CAP. LVI.

An Act for the better Collection of Fines, Penalties, Issues, Deodands, Amerciaments, and forfeited Recognizances in *Ireland*, and for the Appropriation thereof. [17th *August* 1843.]

'WHEREAS it is expedient to make better Provision for 'levying and accounting for all Fines, Issues, Deodands, 'Amerciaments, and forfeited Recognizances 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 passing of this Act an Act passed in the Session of Parliament holden 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;* and also so much of an Act passed in the Session of Parliament holden in the Second and Third Years of the same Reign, intituled *An Act for the better Regulation of the Constabulary Force in* Ireland, as relates to the Fines, Penalties, Deodands, Amerciaments, and forfeited Recognizances contained in any List or Warrant transmitted to any County or Sub Inspector of the Constabulary Force, pursuant to the Provisions of the said first-recited Act; and also so much of an Act passed in the said Session of Parliament holden in the Second and Third Years of Her present Majesty's Reign, intituled *An Act to make further Provisions relating to the Police in the District of* Dublin *Metropolis*, as relates to the Lodgment and Application of and accounting for any Fine, Penalty, or Forfeiture imposed or adjudged by any Justice or Justices within the Police District of *Dublin* Metropolis, shall be and the same are hereby repealed, save and except as to any Act, Matter, or Thing heretofore done by virtue thereof, and also save and except as to any Fines, Penalties, Deodands, Amerciaments, Recognizances, and Issues which may or shall have been imposed, estreated, or levied at any Time previous to the passing of this Act, all which Fines, Penalties, Deodands, Amerciaments, Recognizances, and Issues shall be imposed, estreated, or levied, paid, accounted for, and applied in like Manner, and all which Acts, Matters, and Things shall be good, valid, and effectual to all Intents and Purposes as if this Act had not been passed.

Repeal of 1 & 2 Vict. c. 99, and certain Parts of 2 & 3 Vict. cc. 75. 78.

II. And be it enacted, That when and as often as any Fine, Penalty on summary Conviction or otherwise, Deodand, or Amerciament shall hereafter be imposed or adjudged by any Court in *Ireland*, or by any Coroner or Justices or Justice of the Peace or public Officer empowered to impose the same, and as often as any Recognizance shall be forfeited and ordered to

Entries of all Fines, &c. to be made by Officers of Courts and others in a Book to be kept for the Purpose.

to be estreated, or any Issues shall be directed to be levied in or by any such Court or Authority, the Clerk of the Crown, Judges Register, Clerk of the Peace, Town Clerk, or other Officer of such Court, or the Person whose Duty it is to attend and make Entries of the Proceedings thereof, or if there be no such Officer, then the Person imposing or adjudging such Fine, Penalty, Deodand, or Amerciament, or ordering such Recognizance to be estreated or Issues to be levied, shall forthwith enter the same in a Book to be by him kept for the Purpose in the Form in the Schedule (A.) to this Act annexed: Provided always, that all Fines imposed by any Justices or Justice of the Peace on summary Conviction out of Petty Sessions shall be entered in the Form aforesaid by the Clerk of the Petty Sessions to which the same shall have been reported, pursuant to the Provisions of an Act passed in the Seventh and Eighth Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better Administration of Justice at the holding of Petty Sessions by Justices of the Peace in* Ireland.

Fines imposed out of Petty Sessions shall be entered by Clerk of Petty Sessions.

7 & 8 G. 4. c. 67.

III. And be it enacted, That every Officer or Person bound to make any such Entry or Entries as aforesaid, saving and except the Divisional Justices of the Police District of *Dublin* Metropolis and the Clerks at their Offices, shall, within One Calendar Month after he shall have made the same, make out in the like Form and sign a List thereof, excluding any Fines which shall have been imposed on Persons for not having attended as Jurors in any Court, and which last-mentioned Fines are to be levied as herein-after directed, and shall forthwith transmit the said List to the County Inspector of the Constabulary Force acting for the County or Place wherein such Fines, Penalties, Deodands, or Amerciaments shall respectively be imposed, or Recognizances estreated, or Issues to be leviable, or in any Case arising within the Police District of *Dublin* Metropolis, saving as aforesaid a Case before the said Divisional Justices, then to the Commissioners of Police for the said District; and together with each such List the Officer or Person transmitting the same shall transmit the proper several and respective Warrants, of himself or the other Authority competent to make and issue the same, for the Levy and Recovery of the respective Sums for which the Recognizances mentioned in such List shall be respectively ordered to be estreated, or the respective Amounts of the Fines, Penalties, Deodands, Amerciaments, or Issues mentioned therein, or the Amount thereof, then remaining unpaid, as the Case may be, commanding the County Inspector or Commissioners to whom the same may be addressed forthwith to levy on the Body or Goods of the Person or Persons against whom such several Warrants respectively shall issue, as is usual in the Recovery of forfeited Recognizances, the respective Sums mentioned in such Warrants; and such County Inspector or Commissioners, and all Sub-Inspectors, Head or other Constables, or Sub-Constables or Policemen whom the said County Inspector or Commissioners may

List of Entries and Warrants to be sent within One Month to County Inspector of the Constabulary Force, or in Dublin to Metropolitan Commissioners.

may empower or direct so to do, by Endorsement on the said several Warrants, with his and their Assistants, are hereby required and authorized to execute the same accordingly, in the Manner and with all the Powers now authorized and given by Law for levying forfeited Recognizances; and there shall be a Schedule annexed to every such Warrant, in which shall be given the Name and Description of the Person, Corporation, Fund, or Institution, if any, to whom or to which any Sum or Portion of a Sum to be levied by virtue thereof shall be payable.

