CHAPTER 4.

An Act for the better Protection of Person and Property in Ireland. [2nd March 1881.]

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, as follows:

Power of Lord Lieutenant to arrest and detain.

1. (1.) Any person who is declared by warrant of the Lord Lieutenant to be reasonably suspected of having at any time since the thirtieth day of September one thousand eight hundred and eighty been guilty as principal or accessory of high treason, treason-felony, or treasonable practices, wherever committed, or of any crime punishable by law committed at any time since the thirtieth day of September one thousand eight hundred and eighty in a prescribed district, being an act of violence or intimidation, or the inciting to an act of violence or intimidation, and tending to interfere with or disturb the maintenance of law and order, may be arrested in any part of Ireland and legally detained during the continuance of this Act in such prison in Ireland as may from time to time be directed by the Lord Lieutenant, without bail or mainprise; and shall not be discharged or tried by any court without the direction of the Lord Lieutenant; and every such warrant shall, for the purposes of this Act, be conclusive evidence of all matters therein contained, and of the jurisdiction to issue and execute such warrant, and of the legality of the arrest and detention of the person mentioned in such warrant.

(2.) Every warrant whereby any person is declared to be reasonably suspected of any crime other than high treason, treason felony, or treasonable practices, shall state the character of such crime. A copy of the warrant of arrest shall be given to each person arrested under this Act on the occasion of his arrest.

(3.) Any person detained in pursuance of a warrant under this Act shall be treated as a person accused of crime and not as a convicted prisoner, subject to the special rules for the time being in force with respect to prisoners awaiting trial: Provided that the Lord Lieutenant may from time to time, if he shall think fit, make regulations modifying such special rules so far as they relate to persons detained under this Act. Any regulations made by the Lord Lieutenant under this provision shall be laid before both Houses of Parliament within fourteen days after the making of the same, if Parliament be then sitting, and if not, then within fourteen days after the next meeting of Parliament, and when Parliament is not sitting such regulations shall within fourteen days be published in the Dublin Gazette.

(4.) A list of all persons for the time being detained in prison under this Act, with a statement opposite each person's name of the prison in which he is detained for the time being, and of the ground stated for his arrest in the warrant under which he is detained, shall be laid before each House of Parliament within the first seven days of every month during which Parliament is sitting, and when Parliament is not sitting such list shall be published in the Dublin Gazette within the first seven days of every month.

(5.) On the expiration of a period of three months after the arrest of each person detained under this Act, and so from time to time on the expiration of each succeeding period of three months while such person is detained, the Lord Lieutenant shall consider the case of such person and decide thereon; and the decision of the Lord Lieutenant in that behalf shall be certified under his hand, or the hand of the Chief Secretary to the Lord Lieutenant, to each Clerk of the Crown, by whom a copy of the warrant under which such person shall be detained shall be filed in his public office, under this Act, and each such Clerk of the Crown shall record such decision by indorsement on the copy of the warrant so filed in his office.

(6.) No person discharged from detention under this Act shall be so discharged at a greater distance than five miles from the place whereat he was first arrested under this Act, unless he shall himself prefer to be discharged at a place nearer to the prison wherein he was last detained.

(7.) "Prescribed district" means any part of Ireland in that behalf specified by an order of the Lord Lieutenant for the time being in force, and the Lord Lieutenant, by and with the advice of the Privy Council in Ireland, may from time to time make, and when made, revoke and alter any such order.

Grant of out-door relief. 43 Vict. c. 4. 43 & 44 Vict. c. 14.

2. The enactments contained in the third section of the Relief of Distress (Ireland) Act, 1880, as amended by the ninth section of the Relief of Distress (Ireland) Amendment Act, 1880, shall, so far as relates to the families of persons for the time being detained under this Act, continue in force during the continuance of this Act.

Supplemental provisions as to warrants, &c.

3. (1.) Any warrant or order of the Lord Lieutenant under this Act may be signified under his hand or the hand of the Chief Secretary to the Lord Lieutenant, and a copy of every warrant under this Act shall, within seven days after the execution thereof, be transmitted to the clerk of the Crown for the county in which was the last known place of abode of the person arrested under such warrant, and be filed by the said clerk of the Crown in his public office in said county; and a further copy of every such warrant shall, within seven days after the execution thereof, be transmitted to the clerk of the Crown for the county of the city of Dublin, and be filed by him in his public office in that city; and each such clerk of the Crown shall furnish a copy of such warrant free of charge, certified under his hand to be a true copy, on demand, to any relative of the person arrested under such warrant or his solicitor.

(2.) The Lord Lieutenant, by and with the advice of the Privy Council in Ireland, may from time to time make, and when made revoke and alter, an order prescribing the forms of warrants for the purposes of this Act, and any forms so prescribed shall when used be valid in law.

(3.) If any member of either House of Parliament be arrested under this Act the fact shall be immediately communicated to the House of which he is a member, if Parliament be sitting at the time, or if Parliament be not sitting, then immediately after Parliament reassembles, in like manner as if he were arrested on a criminal charge.

(4.) Every order under this Act shall be published in the Dublin Gazette, and 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 Act, shall be conclusive evidence of the contents of such order, and of the date thereof, and of the same having been duly made.

(5.) The expression "Lord Lieutenant" means the Lord Lieutenant of Ireland or other Chief Governor or Governors of Ireland for the time being.

3. This Act shall continue in force until the thirtieth day of September one thousand eight hundred and eighty-two, and no longer. Continuance of Act.

CHAPTER 5.

An Act to amend the Law relating to the carrying and Possession of Arms, and for the Preservation of the public Peace in Ireland. [21st March 1881.]

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, as follows:

1. In a proclaimed district a person shall not carry or have any arms or ammunition save as authorised by the conditions set forth in the proclamation herein-after mentioned. Prohibition on having or carrying arms in proclaimed district, and search.

Any person carrying or having, or reasonably suspected of carrying or having, any arms or ammunition in contravention of this Act may be arrested without warrant by any constable or peace officer, and, as soon as reasonably can be, conveyed before some justice of the peace in order to his being dealt with according to law.

The Lord Lieutenant may by warrant direct any person named in such warrant to search in houses, buildings, and places situate in a proclaimed district and specified in the warrant, for any arms or ammunition suspected to be therein in contravention of this Act.

The person named in such warrant, with such constables and other persons as he calls to his assistance, may, within ten days next after the date of the warrant, at any time between sunrise and sunset, enter into any house, building, or place specified in such warrant and there execute the warrant; and in case admittance shall be refused to the persons aforesaid, or shall not be obtained by them within a reasonable time after it shall have been first demanded, they may enter by force in order to execute such warrant. The person named in such warrant shall, before executing the same, if so desired, produce the said warrant. Any arms or ammunition carried, had, or found under circumstances which contravene this Act shall be forfeited to Her Majesty.

Any arms or ammunition in the possession of persons not entitled to have the same which shall, within a period to be fixed by the proclamation herein-after mentioned, be given up voluntarily or taken under such circumstances as shall prove to the satisfaction of the Lord Lieutenant that they have not been wilfully kept back,