ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

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An Act to regulate the Fees payable by Perſons charged with Treaſon, Felony, and all other Offences, at Aſſizes and Quarter Seſſions in *Ireland*; and for amending an Act of the Parliament of *Ireland*, made in the Thirty-ſixth Year of His preſent Majeſty, relating thereto. [15th *June* 1809.]

WHEREAS great Inconvenience reſults from the Uncertainty and Difference in the ſeveral Counties of *Ireland*, as to the Rates of Fees payable on Criminal Proſecutions, and the ſeveral other Matters relating thereto, before the Judges of Aſſize and the Chairman and other Juſtices at Seſſions, and great Miſchief has ariſen for want of the ſame being regulated and duly aſcertained: And whereas great Benefit would accrue from the due Regulation thereof; 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 no other or higher Fees than thoſe enumerated in the Schedule herein-after ſet forth, ſhall henceforward be payable on Criminal Proſecutions, or any other Matter or Thing relating thereto, in any County, County of a City, County of a Town, or other Place in that Part of the United Kingdom of *Great Britain* and *Ireland* called *Ireland*, to any of the Officers therein mentioned; that is to ſay:

The Fees payable on Criminal Proſecutions to be according to the following Table.

	£.	s.	d.
To the Clerk of the Crown, or his Deputy, for each Perſon that ſhall be indicted and tried for High Treaſon - -	2	13	4
To the ſame, for each Perſon that ſhall be indicted and tried for Petty Treaſon or Murder - - - -	1	13	4
To the ſame, for each Perſon that ſhall be indicted and tried for Felony or other Offence - - - - -	1	6	—

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	£. s. d.
To the same, for each Person whose Trial shall be postponed to a subsequent Assizes, or other Time for opening and holding a fresh Commission of Assizes or Oyer and Terminer, Half the Fees that he is hereby entitled to charge on the foregoing Offences; and in case the Person charged by the Indictment shall postpone his Trial, he is to pay the same himself; and in case the Trial shall be postponed by the Crown or Prosecutor, then the said Half Fees are to be presented off the County at large, in the same Manner that the Fees of the Prisoners acquitted are made payable as hereafter mentioned.	
To the same, for each Person that shall be ordered to enter into Recognizance, whether to attend at a subsequent Assizes or Commission, or to be of the Peace and good Behaviour - -	— 7 2
To the same, on receiving every Burning, Houghing, Maiming, or other Petition - - - - -	— 5 —
With a further Fee of Six Shillings in case he shall be required to draw and prepare the same.	
To the same, for filing every Affidavit that shall be sworn in Relation to Criminal Business - - - -	— 6 —
To the same, for making out and attesting every Copy of such Affidavit - - - - -	— 6 —
To the same, for every Crown Summons in which the Parties may insert the Names of Four Witnesses, requiring their Attendance to give Evidence on any of the Matters relating to Criminal Prosecution - - - -	— 3 4
To the same, for every Bench Warrant or Crown Capias, in which the Names of all the Persons charged in the Indictment, that have not appeared or been tried shall be inserted - - -	— 3 4
To the same, for every Certificate that may be required of him in Relation to Crown Business - - -	— 3 4
To the same, for the Copy of the Entry of each Indictment which he is by Law authorized to furnish - - -	— 3 4
To the same, for each Copy of an Examination which he is by Law authorized to furnish - - -	— 6 8
To the same, for the Copy of each Indictment that he is by Law authorized to furnish - - - -	— 6 8
To the same, for every Search he is required to make amongst his Records in Relation to Crown Business - -	— 2 2
To the Clerk of the Peace or his Deputy, for each Person that shall be indicted and tried at the General Sessions, or any Adjournment thereof, whether for Felony or other Offence - -	1 6 8
To the same, for each Person whose Trial shall be postponed -	— 5 —
The same to be paid by the Person charged in the Indictment, if he postpones his Trial; and if the Court or Prosecutor postpones the Trial, to be paid by Presentment, in like Manner as the Fees of Persons acquitted.	
To the same, for each Person that shall be ordered to enter into Recognizance, whether for good Behaviour or otherwise -	— 7 6
To the same, for filing every Affidavit that shall be sworn in relation to Crown Business - - - -	— 6 8
To the same, for making out a Copy, and attesting every such Affidavit - - - - -	— 3 4
To the same, for every Crown Summons in which the Parties may insert the Names of Four Witnesses - - -	— 5 —
To the same, for every Bench Warrant in which the Names of all the Parties named in the Indictment, that have not appeared or stood their Trials, are to be inserted - - -	— 3 4
To the same, for every Certificate in relation to Crown Business only - - - -	— 3 4
To the same, for every Copy of an Indictment	— 3 4
To the same, for every Copy of the Entry of such Indictment in Crown Book	