Lists to be certified.

IV. And be it enacted, That every List to be transmitted by the Clerk of any Petty Sessions as aforesaid shall be authenticated by a Certificate at the Foot thereof, under the Hands of One or more of the Justices at such Petty Sessions, setting forth that they have compared the same with the original Entries to which it refers, and that the same is correct; and all Warrants to be transmitted by any such Clerk of Petty Sessions, together with each such List, shall be signed by One or more Justices.

When Imprisonment is directed in default of Payment the Warrant shall direct accordingly.

V. Provided always, and be it enacted, That in case it shall have been directed and adjudged at the Time of the Imposition of any such Fine, Penalty, or Amerciament as aforesaid, or it shall have been provided by any Act or Acts under which such Fine, Penalty, or Amerciament shall have been imposed, that the Person liable thereto or on whom the same shall have been imposed as aforesaid shall, in default of Payment thereof, be imprisoned for a Period of Time fixed at the Time of such Imposition or by such Act or Acts as aforesaid, then and in every such Case such Warrants shall respectively command such County Inspector respectively, or such Commissioners, in default of the Payment of such Fine, Penalty, or Amerciament, to take the Body of the Person liable thereto or on whom the same shall be imposed, and to convey him to the Common Gaol or House of Correction, there to remain, and, if so adjudged, to be kept to hard Labour, until the Expiration of the Time fixed for such Imprisonment as aforesaid; and such Warrant may be executed according to the Manner and by the Person aforesaid.

Proviso for Cases where Justices may issue their Warrant immediately.

VI. Provided always, and be it enacted, That in any Case in which any Justice or Justices of the Peace is or are now by Law authorized to issue his or their Warrant for the Levy of any Penalty or the Committal of any Person immediately or on Conviction had before him or them, or within any Period less than the said Period of One Calendar Month, every such Justice or Justices may issue such Warrant accordingly to such County Inspector or Commissioners, or to any Sub-Inspector or Head Constable, if it shall seem expedient to him or them so to do, but subject, as to the Distribution of and accounting for all Sums levied thereunder, to all the Provisions of this Act: Provided also, that in any Case arising within the Police District of *Dublin* Metropolis it shall and may be lawful for the Divisional Justices to issue their Warrants to the Superintendents, Inspectors, or Serjeants, being Constables of Police for the said District,

District, and their Assistants, for the Levy of any Penalty or the Committal of any Person in like Manner as before the passing of this Act, and that all such Warrants shall be considered to be Warrants issued under this Act.

Warrants to be executed from Time to Time till the whole be levied, and a Return of all Lists, &c. to be made to Chief Remembrancer by County Inspector and Commissioners.

VII. And be it enacted, That every such Warrant as aforesaid shall remain in full Force and Effect, and Proceedings thereon may be taken from Time to Time without any Renewal thereof, until the full Amount of the Sums thereby directed to be levied shall be fully paid or otherwise discharged by due Course of Law; and every such County Inspector as aforesaid and the said Commissioners is and are hereby required, at least once in every Year, or oftener if so required by the Chief Remembrancer of Her Majesty's Court of Exchequer in *Ireland*, to furnish to him, in such Manner and Form and at such Times as the said Chief Remembrancer shall direct, a Return of all Lists and Warrants transmitted to such Inspector or to the said Commissioners as aforesaid, together with a Statement of what has been done thereupon respectively.

If Appeal made, Warrants may be suspended until after final Decision.

VIII. Provided always, and be it enacted, That if any Appeal shall have been duly made pursuant to Law in that Behalf from the Decision, Rule, Order, or other Proceeding imposing any such Fines, Penalties, Deodands, or Amerciaments, or estreating such Recognizances, or directing such Issues to be levied, or any Proceeding shall have been taken by due Course of Law to quash or annul such Decision, Rule, or Order, or other Proceeding, it shall and may be lawful for such Officers or Persons as aforesaid, and they are hereby respectively required, to suspend the issuing or Transmission of such Warrants until such Appeal or other Proceeding shall be finally decided.

Warrant to be suspended on Parties entering into Security that Application for Reduction of Fine will be made.

IX. Provided also, and be it enacted, That if any Person against whom any such Warrant shall be issued shall think fit to apply, in the Manner herein-after directed, for the Reduction or Remission of the Sum thereby directed to be levied, such Person shall give before any Magistrate attending at the Petty Sessions of the District in which such Person shall reside, or if in *Dublin* before any Divisional Magistrate of Police, Security by Recognizance, at the Expence of such Person, with Two sufficient Sureties, in double the Amount of such Sum, and shall lodge with the County Inspector or Commissioners to whom such Warrant may have been transmitted a Certificate under the Hand and Seal of the Magistrate by whom such Security was taken, and which Certificate any such Magistrate is hereby required to give as aforesaid, that such Person has given such Security as aforesaid, together with a Notice in Writing that he will apply for such Reduction or Remission as herein-after directed; and such County Inspector or Commissioners aforesaid shall, upon receiving such Certificate and Notice as aforesaid, forthwith suspend the Execution of such Warrant, and the Proceedings for the Levy of such Fine, Penalty, Deodand, Amerciament, Issues, or forfeited Recognizance shall be suspended until such Appeal shall have been finally decided.

