

SAORSTÁT EIREANN.

KILMAINHAM PRISON (CLOSING) ORDER,

1929.

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SAORSTÁT EIREANN.

ORDU I DTAOBH PRÍOSÚN CHILL MHAIGHNEANN
(DUNADH), 1929.

DE BHRÍ go n-achtuítear le hAlt 30 den Reacht Bhriotáineach dar tiotal "*The General Prisons (Ireland) Act, 1877*," go bhfeadfaidh Fear Ionaid an Rí, ar an radh lá d'Aibreán, míle ocht goctad a hocht seachtód agus taréis an lae sin, tré Ordú, aon phríosún no príosúin do dhúinadh, ó ai go ham, ach go gceiméadfar aon phríosún amháin i ngach contae mara n-orduighidh Fear Ionaid an Rí a mhalairt ar réasún speisialta a luadhfar ina Ordú;

AGUS DE BHRÍ go n-achtuítear leis an Alt san 30 den Reacht Bhriotáineach roimhráite pé uair a bheidh Fear Ionaid an Rí tar éis aon Ordú den tsórt san roimhráite do dhéanamh, go ndéanfar san Ordú san príosún no príosúin d'ainmniú chun a n-aistreofar no ina gcuirfear na príosúnaigh a bheadh á gceiméad sa bpríosún a dúinadh amhlaidh, go hiomlán no i bpáirt, mara mbeadh an tOrdú san:

AGUS DE BHRÍ go n-achtuítear le hAlt 11 den Acht um Oiriúnaíocht Achtanna, 1922 (Uimh. 2 de 1922), go ndéanfar gan dochar ná díobháil do sna hoiriúnaíthe áirithe a dínadh leis an Acht san, gach luadh no tagairt atá inaon Reacht Briotáineach d'aon Aire, oifigeach, roinn no údarás de Rialtas na Ríochta Aontuithé a bhí ann le déanaí no den Rialtas Briotáineach a bhí in Éirinn, mar aon le Fear Ionaid an Rí ag feidhmiú feidhmeanna, do léiriú agus d'fheidhmiú i dtaobh aon ghníomha, ruda no ní do dhéanamh no d'fhagaint gan déanamh tar éis an 6adh lá de Mhí na Nodlag, 1922, mar luadh no mar thagairt don Aire, don oifigeach, don roinn no don údarás i Saorstát Éireann a fheidhmiú i Saorstát Éireann feidhmeanna atá ionann no ar có-réir leis na feidhmeanna d'fheidhmiúch an tAire, an t-oifigeach, an roinn no an t-údarás san de Rialtas na Ríochta Aontuithé a bhí ann le déanaí no den Rialtas Briotáineach a bhí in Éirinn roimh an 6adh lá de Mhí na Nodlag, 1921, i dtaobh an líomatáiste gurb é Saorstát Éireann anois é:

AGUS DE BHRÍ gurb é an tAire Dlí agus Cirt an tAire i Saorstát Éireann a fheidhmiú i Saorstát Éireann feidhmeanna atá ionann no ar có-réir leis na feidhmeanna do bhí á bhfeidhmiú i dtaobh an líomatáiste gurb é Saorstát Éireann anois é ag Fear Ionaid an Rí féin Alt san 30 den *General Prisons (Ireland) Act, 1877*, roimh an 6adh lá de Mhí na Nodlag, 1921:

AGUS DE BHRÍ go bhfuil sé oiriúnach ar na réasún speisialta atá luaidhte anso ina dhiaidh seo, an príosún i gCill Mhaighneann i gContae Chathair Bhaile Atha Cliath do dhúinadh go hiomlán:

ANOIS, i bhfeidhmiú agus de bhua na geomhacht a dísítear san Aire Dlí agus Cirt chuige seo le hAlt 30 den *General Prisons (Ireland) Act, 1877*, té mar a hoiriúnaíocht é le hAlt 11 den Acht um Oiriúnaíocht

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SAORSTÁT EIREANN.

KILMAINHAM PRISON (CLOSING) ORDER, 1929.

WHEREAS by Section 30 of the British Statute, entitled "*The General Prisons (Ireland) Act, 1877*," it is enacted that from and after the 1st day of April, eighteen hundred and seventy-eight, the Lord Lieutenant may by Order from time to time close any prison or prisons, provided that in every county there remain one prison, unless the Lord Lieutenant otherwise order for special reasons to be stated in his Order:

AND WHEREAS by the said Section 30 of the British Statute aforesaid, it is enacted that whenever the Lord Lieutenant shall have made any such Order as aforesaid, a prison or prisons shall be named in such Order to which prisoners, who, but for such Order, would have been confined in the prison so wholly or in part closed, shall be removed or committed, and in which they shall be kept in custody:

AND WHEREAS by Section 11 of the Adaptation of Enactments Act, 1922 (No. 2 of 1922), it is enacted that subject and without prejudice to the specific adaptations made by that Act, every mention or reference contained in any British Statute of or to any Minister, official, department or authority of the Government of the late United Kingdom or of the late British Government in Ireland, including the Lord Lieutenant exercising executive functions, shall in respect of the doing or not doing of any act, matter or thing after the 6th day of December, 1922, be construed and take effect as a mention of or a reference to the Minister, official, department or authority in Saorstát Éireann exercising in Saorstát Éireann functions the same as or corresponding to the functions exercised in respect of the area now comprised in Saorstát Éireann by such Minister, official, department or authority of the Government of the late United Kingdom or of the late British Government in Ireland prior to the 6th day of December, 1921:

AND WHEREAS the Minister for Justice is the Minister in Saorstát Éireann exercising in Saorstát Éireann functions the same as or corresponding to the functions exercised in respect of the area now comprised in Saorstát Éireann by the Lord Lieutenant under the said Section 30 of the *General Prisons (Ireland) Act, 1877*, prior to the 6th day of December, 1921:

AND WHEREAS it is expedient for the special reasons hereinafter mentioned that the prison at Kilmmainham, in the County of the City of Dublin, should be wholly closed:

NOW I, James Fitzgerald-Kennedy, Minister for Justice in Saorstát Éireann, in exercise and by virtue of the powers in this behalf vested in the Minister for Justice by Section 30 of the *General Prisons*

The version of this Order in the Irish language, prepared officially, is printed on the opposite pages.

Achtanna, 1922 (Uimh. 2 de 1922), agus i bhfeidhmiú agus de bhua gach comhachta agus aon chomhachta eile le n-a geartear so ar mo chumas, dinim-se, Séamus Mac Gearailt O Gionnaoith, an tAire Dlí agus Cirt i Saorstát Éireann, a ordú, leis seo, mar leanas:—

1. Féadfar chun gach críche an tOrdú i dtaobh Príosún Chill Mhaighneann (Dúnadh), 1929, do ghairm den Ordú so.

2. Bainneann an *Interpretation Act*, 1889, le léiriú an Orduithe seo fé mar a bhaineann sé le léiriú Achta do rith an tOireachtas roimh an radh lá d'Eanáir, 1924.

3. Ar na réasúin speisialta, eadhon, go bhfuil sé oiriúnach, chun crícheanna dea-bhaimistí agus éifeachtúlachta i riar na bpríosún i Saorstát Éireann, an méid príosún do laghdú, agus gur leor an tsá atá le fáil i bpríosún eile, déanfar an príosún i gCill Mhaighneann i gContae Chathair Bhaile Atha Cliath do dhúnadh go hiomlán ar dháta an orduithe seo agus beidh sé dúnta go hiomlán as san amach, agus ní húsáidfeair é a thuille mar phríosún ar an dáta san ná as san amach.

4. Gach príosúnach a bheadh á chimeád sa bpríosún i gCill Mhaighneann i gContae Chathair Bhaile Atha Cliath ar dháta an orduithe seo agus ina dhiaidh sin mara ndéanfaí an tOrdú so, cuirfar isteach i bPríosún Mhontseogh i gContae Chathair Bhaile Atha Cliath é agus coinneofar i gcimeád ann é.

L.S.

Tugtha féin lámh agus féin shéala an radh lá so de Lúnasa, 1929.

SEAMUS MAC GEARAILT MAC CIONNAOITH,
Aire Dlí agus Cirt.

(Ireland) Act, 1877, as adapted by Section 11 of the Adaptation of Enactments Act, 1922 (No. 2 of 1922), and of every and any other power me in this behalf enabling, do hereby order as follows:—

1. This Order may for all purposes be cited as the Kilmainham Prison (Closing) Order, 1929.

2. The Interpretation Act, 1889, applies to the interpretation of this Order in like manner as it applies to the interpretation of an Act of the Oireachtas passed before the 1st day of January, 1924.

3. For the special reasons that it is desirable for the purposes of economy and efficiency in the administration of the prisons system in Saorstát Éireann to reduce the number of prisons, and that sufficient prison accommodation is available elsewhere, the prison at Kilmainham, in the County of the City of Dublin, shall on and after the date of this Order be wholly closed, and on and from that date shall no longer be used as a prison.

4. All prisoners who, if this Order had not been made, would on and after the date of the Order, have been confined in the prison at Kilmainham, in the County of the City of Dublin, shall be committed to, and kept in custody in Mountjoy Prison, in the County of the City of Dublin.

L.S.

Given under My Hand and Seal, this 1st day of August, 1929.

JAMES FITZGERALD-KENNEY,
Minister for Justice.