	£.	s.	d.
To the ſame, for every Copy of an Examination - -	—	1	8
To the ſame, for every Search he ſhall be required to make amongſt his Records in relation to Crown Buſineſs - -	—	1	8
To the Sheriff or under Sheriff, for each Perſon that ſhall be indicted and tried at either Aſſizes or Seſſions - -	—	6	—
To the ſame, for each Perſon whoſe Trial ſhall be poſtponed, payable under the ſame Terms as before mentioned, relative to Clerks of the Crown and Peace, and their Deputies - -	—	3	4
To the Gaoler for each Perſon that ſhall be indicted and tried at either Aſſizes or Seſſions - - -	—	3	4
To the ſame, for each Perſon whoſe Trial ſhall be poſtponed, payable as before mentioned with reſpect to Clerks of the Crown, and the other Officers before mentioned - -	—	1	8
To the ſame, for the Copy of each Committal and Search -	—	1	7
To the Cryer attending Aſſizes or Seſſions, for each Perſon that ſhall be indicted and tried - - - -	—	2	6
For each Perſon whoſe Trial ſhall be poſtponed, payable as before mentioned, with reſpect to the other Officers -	—	1	3
To the ſame, for every Recognizance that ſhall be entered into at Aſſizes or Seſſions, and the Affidavits annexed thereto -	—	1	7
To the ſame, for every other Affidavit that ſhall be ſworn in Court relating to Crown Buſineſs - - -	—	1	—

Penalty on taking higher Fees 10l.

II. And be it further enacted, That if any Clerk of the Crown, Clerk of the Peace, or any of their Deputies, Sheriff or Under Sheriff, Gaoler or Under Gaoler, or Turnkey, or Crier at Aſſizes or Seſſions, or other Perſon acting under them or any of them, ſhall demand, take, or accept, any other or higher Fee than the Sum or Sums ſtated and ſet forth in the foregoing Schedule, for the ſeveral Matters and Things therein contained and ſpecified, or for or on account of any other Matter or Thing whatſoever relating thereto, each and every ſuch Perſon ſo offending ſhall for each and every ſuch Offence forfeit the Sum of Ten Pounds Sterling, to be recovered in any of His Majeſty's Courts of Record in *Dublin*, by Action of Debt, Bill, or Plaint, in which no Eſſoign, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed, or by Civil Bill, to be heard and determined by the Aſſiſtant Barriſters at the Seſſions of the Peace in ſuch Counties as the ſaid Offences ſhall be committed.

Grand Juries to preſent for Fees in lieu of thoſe of ſuch Perſons as ſhall be diſcharged without Fees.

III. And be it further enacted, That it ſhall and may be lawful to and for the ſeveral Grand Juries throughout *Ireland*, at each Aſſizes, to preſent for the ſeveral Clerks of the Crown and Clerks of the Peace, or their Deputies, Sheriffs, or Under Sheriffs, Gaolers, and Cryers, in lieu of the Fees of ſuch Perſons as ſhall be indicted, tried, acquitted and diſcharged, without Fees, at or between each Aſſizes, any Sum they ſhall think reaſonable and fair, in lieu of ſuch Fees as they have been heretofore accuſtomed to demand and receive for the ſame, not exceeding ſuch Amount as ſhall be aſcertained, according to the Rates in this Act allowed, by the Affidavit of ſuch Clerk of the Crown, Clerk of the Peace, or other Officer herein-before mentioned, the ſame to be ſworn before the reſpective Judges of Aſſize; and which Preſentments ſo made by the ſaid Grand Juries, the ſeveral Judges of Aſſize ſhall and may order to be fiated, notwithſtanding any Law or Uſage to the contrary.