X. And

Application for Reduction of Fine, &c. may be made to Court or to Quarter Sessions, and there heard.

X. And be it enacted, That it shall and may be lawful for any Person upon whom any Fine, Penalty, Amerciament, or Deodand shall be imposed, or from whom Issues or forfeited Recognizances are ordered to be levied or estreated, to apply for the Reduction or Remission thereof by Petition to the Court of Assize which shall be held next after such Fine, Penalty, Amerciament, or Deodand shall be imposed or Issues or Recognizances shall be ordered to be levied, if such Fine, Penalty, Issues, or forfeited Recognizances was or were directed to be levied at a Court of Assize, or to one of Her Majesty's Superior Courts at *Dublin* if imposed or directed by a Superior Court, or in case such Fine, Penalty, Deodand, Issues, or forfeited Recognizances was or were imposed or directed at any other Court, or by any Coroner or other such Person as aforesaid, then to the Court of Quarter Sessions which shall be held next after such Security shall be given in the County, County of a City or Town, in which the same shall have been so imposed or directed, and the Judges of the said Superior Court, Judge of Assize, or Assistant Barrister or Recorder or Chairman at the said Court, or Court of Quarter Sessions, as the Case may be, shall and is hereby authorized and empowered to hear the Matter of the said Petition, and to examine into the Merits thereof, and to make such Order therein for reducing or wholly remitting such Fine or Penalty, Deodand, Issues, or forfeited Recognizances, as to him or them may seem fit, or for confirming the same; and in all Cases where the Court to which Application for the Reduction or Remission of any Fine, Penalty, Deodand, Amerciament imposed, or forfeited Recognizance or Issues directed to be estreated or levied shall have been made shall pronounce or make any Rule, Judgment, or Order thereon, the Clerk of the Rules of every such Court, Clerk of the Peace, or Clerk of the Crown, as the Case may be, shall thereupon forthwith make out and deliver a Copy of such Order to the County Inspector or to the said Commissioners, who shall, on the Receipt of such Order, either refrain from the Execution of such Warrant, or, in case such Order shall direct any Sum of Money to be levied, cause the said Order to be endorsed on the Warrant previously made out or issued, and shall proceed in the Execution of such Warrant according as shall be directed by the Order so endorsed thereon.

Order of Court thereupon to be delivered to County Inspector, &c.

No Appeal to be hereby given where not allowed by the Law under which the Fine, &c. is imposed; nor the Lord Lieutenant or Commissioners of Excise, &c. restrained from reducing a Fine.

XI. Provided always, and be it enacted, That nothing herein contained shall entitle any Person to such Right of Appeal as aforesaid in any Case of summary Conviction, or in any Case where the Fine or Penalty is imposed or levied by the Authority of any Court of Petty Sessions, unless an Appeal is given by the Law under which such Fine or Penalty is inflicted; and provided also, that nothing in this Act contained shall be deemed in any way to limit or restrain the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or Her Majesty's Commissioners of Excise, or any Justices of the Peace, from reducing or remitting any Fine, Penalty, Deodand,

Amerciament, forfeited Recognizance, or Issues directed to be estreated or levied which by Law he or they may be in any way authorized or empowered to reduce or remit.

Where Persons are out of Jurisdiction of the County Inspector or Commissioner, Warrants in aid to issue to the Inspectors of any other County or to Commissioners of Police, within whose Jurisdiction the Parties may be.

XII. And be it enacted, That in all Cases where the Person against whom any original Warrant shall issue under this Act shall reside or have fled or removed from or be out of the Jurisdiction of the County Inspector or Commissioners, as the Case may be, to whom such original Warrant shall be issued, and shall have no Goods or Chattels therein, it shall be lawful for the Inspector General of the said Constabulary Force, or for either of the Deputies to the said Inspector General, or for either of the Provincial Inspectors of the said Force, or for either of the said Commissioners, as the Case may be, to issue his Warrant in aid to any County Inspector of the Constabulary Force for the County in which such Person shall then reside or be, or have Goods or Chattels, reciting the original Warrant issued against such Person as aforesaid, and requiring the County Inspector to whom such Warrant in aid shall be addressed, or such Sub-Inspector, or Head or other Constable, as he shall by Endorsement upon such Warrant in aid empower in that Behalf, to levy the Amount thereof off the Person or Goods of such Person as aforesaid, and to pay or remit the Amount to be levied by virtue thereof to the County Inspector (naming him), or to the said Commissioners, as the Case may be, to whom the said original Warrant was directed: Provided always, that if the Person against whom it shall be necessary to issue such Warrant in aid shall be resident in or have Goods within the said Police District of *Dublin* Metropolis, the same shall be addressed to the said Commissioners, who shall cause the same to be executed by such Constable of the said District as they shall authorize by Endorsement thereupon to execute the same, and they shall cause the Amount to be paid over to the County Inspector to whom the said original Warrant shall have issued as aforesaid; and the said Commissioners, and every County Inspector to whom any such Warrant in aid shall have been directed, shall, within Three Months after the Receipt thereof, return what they shall have done in Execution thereof to the County Inspector to whom the original Warrant shall have been issued.

Money received by Persons authorized to levy or receive, to be certified and paid to Inspectors, &c. within One Month.

