Act referred to as a "prescribed district:" Provided always, that it shall be lawful for the Lord Lieutenant, by a new order, to be made by and with the advice of the Privy Council of Ireland, to be published in the Dublin Gazette, to revoke any order issued under this part of this Act, as to all or any part of a prescribed district named in such new order; and thereupon such order shall, from and after a day to be named in such new order, stand and be revoked, so far as such new order shall purport to revoke the same.

Production of Dublin Gazette containing pub-

5. The production of a printed copy of the Dublin Gazette purporting to be printed and published by the Queen's authority, containing the publication of any order, under this part of this

Act, shall for all purposes be conclusive evidence of such order, and of the due making and issuing of the same; and every such order shall be deemed and taken by all courts, judges, justices, and others, to all intents and purposes whatsoever, to have been made and issued in conformity with the provisions of this part of this Act, and by virtue of the jurisdiction thereby conferred.

Publication of any order to be conclusive evidence of making and issuing same.

6. A copy of every such order issued under the authority of this part of this Act shall be laid before each House of Parliament within fourteen days of the date of the same, if Parliament be then assembled, and if not, then within fourteen days of the next subsequent meeting of Parliament.

Copies of orders to be laid before Parliament.

7. Every person who shall be deemed by the Lord Lieutenant to be reasonably suspected of being a member of the said Ribbon Society, or of directly or indirectly maintaining correspondence or intercourse with, or of aiding, abetting, or supporting by contribution of money or otherwise, the said society, or any branch, lodge, or other select body, or any delegate or other officer or member thereof as such, or of being or having been either a principal in or an accessory before or after the fact to any felony, or a principal in any misdemeanor, committed or deemed by the Lord Lieutenant to be reasonably suspected to have been committed under the direction or influence of the said Ribbon Society, and who resides or sojourns or shall at any time reside or sojourn in any place which shall at any time be included in a prescribed district, or who, on the first day of January one thousand eight hundred and seventy-one, or on any subsequent day, resided or sojourned in any place which shall be included in a prescribed district, and every person who shall be deemed by the Lord Lieutenant to be reasonably suspected of being either a principal in or an accessory before or after the fact to any felony, or a principal in any misdemeanor, committed or deemed by the Lord Lieutenant to be reasonably suspected to have been committed after the passing of this Act under the direction or influence of the said Ribbon Society in any place which shall be included in a prescribed district, and who shall be deemed by the Lord Lieutenant to be reasonably suspected of having been in any place which shall be included in the said district at the time of the commission of such felony or misdemeanor, may be arrested in any part of Ireland, committed to prison, and detained in safe custody without bail or mainprise, during the continuance of this part of this Act, by warrant signed by the Lord Lieutenant or the Chief Secretary (which warrant

Power to Lord Lieutenant by warrant to commit without trial certain persons.

A.D. 1871.

may be in the Form No. II. in the Schedule A. to this Act annexed or to the like effect), and no court, judge, or justice of the peace shall, during the continuance of this part of this Act, discharge, bail, or try the person or persons so committed without order from Her Majesty's Privy Council in Ireland or Lord Lieutenant, any law or statute to the contrary notwithstanding; and every such warrant shall for the purpose of such arrest, commitment, and detention or justifying the same respectively be and be deemed and taken by all courts, judges, justices, and others, and in every proceeding, to be conclusive evidence of the matters therein stated or recited, and of the existence of all facts and matters necessary to give or constitute the authority or jurisdiction to make, issue, and execute such warrant, and of the legality of the arrest, commitment, and detention under or in pursuance of such warrant of the person or persons whom such warrant shall direct or authorise to be arrested, committed, or detained.

Persons to whom warrants of commitment are directed shall detain the persons so committed in safe custody.

