

ANNO QUADRAGESIMO TERTIO

GEORGII III. REGIS.

CAP. CXLI.

An Act to render Juſtices of the Peace more ſafe in the Execution of their Duty. [11th *Auguſt* 1803.]

WHEREAS it is expedient that Juſtices of the Peace in *Great Britain* and *Ireland* reſpectively, who, by virtue of divers Acts of Parliament in force in the United Kingdom, are authorized and required to convict Perſons of ſundry Offences in a ſummary Way, ſhould be rendered more ſafe in the Execution of ſuch their Duty; 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 in all Actions whatſoever which ſhall, at any Time after the paſſing of this Act, be brought againſt any Juſtice or Juſtices of the Peace in the United Kingdom of *Great Britain* and *Ireland*, for or on Account of any Conviction by him or them had or made, under or by virtue of any Act or Acts of Parliament in force in the ſaid United Kingdom; or for or by reaſon of any Act, Matter, or Thing whatſoever, done or commanded to be done by ſuch Juſtice or Juſtices, for the levying of any Penalty, apprehending any Party, or for or about the carrying of any ſuch Conviction into Effect; in caſe ſuch Conviction ſhall have been quaſhed, the Plaintiff or Plaintiffs in ſuch Action or Actions, beſides the Value and Amount of the Penalty or Penalties which may have been levied upon the ſaid Plaintiff or Plaintiffs, in caſe any Levy thereof ſhall have been made, ſhall not be entitled

In Actions brought againſt Juſtices on Account of Conviction, *etc.* the Plaintiff, beſide any Penalty that may be levied upon him, ſhall be entitled only to 2 *d.* Damages, unleſs alleged in the Declaration the Thing was maliciouſly done.

entitled to recover any more or greater Damages than the Sum of Two-pence, nor any Costs of Suit whatsoever, unless it shall be expressly alleged in the Declaration in the Action wherein the Recovery shall be had, and which shall be in an Action upon the Case only, that such Acts were done maliciously and without any reasonable and probable Cause.

Plaintiff not entitled to recover if proved that the Offence was committed.

II. And be it further enacted, That such Plaintiff shall not be entitled to recover against such Justice any Penalty which shall have been levied, nor any Damages or Costs whatsoever, in case such Justice shall prove at the Trial that such Plaintiff was guilty of the Offence whereof he had been convicted, or on Account of which he had been apprehended, or had otherwise suffered, and that he had undergone no greater Punishment than was assigned by Law to such Offence.

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