XIII. And be it enacted, That the respective Officers of every Court, and every Sheriff or Gaoler, or other Officer or Person who by virtue of any Right or Authority whatsoever shall levy or receive the Amount or any Part of the Amount of any Fine, Deodand, Amerciament, Recognizance, or Penalty, shall certify and pay every Sum so levied or received, within One Calendar Month thereafter, to the said Commissioners, or to the County Inspector, Sub-Inspector, or Head Constable of the District within which he shall have received the same, and shall annex to his Certificate a Schedule in which shall be given the Name and Description of any Person, Corporation, Fund, or Institution to whom or to which every such Sum or any Portion thereof may be payable.

XIV. And

Inspectors, &c. to pay Amount due to Informers, &c., as per Schedule.

XIV. And be it enacted, That the said Commissioners, and every such County Inspector, Sub-Inspector, and Head Constable as aforesaid, shall, out of the several Sums which shall be levied or received by them or him under any original Warrant as aforesaid, pay, at any Time after they or he shall have levied or received the same, to the Person, Corporation, Fund, or Institution entitled thereto, any Sum or Sums payable thereout, according to the Schedule attached to any Warrant which shall be received by such Commissioners, County Inspector, Sub-Inspector, or Head Constable as aforesaid.

Inspector, &c. on Fifth of the Month to pay over Amount received or levied, together with a Statement, to the Paymaster.

XV. And be it enacted, That the said County Inspectors, Sub-Inspectors, and Head Constables respectively shall, on or before the Fifth of each Month, transmit the several Sums which shall be levied and received by them, or shall after such Payments as aforesaid remain in their Hands respectively within the previous Month, under the Provisions of this Act, to the Paymaster of the Constabulary Force for their respective Districts; and every such County Inspector, Sub-Inspector, or Head Constable is hereby required, on Payment of such Monies, to furnish to the said Paymaster a Statement under his Hand, in the Form in the Schedule (B.) to this Act annexed, showing the full Amount so levied or received by him under or on account of any such Warrant, and what Payments (if any) were made by him thereout, and for what Purpose such Payments were made, and to whom and at what Time each such Payment was made; and each such County Inspector, Sub-Inspector, and Head Constable is hereby required to furnish to such Paymaster, for every such Payment, a written Receipt or Voucher, signed by the Person to whom such Payment shall be made.

Paymaster to keep separate Accounts; to pay Amounts due to Constabulary Reward Fund, and Residue into Bank to the Credit of Receiver of the Force.

XVI. And be it enacted, That every such Paymaster shall keep a separate and distinct Account of all Monies received by him from each such County Inspector, Sub-Inspector, or Head Constable as aforesaid, under the Provisions of this Act, and shall carry the Amount of all Rewards or Fines to or upon any Member of the said Constabulary Force to the Credit of the Reward Fund of the said Force, and shall on the First *Monday* in every Month lodge the Residue of the Sums so received within the preceding Month in the Bank of *Ireland*, or in some Branch Bank thereof, to the Credit of the Receiver of the Constabulary Force of *Ireland*, in an Account to be intituled "The Counties Fines and Penalties Account;" and the Amount received from each Sub-Inspector or Head Constable shall be distinguished in the said Account; and every such Paymaster shall transmit to the said Receiver at the same Time a Statement in Writing of each such Lodgment to his Credit, specifying the Sum paid in in respect of each Sub-Inspector or Head Constable as aforesaid.

Paymaster to make out and transmit half-yearly Accounts

XVII. And be it enacted, That every such Paymaster as aforesaid shall make out half-yearly, for each County, an Account of all Monies by him received as aforesaid, and of all Sums

Sums of Money paid or applied by him thereout for that County in pursuance of this Act, and shall transmit it to the Secretary of the Grand Jury, to be by him laid before the Special Road Sessions next preceding each Assizes.

to Secretary of Grand Jury.

XVIII. And be it enacted, That the said Commissioners shall, on or before the Fifth of each Month, pay all Sums by them received under or by virtue of any original Warrants issued to them as aforesaid, or as shall remain in their Hands after such Payments as aforesaid within the previous Month, into the Bank of *Ireland*, to the Credit of the Receiver of the Metropolitan Police District, in an Account to be intituled "The *Dublin* Fines and Penalties Account;" and the Divisional Justices of the Police District of *Dublin* Metropolis shall in like Manner, on or before the Fifth of each Month, pay into the said Bank to the Credit of the said Account all Sums levied under or by virtue of any Warrant issued by them under the Provisions of the herein-before recited Act of the Second and Third Years of Her present Majesty's Reign, or any other Act or Acts, or as shall remain in their Hands after such Payments as they may have made thereout within the previous Month; and on Payment of such Monies the said Commissioners and Divisional Justices respectively shall furnish to the said Receiver a Statement under their Hands, in the Form in the said Schedule (B.), showing the full Amount so levied or received by them under or on account of any such Warrant, and what Payments, if any, were made by them thereout, and for what Purpose such Payments were made, and to whom and at what Time each such Payment was made, and shall for every such Payment furnish a written Receipt or Voucher, signed by the Person to whom such Payment shall be made.

Commissioners of Police and Divisional Justices of Dublin District to pay to Credit of Receiver of that Force.

XIX. And be it enacted, That every such Paymaster as aforesaid and the said Commissioners and Divisional Justices shall make out and transmit to the Chief Remembrancer of Her Majesty's Court of Exchequer in *Ireland*, once in each Year at the least, or oftener if he shall so direct, and at such Time or Times and in such Manner and Form as the said Chief Remembrancer shall from Time to Time direct or require, an Account of all Monies by him or them received as aforesaid, and of all Sums of Money paid or applied by him or them thereout, with the Date of every Lodgment by him or them made as aforesaid.