8. Where any person or persons during the time this part of this Act shall continue in force shall be arrested, committed, or detained in custody by force of a warrant or warrants signed by the Lord Lieutenant or the Chief Secretary, and purporting to be under the authority of this part of this Act, it shall and may be lawful for any person or persons to whom such warrant or warrants shall be in that behalf directed to detain such person or persons so arrested or committed in his or their custody in any place whatever within Ireland, and no writ of Habeas corpus shall issue to bring up the body of any person so arrested or committed or detained, and such person or persons to whom such warrant or warrants shall be directed shall be deemed and taken to be to all intents and purposes lawfully authorised to detain in safe custody, and to be the lawful gaolers and keepers of such person or persons so arrested, committed, or detained, and such place or places where such person or persons so arrested, committed, or detained are or shall be detained in custody shall be deemed and taken to all intents and purposes to be lawful prisons and gaols for the detention and safe custody of such person and persons respectively; and it shall and may be lawful to and for the Lord Lieutenant, by warrant signed by the Lord Lieutenant or Chief Secretary from time to time as occasion shall be, to direct and to change the person or persons by whom and the place in which such person or persons so arrested, committed, or detained shall be detained in safe custody.

Persons charged with custody, as also place of detention, may be changed by warrant as herein mentioned.

Provided always, that copies of such warrants respectively shall be, within two calendar months after such warrants shall have been

signed, transmitted to the Clerk of the Crown in and for the county of the city of Dublin, and shall be filed by him in the public office of the pleas of the Crown in the city of Dublin.

All persons in custody under this part of this Act to be treated as untried prisoners.

9. All persons who shall be arrested and committed to prison under the warrant of the Lord Lieutenant under the authority of this part of this Act shall, while in custody under such warrant, be treated as untried prisoners, and shall be subject to such orders and regulations for their treatment, management, and maintenance as the Lord Lieutenant shall from time to time make; and such orders and regulations shall be laid before each House of Parliament within fourteen days of the date of the same, if Parliament be then assembled, and if not, then within fourteen days of the next subsequent meeting of Parliament; and a list of the persons detained in such prison on the first day of every month under the provisions of this Act shall also be laid before each House of Parliament within the first seven days of each month, if Parliament be then assembled, and if not, then within the first seven days of the next subsequent meeting of Parliament, with a statement opposite each person's name of the ground stated for his arrest in the warrant under which he may be detained; provided nevertheless, that it shall be lawful for the Lord Lieutenant, if he think fit, to prohibit any prisoner committed under this Act from holding any communication, either by word of mouth or writing, with any other person not being in the service or employment of Her Majesty, or duly authorised by the Lord Lieutenant, or as he shall direct, to hold such communication.

Duration of Part I. of Act.

10. This part of this Act shall continue in operation until the first day of June one thousand eight hundred and seventy-three.

PART II.

Continuance of Peace Preservation (Ireland) Act, 1870.

11. The Peace Preservation (Ireland) Act, 1870, and the Act and Acts therein designated or referred to as the "Peace Preservation Act," as altered and amended by this part of this Act, shall continue in operation until the first day of June one thousand eight hundred and seventy-three.

Amendment of section 39 of Peace Preservation

12. Section thirty-nine of the Peace Preservation (Ireland) Act, 1870, shall be construed as if, instead of the words "the barony, "half barony, or other district in which such murder or maiming

A.D. 1871. (Ireland) Act, 1870.

" shall have respectively been perpetrated," the words following had been inserted in the said section, that is to say, " any barony " or baronies, half barony or half baronies, townland or townlands, " or part or parts of any barony or baronies, half barony or half " baronies, townland or townlands."

Moneys presented under section 39 of Peace Preservation Act, 1870, may be raised and levied by yearly or half-yearly instalments.

