ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

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CAP. LI.

An Act for converting the *Richmond* General Penitentiary into one of the Prisons for the County of the City of *Dublin*, and to amend the Law relating to Prisons in *Ireland*.

[13th *August* 1836.]

WHEREAS it is necessary to make better Provision than now exists for the Accommodation and Classification of Prisoners in the County of the City of *Dublin*, and to make other Provisions respecting the Prisons in the said County of the City of *Dublin*; be it therefore enacted by the King'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 it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, at any Time after the passing of this Act, by Warrant under his or their Hand and Seal, to grant and convey the Prison called the *Richmond* General Penitentiary, and the Site thereof, and the Courts, Yards, Out-offices, Buildings, and Appurtenances belonging thereto, to the Commissioners appointed in the last *Hilary* Term by the Grand Jury of the County of the City of *Dublin* for causing an additional Prison for Male Felons to be built within the Boundary Walls of the *Richmond* Bridewell, their Heirs and Assigns, in Trust for the Uses and Purposes of this Act, and of an Act made and passed in the Seventh Year of the Reign of His late Majesty King *George* the Fourth,

The Lord Lieutenant may transfer the Richmond General Penitentiary to the Commissioners appointed by the Grand Jury.

7 G. 4. c. 74. Fourth, intituled *An Act for consolidating and amending the Laws relating to Prisons in* Ireland; and the said *Richmond* General Penitentiary, and the Site thereof, and the Courts, Yards, Out-offices, Buildings, and Appurtenances thereto belonging, shall thereupon become and be vested in the said Commissioners accordingly, and shall be deemed and taken to be, to all Intents and Purposes, Part of the said County of the City of *Dublin*, and to be one of the Prisons of and for the said County of the City of *Dublin*, and be subject to all the Rules, Regulations, and Provisions contained in the said recited Act, or any other Act or Acts passed or to be passed for the Regulation of the Prisons within the said City, and the Classification and Custody of Prisoners therein, and the Duty of the several Officers and Attendants belonging thereto, save as the same may be altered by this Act; and the Removal of any Prisoner who might by Law be confined in any Prison within the County of the City of *Dublin* to or from the said *Richmond* General Penitentiary shall not be deemed an Escape of such Prisoner, although in such Removal he or she may be brought into or through some Part of the County of *Dublin*.

The Expences of repairing Buildings, Salaries of Officers, and Support of Prisoners to be paid by Grand Jury Presentment.

II. And be it further enacted, That all and every the Expence of altering, enlarging, and repairing the said Prison, and of paying the Salaries and Allowances of the Gaolers, Keepers, Local Inspectors, Matrons, Servants, Turnkeys and their Assistants, Medical and other Officers to be appointed to the said Prison, or to any House of Correction within the same, or within the Boundary Wall thereof, and of the providing Food, Fuel, Furniture, Utensils, Bedding, Clothing, and other Necessaries for the Prisoners therein, shall be raised by Presentment of the Grand Jury of the County of the City of *Dublin*; and in case such Grand Jury shall at any Time refuse or neglect to make such Presentment or Provision after having been properly called upon and directed by the Court or Judges to make the same, then and in every such Case the said Court or Judges are hereby empowered and required to direct that the Amount of the Sum which ought to have been presented shall be added to the Warrant of the Treasury of the said County of the City of *Dublin*, and the same shall be raised, levied, applotted, and assessed in like Manner as any Presentment duly made upon the said County.

Local Inspector, Chaplains, and Medical Officers to be appointed by the Grand Jury; Gaolers, Matrons, &c. by the Lord Lieutenant.

III. And be it further enacted, That the Local Inspector, Chaplains, Surgeon, Physician, and Apothecary of the said Prison shall be appointed from Time to Time by the Grand Jury of the County of the City of *Dublin* as provided by the said recited Act of the Seventh Year of the Reign of King *George* the Fourth for the Prisons now established in the said County of the City of *Dublin*, and that the Keepers, Matrons and other Attendants, Servants and Turnkeys, and their Assistants, of and for the said Prisons, shall be appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, according to such Establishment and with such Salaries and Allowances as shall be certified from Time to Time by the Inspectors General of Prisons, under their Hands, to the said Lord Lieutenant or other Chief Governor or Governors, and approved of by him or them as being sufficient and necessary for the Care and Management of the said Prison and the Prisoners

Prisoners therein: Provided always, that the Sheriffs of the County of the City of *Dublin* shall not be answerable for the safe Custody of any Prisoner confined in the said Prison or any Part thereof, or any Building situate within the Walls thereof; and provided also, that the Keeper or Gaoler of the said Prison shall not be entitled to any Presentment for or in lieu of Fees on the Acquittal, Conviction, or Discharge of any Prisoner.

The Lord Lieutenant may discontinue the Smithfield Penitentiary as a Prison for the County of Dublin.