Paymaster and Commissioners to furnish the Chief Remembrancer with an Account of Monies received or paid by them.

XX. And be it enacted, That each of the said Receivers shall furnish to the said Chief Remembrancer, once in every Year at the least, or oftener, if he shall so require, and at such Time and Times and in such Form and Forms as the said Chief Remembrancer shall direct, an Account of all Sums lodged to the Credit of such Receiver in pursuance of this Act, and of the Application thereof.

Receivers to furnish Accounts of Monies lodged to their Credit.

XXI. And be it enacted, That the said Chief Remembrancer shall from Time to Time examine, audit, and declare the Accounts

Chief Remembrancer to audit Accounts in like Manner as

Sheriffs Accounts are audited by 5 & 6 W. 4. c. 55.

counts furnished to him as aforesaid, and shall have all such Power, Authority, and Jurisdiction with respect to the said Accounts, and to the Examination of all Persons with respect to any Matters relating thereto, and for enforcing the Payment of any Balances which may appear due thereupon, and in proceeding in any way under this Act, as are given to him touching Sheriffs Accounts by an Act passed in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for facilitating the Appointment of Sheriffs in* Ireland, *and the more effectual Audit and passing of their Accounts; and for the more speedy Return and Recovery of Fines, Fees, Forfeitures, Recognizances, Penalties, and Deodands; and to abolish certain Offices in the Court of Exchequer in* Ireland; *and to amend the Laws relating to Grants in Custodiam and Recovery of Debts in* Ireland; *and to amend an Act of the Second and Third Years of His present Majesty, for transferring the Powers and Duties of the Commissioners of Public Accounts in* Ireland *to the Commissioners for auditing the Public Accounts of* Great Britain; and an Abstract of such Accounts for the Year next preceding, classified according to Counties, Cities, and Boroughs, shall, after their final Audit, be laid before both Houses of Parliament before the Thirty-first Day of *March* in each Year.

Chief Remembrancer to issue Warrant from Time to Time to Inspectors, &c. for Recovery of Fines and Balances, who shall make Return thereto.

XXII. And be it enacted, That it shall and may be lawful for the said Chief Remembrancer from Time to Time to issue a Warrant or Warrants under his Hand and Seal to all such County Inspectors or Sub-Inspectors as aforesaid, and to the said Commissioners and Divisional Justices, commanding them severally and respectively to levy or cause to be levied, in the Manner herein-before directed with respect to the Warrants herein-before mentioned, all such Fines, Issues, Amerciaments, Penalties, Forfeitures, Recognizances, and Deodands payable to Her Majesty, Her Heirs and Successors, as the said Chief Remembrancer is now empowered to levy and enforce by any Process whatsoever, and also to levy all such Balances as shall appear to be due on Foot of any Account or Accounts which shall be submitted to such Chief Remembrancer under and by virtue of this Act; and such County Inspectors or Sub-Inspectors and Commissioners, and Divisional Justices are hereby required, within such Time after the Receipt of such Warrant or Warrants as the said Chief Remembrancer shall in and by the same direct, return to such Chief Remembrancer what they shall have respectively done in execution thereon; and the said Chief Remembrancer is hereby authorized and empowered to issue from Time to Time to such County Inspectors or Sub-Inspectors or Commissioners and Divisional Justices, such Warrants as aforesaid, or Renewals thereof, for the Recovery of the Balances due on the said Warrants respectively, until the full Amount of the Sums thereby directed to be levied shall be fully paid or otherwise discharged by due Course of Law; and all such Sum or Sums as shall be paid to

or levied by any such County Inspector or Sub-Inspectors as aforesaid shall be paid through the said Paymasters into the Bank of *Ireland* aforesaid, to the Credit of the said Fines and Penalties Fund Account; and all Sums so levied by the said Commissioners and Divisional Justices shall be by them paid to the Credit of the said *Dublin* Fines and Penalties Account; and no Process shall issue after the passing of this Act to any Sheriff to levy any of the said Monies, or any Sum authorized to be levied under the Provisions of this Act, save as herein-after provided.

Payment of Sums levied.

No Process to issue to Sheriff.

XXIII. And be it enacted, That each of the said respective Sub-Inspectors and Head Constables, and each Constable who may be employed to execute any such Warrant as aforesaid by any County Inspector, or by the said Commissioners or Divisional Justices, shall transmit a Report, once in each Month, to the County Inspector of his District, or to the said Commissioners or Divisional Justices, as the Case may be, of what he shall have done in execution of any such Warrant, and a Statement of all Sums levied, received, or paid to or by him under or on account of any such Warrant as aforesaid, and of all Monies yet to be levied by virtue thereof.

Sub-Inspectors and Constables to transmit a Report monthly to County Inspectors and Commissioners.

XXIV. And be it enacted, That all Officers and Persons bound to make such Entries as aforesaid, or to issue or execute any such Warrant as aforesaid, or who shall have received the Amount of any such Fines, Penalties, Amerciaments, forfeited Recognizances, Deodands, or Issues as aforesaid, or any Monies on account thereof, shall, whenever required by the said Chief Remembrancer, transmit to him in such Form, and at such Times, and verified in such Manner as he shall direct, a true and correct Account of all Fines, Penalties, Amerciaments, forfeited Recognizances, Deodands, and Issues imposed, inflicted, levied, or received or paid by them within such particular Period as the Chief Remembrancer aforesaid shall require, together with the Name of the Person from whom the same was received, and to whom the same was paid.