Where any presentment shall be made under the authority of the said section thirty-nine of "The Peace Preservation (Ireland) Act, 1870," it shall be lawful to set forth in such presentment that the sum therein mentioned shall be raised and levied within a period to be stated therein by yearly or half-yearly instalments, and the treasurer of the county, secretary of the Grand Jury Finance Committee, or the person or persons duly authorised to issue warrants for the collection of moneys to be raised or levied off such county, shall from time to time without further authority or presentment in that behalf applot and include in the amount or amounts authorised to be levied by his or their warrant or warrants by the respective collectors to whom the same shall be delivered, the portion or portions so set forth of the sum so presented, and the same shall be collected and levied from time to time, in like manner and with the like remedy in case of nonpayment as all other money directed by such warrant or warrants is by law to be levied.

Provided always, that the provisions of the sixty-fifth and sixty-sixth sections of "The Landlord and Tenant (Ireland) Act, 1870," shall not apply to any county cess levied under the authority of the said "Peace Preservation (Ireland) Act, 1870," and the Act and Acts therein designated or referred to as the Peace Preservation Act, as altered, amended, and continued by this part of this Act.

SCHEDULES.

SCHEDULE A.

Form No. I.

By the Lord Lieutenant General and General Governor of Ireland [*or* Lords Justices General and General Governors of Ireland, *as the case may be*].

Order.

Whereas by Part I. of "The Protection of Life and Property in certain Parts of Ireland Act, 1871," it was amongst other things enacted that it should be lawful for the Lord Lieutenant or other chief governor or governors of Ireland, by and with the advice of the Privy Council of Ireland, to direct and declare by order to be published in the Dublin Gazette, that from and after the date named in such order Part I. of the said Act should be in force in relation to the county of Westmeath, and the baronies of Ballycowan, Coolestown, Garrycastle, Kilcoursey, Lower Philipstown, and Warrenstown in the King's County, and the baronies of Fore, Lower Kells, Upper Kells, Lune, Lower Moyfenrath, Upper Moyfenrath, Lower Navan, and Upper Navan, in the county of Meath, or in relation to the said county or any of the said baronies, or any parts or part of the said county or of the said baronies, or of any of them respectively.

Now we, the Lord Lieutenant General and General Governor of Ireland [*or* Lords Justices General and General Governors of Ireland, *as the case may be*], by and with the advice of the Privy Council of Ireland, do direct and declare by this our order that from and after the [*here state day from and after which Part I. is to be in force*] the said Part I. of the said Act shall be in force, and have effect in relation to the [*here state the prescribed district*].

Given at Dublin Castle this day of 187 .

A.D. 1871.

FORM No. II.

Warrant to Arrest.

WHEREAS Part I. of the Protection of Life and Property in certain Parts of Ireland Act, 1871, is now in force in relation to the [*here state the prescribed district*]:

And whereas *A.B.* [*here insert the name or other description of the person to be arrested*], who resides or sojourns at [*or* who subsequently to the first day of January one thousand eight hundred and seventy-one *or* to the passing of the said Act, *as the case may be*, resided or sojourned at] [*state place of residence or sojourning, where material*], is deemed by the Lord Lieutenant to be reasonably suspected of, *&c.* [*state the charge, following the words of the Act, e.g.*, "of being a member of the Ribbon Society"]:

This is under the authority of the said Part I. of the said Act to command that the said *A.B.* in any part of Ireland be arrested and lodged in the [*here state place of confinement*], there to be detained during the continuance of Part I. of said Act, unless sooner discharged after trial, or by order of the Lord Lieutenant or Privy Council.

Given at Dublin Castle this day of 187 .

To

[*Here state sub-inspector or other officer to whom the warrant will be entrusted for execution, and the governor of the gaol or other place of confinement in which the prisoner is to be confined.*]

SCHEDULE B.

The county of Westmeath.

The baronies of Ballycowan, Coolestown, Garrycastle, Kilcoursey, Lower Philipstown, and Warrenstown in the King's County.

The baronies of Fore, Lower Kells, Upper Kells, Lune, Lower Moyfenrath, Upper Moyfenrath, Lower Navan, and Upper Navan, in the county of Meath.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1871.