ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

C A P. CLXXXI.

An Act to render more eaſy and effectual Redreſs for Aſſaults in *Ireland*. [30th *July* 1814.]

WHEREAS it would conduce greatly to the Maintenance of Peace and good Order in *Ireland*, if the ſeveral Modes of obtaining Redreſs for Aſſaults were more eaſy and leſs expenſive to the Proſecutors on Indictments, and to the Plaintiffs in Actions, for ſuch Injuries; 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 from and after the paſſing of this Act, in all Caſes in which, as the Law now ſtands, an Action may be brought in any of His Majeſty's Superior Courts in *Dublin*, for any Aſſault, whether with Battery and Wounding, or either of them, or not, if the Plaintiff or Plaintiffs ſhall think proper to lay the Damages at the Sum of Five Guineas or any leſs Sum, then and in every ſuch Caſe it ſhall and may be lawful to and for ſuch Plaintiff or Plaintiffs to proceed for the Recovery of ſuch Damages by Civil Bill before the Aſſiſtant Barriſter at the Quarter Seſſions for the County where the Fact ſhall be committed, or other Judge or Court having Juriſdiction to try Actions by Civil Bill, and within whoſe Juriſdiction the Fact ſhall have been committed, ſave and except Manor Courts; and the Judge of ſuch Court ſhall have full Power to hold Plea thereof, and the ſame ſhall and may be proceeded on in like Manner, in all reſpects, and the like Decree or Judgement and Execution ſhall and may be had thereon, and alſo the like Benefit of Appeal, and of Proceedings, Judgement, and Execution thereon, as in caſe

In all Caſes in which an Action may be brought in Superior Courts for Aſſaults where Damages laid at Five Guineas or under, Proceedings may be had for Recovery of ſuch Damages, by Civil Bill at Quarter Seſſions.

of any other Demand to the ſame Amount may now by Law be had or uſed in ſuch Courts.

Decree on ſuch Civil Bill may be pleaded in bar of any other Proceedings.

II. And be it enacted, That the Judgement or Decree on ſuch Civil Bill or Appeal ſhall and may be pleaded or otherwiſe relied on as a Bar to any other Proceedings for or by reaſon of ſuch Aſſault, or any Conſequence ariſing therefrom, in the ſame Manner, in all reſpects, as a Judgement to the ſame Effect in any of His Majeſty's ſaid Superior Courts could or might be pleaded or relied on, and no farther.

In caſe of Conviction for Aſſault, Judge may, in Addition to Judgement adapted to Offence, alſo adjudge Coſts.

III. And be it enacted, That whenever any Perſon or Perſons ſhall be convicted in *Ireland* on any Indictment for an Aſſault, whether with or without Battery and Wounding, or either of them, the Judge or Court before whom or in which ſuch Conviction ſhall be had, over and above and in Addition to the Judgement which he or they ſhall think properly adapted to ſuch Offence, ſhall, if ſuch Judge or Court ſhall in his or their Diſcretion think fit ſo to do, order and adjudge that the Amount of the Coſts and Expences of the Proſecution, and ſuch Allowance for the Loſs of Time of the Perſon in attending thereon, as ſhall be deemed reaſonable to be aſcertained by Affidavit, or by ſuch Enquiry or Examination as the ſaid Judge or Court ſhall think fit, be paid by the Defendant or Defendants to the Proſecutor or Proſecutors; and ſuch Judge or Court ſhall, in ſuch Caſe, alſo order and adjudge, that ſuch Defendant or Defendants be impriſoned for any Time not exceeding Six Calendar Months, unleſs ſuch Sum be ſooner paid, over and above and independent of ſuch Impriſonment (if any) as ſuch Court or Judge ſhall otherwiſe think proper to award.

Directions as to adjudging and levying the Coſts, &c.

IV. Provided always, and be it enacted, That any Sum ſo to be ordered and adjudged for Coſts, Expences, and Loſs of Time, ſhall not in any Caſe exceed the Amount of the actual and neceſſary Expences of ſuch Proſecution, and a moderate Compenſation for the Loſs of Time of the Proſecutor, having Reference to all the Circumſtances of the Proſecution; and that it ſhall and may be lawful for the Judge of ſuch Court, by Warrant under his Hand and Seal, to order and direct that ſuch Sum ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of the Defendant, rendering the Overplus, if any, to the Owner; and in caſe ſuch Sum ſhall be levied by ſuch Diſtreſs and Sale of ſuch Goods and Chattels of ſuch Defendant, ſuch Defendant ſhall in ſuch Caſe be diſcharged from any additional Impriſonment to which he ſhall have been ſentenced until the Sum ſhould be paid.

For Want of Diſtreſs on which to levy Coſts, &c. the ſame ſhall be levied off the Barony.

V. Provided alſo, and be it enacted, That where it ſhall appear that any ſuch Defendant has not any Goods or Chattels on which ſuch Sum can be levied for Coſts and Expences as aforeſaid, it ſhall and may be lawful for the Grand Jury at the Aſſizes at which ſuch Trial ſhall be had, to make a Preſentment for levying ſuch Sum ſo ordered and adjudged to be paid from off the Barony or Pariſh in which any ſuch Aſſault ſhall have been committed, and the ſame ſhall be levied accordingly, in like Manner as other Sums preſented by any Grand Jury, and ſhall be paid to the Proſecutor by the Treaſurer of the County within which ſuch Barony or Pariſh ſhall be ſituate; and the Defendant or Defendants ſhall in ſuch Caſe undergo and ſuffer the full Term of Impriſonment to which ſuch

Defendant or Defendants ſhall have been ſentenced for Non-payment of ſuch Coſts and Expences.

VI. Provided always, and be it enacted, That nothing herein contained ſhall prevent, or be in anywiſe conſtrued to prevent, any ſuch Proſecutor from being a competent Witneſs on the Trial of any ſuch Indictment. Proſecutor a competent Witneſs.

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