Officers and others engaged in the Execution of this Act to furnish to the Chief Remembrancer Returns of Sums received or levied by them.

XXV. And be it enacted, That if any Officer or other Person who shall have levied or received, for or on account of any Recognizance which shall be ordered to be estreated or Issues which shall be directed to be levied, any Sum of Money whatsoever, and shall not have duly accounted and paid over the same in the Manner and Form and within the Times prescribed by this Act, it shall be lawful for the said Chief Remembrancer, upon Complaint made thereof to him, to order the Money so held over to be forthwith paid to the Officer or Person entitled to receive the same, or to refer the Matter of such Complaint, by any Writing under his Hand, to any Two Justices of the County in which the Person against whom such Complaint shall be made shall reside; and it shall be lawful for such Justices to adjudicate thereupon, and they shall have such Powers for compelling the Attendance of Parties or Witnesses before them, and of examining such Parties or Witnesses upon

Enforcement of Money overheld.

Oath, as any Justice or Justices of the Peace now possess by Law touching any Matter in, to, or upon which they are authorized to inquire or adjudicate; and any Order made by the said Chief Remembrancer or of such Two Justices may be enforced by the Warrant of the said Chief Remembrancer or the said Justices against the Person or Goods of the Party against whom such Order shall be made, and such Warrant shall be executed in like Manner as any other Warrant to be issued under this Act as aforesaid.

Penalty for Neglect or making false Returns or Entries.

XXVI. And be it enacted, That if any such Officer or Person bound to make such Entry as aforesaid shall neglect so to do or shall make an untrue Entry, or if any such Officer or Person, other than and except the said Divisional Justices and the Clerks at their Offices, shall neglect to transmit to such County Inspector as aforesaid or to the said Commissioners of Police such respective Lists as aforesaid, or if any such List shall be untrue or incorrect, or if any Officer or Person bound to pay any Monies over as aforesaid to any County Inspector or Sub-Inspector or Head Constable, or to the said Commissioners, or to the said Paymasters, or to issue or execute any such Warrant as aforesaid, or to render such Accounts or Statements as aforesaid to the Chief Remembrancer, shall neglect so to do, the Chief Remembrancer aforesaid may and he is hereby authorized, in addition to any other Penalty or Punishment to which such Officer or Person may in Law be liable, to set a Fine upon every such Officer or Person so making default, not exceeding Ten Pounds, for every such Neglect or Misconduct, upon Proof thereof made before the said Chief Remembrancer in *Dublin*, or before any Justice or Justices of the Peace who shall be authorized by the said Chief Remembrancer, by any Writing under his Hand, to examine into the same, such Fine to be levied, paid, accounted for, and applied in like Manner as any other Fine ought to be levied, paid, and accounted for under the Provisions aforesaid.

In case of Illness, &c. of County Inspector or Commissioner, his Deputy or Successor to act.

XXVII. And be it enacted, That in case of the Death, Illness, Removal, or Absence of any County Inspector or Commissioner of Police, it shall be lawful to and for such Deputy or Successor as shall be duly authorized *pro tempore* to perform the several Duties of such County Inspector or Commissioner, and such Deputy or Successor is hereby required, to perform and do all such Act and Acts, Duty and Duties, as such County Inspector or Commissioner is or are authorized or might be required to do in the Execution of this Act.

Sub-Inspector, &c. authorized to sell without a Licence.

XXVIII. And be it enacted, That either of the said Commissioners or Divisional Justices, or any County Inspector or Sub-Inspector, or Head Constable or Constable, empowered to levy any Sum of Money under this Act, may and he is hereby authorized to sell or cause to be sold by Auction any Distress and Distresses levied by him or by his Authority under the Provisions of this Act, without procuring any Licence to act as an Auctioneer, and may deduct out of the Amount of such

such Sale all reasonable Costs and Charges actually incurred by him in effecting the same, to be approved of and certified by the Justices at Petty Sessions; and no such Distress or Distresses so sold shall be subject to any Auction Duty.

Justices may order Twenty Shillings Costs on summary Conviction.

XXIX. And be it enacted, That it shall and may be lawful for any Justice or Justices of the Peace, when adjudicating on any Case in a summary Way under any Statute now in force or hereafter to be passed authorizing summary Convictions, to direct and order the Person preferring any Charge or Complaint, or the Person against whom any such Charge or Complaint shall be made, to pay any Sum not exceeding Twenty Shillings for the Costs and Charges to which any such Party, Complainant or Defendant, may appear in the Judgment of such Justices to be reasonably entitled, and any such Sum so directed to be paid by any Defendant shall be over and above and in addition to any Fine or Penalty to which he may be liable; and such Sum so adjudged to be paid for Costs, if not paid forthwith, shall be levied in the same Manner as other Fines and Penalties levied under this Act; and the Commissioners, County Inspector or Sub-Inspector, or Constable by whom the Warrant for the levying of the same shall be executed, or to whom the same shall be paid, shall pay the Amount of such Costs to the Complainant or Defendant to whom the same shall be adjudged.

Recognizances to keep the Peace to be transmitted to the Clerk of the Peace within Fourteen Days.

XXX. Provided always, and be it enacted, That from and after the passing of this Act all Recognizances entered into by any Person before any Tribunal, Justice or Justices of the Peace, having Authority to receive and take the same, conditioned that such Person shall keep the Peace to Her Majesty's Subjects or to any particular Person named therein, or to both, according to the Condition of such Recognizance, shall, within Fourteen Days after the same shall be so acknowledged, taken, and entered into, be returned or transmitted to the Clerk of the Peace of the County, County of a City or County of a Town, wherein such Recognizance or Recognizances shall be so acknowledged and taken.

