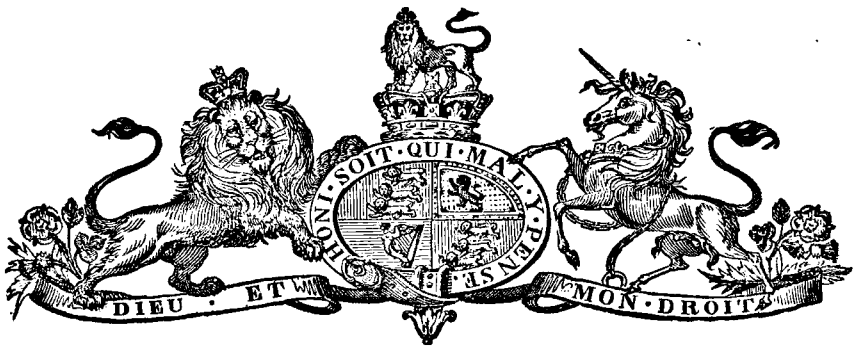


ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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CAP. LXIX.

An Act to repeal so much of an Act of the Parliament of *Ireland* of the Twenty-third and Twenty-fourth Years of King *George* the Third, "for the "more effectually punishing such Persons as "shall by Violence obstruct the Freedom of "Corn Markets and the Corn Trade, and who "shall be guilty of other Offences therein men-"tioned, and for making Satisfaction to the "Parties injured," as relates to the making of Satisfaction to the Parties injured; and to substitute other Provisions in lieu thereof; and to repeal the Provisions of the Acts which give Remedies against any Hundreds or Baronies in *Ireland* in respect of Robbery.

[31st *August* 1848.]

WHEREAS by an Act passed in the Parliament of *Ireland* in the Session holden in the Twenty-third and Twenty-fourth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectually punishing such Persons as shall by Violence obstruct the Freedom of Corn Markets* 23 & 24 G. 3. (I.)

Markets and the Corn Trade, or who shall be guilty of other Offences therein mentioned, and for making Satisfaction to the Parties injured, it is amongst other things enacted, that if any Persons, unlawfully, riotously, and tumultuously assembled together, shall at any Time after the passing of the said Act wilfully and maliciously pull down, demolish, set fire to, or destroy, or shall begin to pull down, demolish, set fire to, or destroy, any Store-house, Mill, Granary, Corn-stack, or other Place where Corn, Grain, Meal, Malt, Flour, or Potatoes are usually stored or kept for Exportation or Sale, or shall unlawfully enter or break into, or unlawfully attempt to enter or break into, any such Storehouse, Mill, Granary, or other Place, or take, carry away, throw abroad, or spoil, or attempt by Force to take, carry away, throw abroad, or spoil, any Corn, Meal, Malt, Flour, or Potatoes which shall be stored or kept therein, or shall unlawfully enter on board any Ship, Vessel, or Boat wherein any Corn, Grain, Meal, Malt, Flour, or Potatoes shall be laden, and wilfully take, carry away, cast overboard, destroy, or damage any of the said Articles laden therein, or wilfully cut, injure, spoil, or take away the said Ship, Vessel, or Boat, or the Rigging, Furniture, Tackle, or Rudder therof, or any Part of such Ship, Vessel, or Boat, Rigging, Furniture, or Tackle, or unlawfully, wilfully, and by Force obstruct or prevent, or endeavour to obstruct or prevent, the loading or carrying any of the said Articles on board any Ship, Vessel, or Boat, or shall unlawfully, wilfully, and by Force prevent or endeavour to prevent any Ship, Vessel, or Boat laden therewith, or in which any of said Articles shall be laden, from sailing, or shall unlawfully, wilfully, and knowingly, and by Force stop, seize, detain, take, or drive away any Horse, Car, Cart, Carriage, or Boat laden with any of the said Articles on the Way to or from any Mill, Store, Granary, or Market, Sea-port or Place of Shipping, with a View or Intent to prevent the Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, or Potatoes therein, or laden thereon, or any Part thereof, from being taken to the House, Vessel, Storehouse, Place, or Person to which it was intended to be carried, or shall wilfully kill or maim any Horse or Horses or other Beast or Beasts laden therewith, or shall wilfully and forcibly cut or otherwise break or destroy any of the Sacks, or scatter or throw abroad any of the aforesaid Articles, wherewith such Car, Cart, Carriage, Horse, or Boat is or shall be laden, or take away or distribute, or compel the Owner, Driver, or Conductor thereof to distribute, sell, or otherwise dispose of any such Article wherewith such Car, Cart, Carriage, Boat, Horse, or other Beast is laden, or any Part thereof, or shall wilfully destroy any Weir, Sluice, Mill Dam, Drain, or Outwork belonging or appertaining to any Mill, every such Person so offending in any of the said Matters, and all Persons unlawfully, riotously, or tumultuously assembled, who shall aid or assist in the Commitment or the attempting to commit any of the said Offences, being thereof lawfully convicted, shall be adjudged Felons, and shall suffer such Punishment as in the said Act provided; and that all Damages which shall be sustained by means of any of the Offences aforesaid, or by any Violence committed against or contrary to the said Act, shall and may be recovered by Action to be brought in any of His Majesty's Courts of Record in this Kingdom (wherein no Essoign, Protection, Wager of Law, or Imparlance shall be allowed) by the Person or Persons