IV. And whereas upon the Establishment of the said Prison under this Act it will be unnecessary to continue the *Smithfield* Penitentiary as a Place of Confinement for Prisoners for the County of the City of *Dublin*, and the same may be conveniently employed as a Depôt for Prisoners convicted and sentenced to Transportation, or for other Purposes; be it therefore further enacted, That when the said Prison hereby directed to be vested in the said Commissioners shall be made fit for the Reception and safe-keeping of such Prisoners as may be lawfully confined therein, and the Inspectors General of Prisons shall certify the same under their Hands to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, and to the Grand Jury of the County of the City of *Dublin*, it shall and may be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of *Ireland* to direct, by Warrant under his or their Hand, that the said *Smithfield* Penitentiary shall thenceforth be discontinued to be and shall no longer be used as a Bridewell or Prison for Prisoners of or from the County of the City of *Dublin*, and to direct the Removal of the Prisoners then confined therein to such other Prison or Prisons in the County of the City of *Dublin* as to him or them may seem fit, and from thenceforth no Presentment shall be made by the Grand Jury of the County of the City of *Dublin* for or on account of the said *Smithfield* Penitentiary, or of any other Expenditure connected therewith; and the same, and all Yards, Grounds, Outhouses, Offices, and Buildings connected therewith, shall and may be employed, under the Orders of the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, as a Depôt for Convicts sentenced to Transportation, or for such other Purposes as he or they may think fit; and the same shall become and be legally vested in such Person or Persons as the Lord Lieutenant or other Chief Governor or Governors of *Ireland* may direct, in Trust for the Purposes of this Act.

So much of 48 G. 3. c. 140. as relates to the Exercise of any Power by Divisional Justices over Gaols &c. repealed.

V. And be it further enacted, That from and after the passing of this Act such Parts of an Act passed in the Forty-eighth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of* Dublin *Metropolis*, as relate to the Appointment of any Officer, or to the Exercise of any Power or Authority in any Gaols, Houses of Correction, Marshalseas, Bridewells, or other Prisons within the County of the City of *Dublin* by the Divisional Justices of the Castle Division of the Head Office of Police, be and the same are hereby repealed.

VI. And

Part of 7 G. 4. c. 74. repealed.

VI. And be it further enacted, That so much of the said recited Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth as excepts the County of the City of *Dublin* from the Operation of that Part of the said Act under which the Grand Jury of every County, County of a City, or County of a Town throughout *Ireland* is authorized and required to appoint a Board of Superintendence, with certain Powers and Duties as in the said Act set forth, be and the same are hereby repealed; and that the Grand Jury of the County of the City of *Dublin* aforesaid shall and may, at the next Presenting Term after the passing of this Act, and at every succeeding Presenting Term, and they are hereby authorized and required to appoint a Board of Superintendence of every Gaol, Bridewell, House of Correction, or other Prison within the said County of the City of *Dublin*, supported in part or in the whole by Grand Jury Presentment, under the same Regulations, possessing the same Powers, and to perform the same Duties as are specified and set forth in the said last-recited Act respecting the Boards of Superintendence appointed in the several Counties, Counties of Cities, and Counties of Towns respectively throughout *Ireland*; and that all the Provisions of the said last-recited Act relating to Boards of Superintendence shall apply to and have full Force and Effect in all Things relating to such Prisons of the said County of the City of *Dublin* in the same Manner as in those of every other County, County of a City, or County of a Town throughout *Ireland*; and in case any of the said Offices to which the said Grand Jury are by this Act authorized to appoint shall become vacant between Two Presenting Terms, then and in every such Case it shall be lawful for the said Board of Superintendence to appoint a new Officer to fill such Vacancy, who shall hold and exercise such Office until a new Appointment shall be made thereto by the said Grand Jury, as fully and effectually as such provisional Appointment might have been heretofore made by the Sheriff of the said County of the City of *Dublin*: Provided that nothing in this Act contained shall interfere with the Regulations in the said recited Act contained respecting the Appointment or Salaries of Medical Officers or Chaplains by the Grand Jury of the County of the City of *Dublin* aforesaid.

Grand Jury of the County of the City of Dublin to appoint a Board of Superintendence as in other Counties under the 7 G. 4. c. 74.

Provisions in recited Act regarding poor Prisoners to extend to Prisoners confined in the Marshalsea, Dublin.

VII. And be it enacted, That the Provisions of the said recited Act with respect to Prisoners who shall not be of sufficient Ability to procure Food and other Necessaries, and also with respect to Prisoners confined or detained at the Suit of any Creditor or Creditors for any Debt less than the Sum of Ten Pounds, and for the Payment to them by such Creditor or Creditors of any weekly Sum, and for their Discharge in default of such Payment, shall be deemed and taken to apply and extend to Prisoners confined in the Marshalsea of the City of *Dublin* as fully as to Prisoners confined in any other Prison in *Ireland*.

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