On Breach of the Peace, Assistant Barrister, &c., on Proof, may order Levy of Recognizance so forfeited.

XXXI. And be it enacted, That in case any Person who shall enter into such Recognizance or Recognizances as aforesaid shall commit any Breach of the Peace, or in any Manner violate the Condition of such Recognizance or Recognizances, that then and in such Case it shall be lawful to and for the several Assistant Barristers, Recorders of Cities or Boroughs in *Ireland*, and for the Chairman of the County of *Dublin*, upon Conviction of such Person for any Offence that shall be a Breach of the Condition of the said Recognizance, (such Conviction to be proved by the Production of a Certificate thereof signed and attested by the proper Officer in that Behalf, or by Proof to be made before such Assistant Barrister or Recorder or Chairman that the Person or Persons so bound by Recognizance had committed a Breach of the Peace,) to order that such Recognizance and Recognizances shall be forfeited to

such Amount as such Assistant Barrister, Recorder, or Chairman shall think fit, and to direct Warrants to levy the Amount of such forfeited Recognizances to be issued in like Manner as other Fines and Penalties are directed to be levied by this Act: Provided always, that Proof shall be first made on Oath before such Assistant Barrister or Recorder or Chairman that Notice in Writing has been given to or left at the usual Place or Places of Abode of the Party, or each of the Parties, if there be more than One, against whom it is sought to put such Recognizance in force, Six Days at the least before the Commencement of the Sessions at which such Application is or shall be made; and such Notice shall state in Substance the Cause or Matter on which it is intended to sustain the Application.

Proof of Notice to be first given.

Fines upon Jurors to be estreated, and returned to Chief Remembrancer, who shall cause Process to issue for Levy thereof.

XXXII. And be it enacted, That all Fines which shall hereafter be imposed upon any Persons for not attending to serve as Jurors in any Court in *Ireland* shall be estreated and returned to the said Chief Remembrancer in such Manner and Form and at such Times as he shall direct; and it shall be lawful for him to cause Process to issue for having the same levied by the Sheriff of the proper County or County of a City or Town, and the same shall be accounted for before him by such Sheriff accordingly; and the Amount shall be paid by every such Sheriff, other than the Sheriff of the City of *Dublin*, into the Bank of *Ireland*, to the Credit of the said Receiver of the said Constabulary Force in the "Counties Fines and Penalties Account," and by the Sheriff of the said City of *Dublin* into the said Bank, to the Credit of the said Receiver of the Police District of *Dublin* in the "*Dublin* Fines and Penalties Account:" Provided always, that such Fine may be reduced or discharged in like Manner as before the passing of the said Act.

Appropriation of Sums paid to the Credit of the Receivers.

XXXIII. And be it enacted, That it shall be lawful for the Lord Lieutenant of *Ireland*, so long as the Hereditary Revenues of the Crown shall not be payable and paid to Her Majesty, Her Heirs and Successors, by any Order or Orders to be by him from Time to Time made for that Purpose, by and with the Advice of Her Majesty's Privy Council there, to charge the Monies arising under the Provisions of this Act to the Credit of the said Receivers respectively, in such Proportions as he may think proper, with the Payment of any Costs, Charges, or Expences which may be incurred in the carrying of this present Act into execution, or which shall have been incurred in carrying the herein-before first-recited Act into execution; and to direct that the surplus Monies remaining to the Credit of the said Two several Accounts, and not already appropriated by any Act or Acts to any special Purpose, shall, in the Case of the *Dublin* Fines and Penalties Account, be applied towards defraying the Expences of the Police Establishment of the said District, and shall in the Case of the Counties Fines and Penalties Account be carried to the Credit

Credit of the several Counties from which the same shall have been received, in proportion to the Amount received from each, and shall be applied in Diminution of the Charge to which such County or District shall be liable for the Moiety or Proportion payable by it of the Expences of the Constabulary Force employed therein: Provided always, that it shall be lawful for the said Lord Lieutenant, by and with such Advice as aforesaid, to rescind or vary any Order so made by him, and to make any new or other Order instead thereof that he may deem necessary or expedient; and provided also, that no such Distribution shall be made at any Time after Her Majesty's Heirs and Successors shall have resumed Possession of the Hereditary Revenues of the Crown.

Act not to extend to Revenue Fines.

XXXIV. Provided always, and be it enacted, That nothing in this Act contained shall be deemed or construed to extend to any Fine, Penalty, or Forfeiture incurred by or imposed upon any Person whatsoever in *Ireland* under any Act or Acts relating to the Revenues of Customs, or Excise, or Stamps, or Post Office respectively, or to the suing for, mitigating, levying, recovering, or distributing any such Fine, Penalty, or Forfeiture, but that all and every such Fines, Penalties, and Forfeitures shall be sued for, mitigated, levied, and recovered, and distributed, under the Powers, Provisions, Authorities, and Directions of the several Acts relating to the said Revenues respectively, and under and by the same Persons, Ways, and Means, and in the same Manner in every respect as if this Act had not been passed: Provided also, that nothing in this Act contained shall extend to any Fines or Penalties incurred or imposed under any Act or Acts relating to the Laws for the Preservation of Game or relating to Loan Societies in *Ireland*.

Schedules to be taken as Part of the Act, with Power to Lord Lieutenant to alter.