injured, his, her, or their Executors or Administrators, against the Chief or any other Magistrate of the County of the Town or City if the said Injury or Violence shall have been committed in the County of a Town or City, or against any One or more of the Inhabitants of the Parish in any County if the said Injury or Violence shall have been committed in any Parish not being in a County of a Town or City; and if on such Action Judgment shall be given for the Plaintiff or Plantiffs, the Damages recovered on such Judgment, together with the Costs, shall be levied as therein-after directed, and paid to the Plaintiff or Plaintiffs, his, her, or their Executors or Administrators: And whereas great Expenses are incurred in proceeding by Action at Law in pursuance of the Provisions of the said recited Act, and it is expedient that such Damages should be recoverable by shorter, less expensive, and more summary Proceedings: Be it therefore enacted by the Queen'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 so much of the said recited Act as provides that any Damages sustained by means of any of the Offences therein stated, or by any Violence committed against or contrary to the said recited Act, may be recovered by Action to be brought in any of Her Majesty's Courts of Record in *Ireland*, against the Chief or any other Magistrate of any County of a Town or City, or against any One or more of the Inhabitants of any Parish in any County, or as relates to the Proceedings in any such Action, or to the Recovery of such Damages, shall be and is hereby repealed, save and except as to any Action or Proceeding heretofore commenced for any such Damages sustained by any such Offence or Violence heretofore committed.

So much of recited Act as relates to Proceedings in Actions and Recovery of Damages repealed.

II. And be it enacted, That all Damages which have heretofore been sustained, or shall at any Time after the passing of this Act be sustained, by any Person or Persons by means of any of such Offences against the said recited Act, or by any Violence committed against or contrary to the same, shall and may be recovered by like Applications and Proceedings, and by like Presentments of the Grand Jury of the County, County of a City, or County of a Town, in which any such Offence or Violence shall have been committed, and subject to like Traverses, and subject to like Provisions, and in like Manner in all respects as by an Act of the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to consolidate and amend the Laws relating to the Presentment of public Money by Grand Juries in* Ireland, or by an Act of the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws for the Regulation of Grand Jury Presentments in the County of* Dublin, respectively, is or are provided in relation to the Application for or Recovery of Compensation for Losses or Damages sustained by any Person or Persons by means of the mischievously or wantonly setting fire to, burning, or destroying any House, Outhouse, or other Building, or any Haggard, Corn, Hay, Straw, or Turf, or the maliciously setting fire to, burning, or sinking any Boat or Barge laden with Corn or other Provisions,

Damages sustained by means of Offences against recited Act to be recovered by like Proceedings as Damages are recovered under 6 & 7 W. 4. c. 116. and 7 & 8 Vict. c. 106.

sions, or the maliciously killing, maiming, houghing, or injuring any Horse, Mule, Ass, or Swine, or any Horned Cattle or Sheep, or the maliciously damaging, injuring, or destroying any Bank, Gate, Lock, Weir, Sluice, Bridge, Dam, or other Work belonging to any Person, public Canal or Navigation; and the Provisions of the said Two last-mentioned Acts respectively shall be accordingly applied for the Recovery of Compensation for Damages sustained by means of any of such Offences as aforesaid against the said first-recited Act: Provided always, that in the Case of any of such Offences committed in the County of the City of *Dublin* Compensation for Damages sustained by any Person or Persons by means thereof shall and may be recovered in like Manner in all respects as by an Act of the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act for extending to the County of the City of* Dublin *the Provisions of an Act passed in the Nineteenth and Twentieth Years of His late Majesty King* George *the Third in* Ireland, *intituled 'An Act to pre-'vent the detestable Practices of houghing Cattle, burning of Houses, 'Barns, Haggards, and Corn, and for other Purposes,' so far as relates to burning of Houses,* is provided in relation to the malicious burning of Houses, Barns, Haggards, Corn, or other Articles or Effects.

Compensation for Offences committed in the City of Dublin may be recovered under 4 & 5 Vict. c. 10.