No Fees to be paid in Caſes of Acquittal on Ac-

IV. Provided always, and be it enacted, That in all and every Caſe where any Priſoner or Priſoners ſhall be acquitted on account of or by reaſon of any Informality, Error, or Defect in any Indictment whereon any Priſoner or

count of any Defect in the Indictment.

Priſoners ſhall be tried, no Fee whatever ſhall be paid to or preſented by the Grand Jury for ſuch Clerk of the Crown, Clerk of the Peace, or any of their Deputies who ſhall have prepared ſuch informal or erroneous Indictment for or on account thereof, or of any Priſoner that ſhall be diſcharged therefrom, provided that the Judge of Aſſize, Chairman, or Aſſiſtant Barriſter at Seſſions, ſhall certify that ſuch Acquittal or Acquittals was or were occaſioned by Informality, Want of Form, or other Defect in the Indictment on which ſuch Priſoner or Priſoners was or were acquitted and diſcharged.

So much of Iriſh Act, 36 G. 3. as directs that the Counties ſhould be divided into Baronies and Half Baronies ſhall be repealed, and the Counties ſhall be divided into Two Diviſions, to conſiſt of Baronies, Half Baronies, and Pariſhes.

V. And whereas by an Act of Parliament paſſed in the Parliament of *Ireland*, in the Thirty-ſixth Year of His preſent Majeſty, intituled, *An Act for the better and more convenient Adminiſtration of Juſtice, and for the Recovery of Small Debts in a ſummary Way at the Seſſions of the Peace in the ſeveral Counties at large, within the Kingdom of* Ireland, *except the County of* Dublin; *and for continuing and amending an Act, intituled, 'An Act for 'the better Execution of the Law and Preſervation of the Peace within Coun-'ties at large,'* it was thereby amongſt other Things enacted, That from and after the Firſt Day of *June* One thouſand ſeven hundred and ninety-ſix, it ſhould and might be lawful to and for the Lord Lieutenant or other Chief Governor or Governors of the ſaid Kingdom for the Time being, by and with the Advice of the Privy Council, to divide each and every of the ſeveral Counties at large of that Kingdom, except the Counties of *Dublin*, into Two Diviſions, for the Purpoſe of more conveniently hearing and determining of Civil Bills only, and that each of ſuch Diviſions ſhould conſiſt of a certain Number of Baronies or Half Baronies, or both: And whereas in ſeveral Counties in that Part of the United Kingdom called *Ireland*, it has, from the local Situation and irregular Diviſions of Baronies, been found very inconvenient and diſtreſſing to the Inhabitants thereof, that the ſaid Counties ſhould be divided into Diſtricts by Baronies and Half Baronies only; and it would tend very much to the Convenience of His Majeſty's Subjects reſiding in many of the ſaid Counties, that the ſame ſhould be divided into Diviſions by a certain Number of Baronies, Half Baronies, and Pariſhes, inſtead of Baronies or Half Baronies only; be it therefore enacted, That ſo much of the ſaid Act as directs that the ſeveral Counties of that Part of the United Kingdom called *Ireland* ſhould be divided into Two Diviſions, by a certain Number of Baronies or Half Baronies, ſhall be and the ſame is hereby repealed; and that it ſhall and may be lawful, from and after the paſſing of this Act, to and for the Lord Lieutenant, or other Chief Governor or Governors of that Part of the United Kingdom called *Ireland*, for the Time being, by and with the Advice of the Privy Council, to divide ſuch of the ſeveral Counties of *Ireland*, as they ſhall think expedient, for the Advantage and greater Convenience of the Inhabitants thereof into Two Diviſions, for the Purpoſes of the ſaid Act, and none other, to conſiſt of a certain Number of Baronies, Half Baronies, and Pariſhes, within the ſaid Counties reſpectively, inſtead of Baronies, or Half Baronies only; and every ſuch Diviſion ſo to be appointed ſhall be diſtinguiſhed by the Names of ſome one Barony or Half Barony of which it ſhall be compoſed.

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