XXXV. And be it enacted, That the Schedules to this Act annexed, and every thing therein contained, shall be deemed and taken to be Part thereof: Provided always, that it shall be lawful for the said Lord Lieutenant in Council to vary or alter any of the Forms given therein, and from Time to Time to prescribe any other Form or Forms instead thereof that he may think proper.

One Commissioner of Dublin Metropolis may act.

XXXVI. And be it enacted, That it shall be lawful for any one of the said Commissioners of the Police District of *Dublin* Metropolis to do any Act whatever which the said Commissioners are hereby authorized or required to do as aforesaid.

Receipts not to be subject to Stamps.

XXXVII. And be it enacted, That no Receipt, Voucher, Document, or Instrument, whether required to be given, made, or provided in pursuance of the Provisions of this Act, shall be subject to or chargeable with any Stamp Duty whatsoever.

Interpretation of Act.

XXXVIII. And be it enacted, That in the Construction of this Act, unless there be something in the Context repugnant thereto, the Expression "Police District" shall be understood

stood to signify the Police District of *Dublin* Metropolis; and the Expression "Commissioners of Police" shall be understood to signify the "Justices of the Peace for the Police District of *Dublin* Metropolis," appointed under the Authority of an Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis;* and the Expressions "Divisional Justice or Divisional Justices" shall be understood to signify a Divisional Justice or Divisional Justices of the Police District of *Dublin* Metropolis; and the Expression "Lord Lieutenant" shall be understood to signify any Lord Justice, or other Chief Governor or Governors of *Ireland* for the Time being; and that all Enactments herein contained concerning the Chief Remembrancer of Her Majesty's Court of Exchequer in *Ireland* shall be taken to apply either to such Chief Remembrancer or to such other Officer whom the Commissioners of Her Majesty's Treasury shall appoint to execute the Duties of the Chief Remembrancer; and that all Acts, Matters, and Things by this Act authorized or required to be done by or in relation to any Justices at Petty Sessions shall and may, in the County of the City of *Dublin*, and within the Police District of *Dublin* Metropolis, be done by or in relation to the Divisional Justices at their Offices, and shall and may, in any other Place not included within any Petty Sessions District, be done by or in relation to any Two or more Justices of the Peace acting in and for such Place; and that any Word denoting the Singular Number or the Male Sex shall be taken to extend to any Number of Persons or Things and to both Sexes.

6 & 7 W. 4. c. 29.

Section 107 of 5&6 Vict. c. 106. repealed.

XXXIX. And be it enacted, That so much of an Act passed in the last Session of Parliament, intituled *An Act to regulate the* Irish *Fisheries*, as requires that a Return or Report shall be made by the Clerks of the several Petty Sessions Courts in *Ireland* to the Commissioners appointed under the last-mentioned Act of the Names of all Persons prosecuted and convicted under the Provisions thereof, shall be and the same is hereby repealed.

Act may be amended, &c.

XL. 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-

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

LIST of FINES, &c. transmitted to by , pursuant to the Provisions of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled "An Act for the better Collection of Fines, Penalties, Issues, Deodands, Amerciaments, and forfeited Recognizances in Ireland, and for the Appropriation thereof."

No.	Name and Description of Person fined.	Residence, Parish, and Townland.	Offences, and Act under which Fine, &c. is imposed.	Date of imposing Fine, &c. or Recognizance estreated, or Issues directed to be levied.	Name of Court, Justice, or other Person imposing Fine, &c.	Amount of Fine, &c. imposed or ordered.	Amount of Costs awarded (if any).	Name, Description, and Residence of Person to whom Costs are awarded.	Portion of Fine, &c. awarded to Informer or Prosecutor.	Name, Description, and Residence of Informer or Prosecutor.	Amount payable to any Public Body (if any).	Name of Public Body, &c. to which any Fine, or Portion of Fine, &c. is payable.	Term of Imprisonment, with or without hard Labour, awarded in default of Payment.	Amount of any Fine paid into Court, or to Petty Sessions Clerk, Sheriff, or other Person.	How disposed of, and to whom paid.	Remarks.

Given under my Hand, at , this Day of One thousand eight hundred and forty-

[CERTIFICATE to be added if List is transmitted by Clerk of Petty Sessions:—
We, Two of Her Majesty's Justices attending at the Petty Sessions at , do certify under our respective Hands that we have compared the above List with the Book of Entries, and find the same to be correct.]

SCHEDULE (B.)

RETURN of FINES, PENALTIES, &c. received or levied by between the Day of and the Day of 18 .

Number of List received from Clerk of Crown, Peace, or Petty Sessions, or Number of Abstract.	Name of Person in Warrant.	Date of Warrant, and by whom issued.	Amount of Fines, &c. including Costs.	Amount received or levied thereout.	From whom received.	Costs received and paid.	To whom paid, Description and Residence.	Amount paid to Informer or Prosecutor.	Name, Description, and Residence of Informer.	Amount of Fine remitted or credited to Paymaster or Commissioner.	Portion payable to Reward Fund.	Date when remitted or credited.	Whether committed in default of Payment, and to what Gaol, and for what Period.	REMARKS. State why any Fine, &c., or Balance of Fine, &c. has not been levied or received.

I hereby certify the foregoing to be a true and correct Return of all Fines and Penalties, &c. received or levied by me, and of the Appropriation of the same.

Dated at , this Day of 18 .

County Inspector or Sub-Inspector, or Commissioners.