III. And be it enacted, That after the passing of this Act it shall be lawful for any Person or Persons against whom any Action shall have been commenced or prosecuted before the passing of this Act, and shall be now pending, for the Recovery of any Damages sustained by means of any Offence or Violence committed contrary to the said first-recited Act, or for the Plaintiff or Plaintiffs in any such Action, to apply at any Time before the Trial to the Court in which such Action shall have been commenced or prosecuted, or to any Judge of any of the Superior Courts at *Dublin*, for an Order that such Action shall be discontinued; and every such Court or Judge, upon such Application, shall make such Order as aforesaid, and shall order the Costs of the Plaintiff to be taxed as between Party and Party, and upon the making of such Order such Action shall be forthwith stayed or discontinued; and thereupon, after such Stay of Proceedings, it shall be lawful for the Person or Persons who shall have so commenced or prosecuted such Action, or his, her, or their Executors or Administrators, to proceed to recover such Damages, together with the Costs so taxed as aforesaid, and to obtain the same by Presentment of the Grand Jury, in the same Manner as in the immediately preceding Provision respectively directed: Provided always, that it shall not be necessary for such Person or Persons, or for any Person or Persons who has or have sustained any such Damages before the passing of this Act, to serve or post any Notice of his, her, or their Intention to apply for Compensation for any such Damages or Costs upon any Person or Persons, save that he, she, or they shall lodge with the Secretary of the respective Grand Jury, as Applications for Public Works are required to be lodged, an Application, setting forth the Loss or Damages sustained, and the Amount thereof, and of such Costs so taxed aforesaid, and setting forth the Time and Place when and where such Injury was done, and the particular Property injured; which Application shall be scheduled by the

Actions commenced before passing of this Act for Recovery of Damages under first-recited Act may be discontinued, and such Damages may be recovered by Presentment of Grand Jury.

the Secretary of the Grand Jury, and, subject as aforesaid, be dealt with, as near as may be, as other Applications for Compensation for Damages in other Cases.

So much of Acts 13 Edw. 1., 28 Edw. 3., and 10 & 11 Car. 1. as relates to Remedies against Hundreds or Baronies in Ireland repealed.

IV. And whereas by an Act passed in the Thirteenth Year of the Reign of King *Edward* the First, and by another Act passed in the Twenty-eighth Year of the Reign of King *Edward* the Third, Remedies are given against Hundreds and Franchises, in respect of Robberies committed therein: And whereas by another Act passed in the Parliament of *Ireland* in the Session holden in the Tenth and Eleventh Years of the Reign of King *Charles* the First, intituled *An Act for the following of Hue and Cry*, further Provision is made relating to the Recovery of Damages against the Hundred or Barony in respect of Robberies committed; and it is expedient that so much of the said recited Acts as relates to Remedies against any Hundred, and to the Recovery of Damages against any Hundred or Barony or the Inhabitants thereof, in respect of any Robberies committed, should be repealed, so far as relates to *Ireland;* be it therefore enacted, That from and after the passing of this Act so much of the said last-recited Acts as relates to any Remedies against any Hundred, or to the Recovery of Damages against any Hundred or Barony in *Ireland*, or the Inhabitants thereof, in respect of any Robbery, shall be and the same is hereby repealed, save and except as to any Action or Proceeding heretofore commenced in respect of the same; and in the Case of any such Action or Proceeding heretofore commenced, the same shall and may be stayed and discontinued, in like Manner and subject to like Regulations as herein-before provided as to staying and discontinuing Proceedings, and after such Stay of Proceedings it shall be lawful for the Person or Persons who shall have so commenced or prosecuted such Action, or his or their Executors or Administrators, and it shall be lawful also for any Person or Persons who shall have heretofore sustained any such Damages by means of any Robbery, and for which he might now have any Remedy under the said recited Acts, and who shall not have commenced any Action or Proceeding therefor, before the passing of this Act, his, her, or their Executors and Administrators, (in either of such Cases,) to proceed to recover such Damages, and, in the Case of an Action being commenced, the taxed Costs as aforesaid, and to recover the same by Presentment of the Grand Jury, in the same Manner as in the immediately preceding Provisions respectively directed: Provided always, that it shall not be necessary for such Person or Persons to serve or post any Notice of his, her, or their Intention to apply for Compensation for any such Damages upon any Person or Persons, save that he, she, or they shall lodge with the Secretary of the respective Grand Jury, as Applications for Public Works are required to be lodged, an Application setting forth the Loss or Damages sustained, and the Amount thereof, and, in the Case of any Action commenced, the taxed Costs as aforesaid, and setting forth the Time and Place when and where such Robbery was committed, and the particular Property robbed, which Application shall be scheduled by the Secretary of the Grand Jury, and, subject as aforesaid, be dealt with, as near as may be, as other Applications for Compensation for Damages in other Cases: Provided always,

Persons having sustained Damage, and for which he might have a Remedy under recited Acts, may, having commenced an Action, proceed to recover Damages and Costs under this Act.

Damages to be levied off

the Barony, &c. where Robbery committed.

always, that such Damages shall be levied off the Barony, County of a City, or County of a Town, in which such Robbery shall have been committed.

Act to extend only to Ireland.

V. And be it enacted, That this Act shall extend only to *Ireland*.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

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