

ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

CAP. CIV.

An Act for indemnifying ſuch Perſons as have acted ſince the Twenty-fifth Day of *March* One thouſand ſeven hundred and ninety-nine, for the Preſervation of the publick Peace, and Suppreſſion of Inſurrections and Rebellion prevailing in ſeveral Diſtricts of that Part of the United Kingdom called *Ireland*. [2d *July* 1801.]

Preamble.

WHEREAS a moſt daring and unnatural Rebellion broke out in that Part of the United Kingdom called *Ireland*, on the Twenty-third Day of *May* One thouſand ſeven hundred and ninety-eight, and ſeveral Diſtricts within the ſame have ſince continued to be diſturbed by traiterous Conſpiracies and Inſurrections, whereby the Perſons and Properties of many of His Majeſty's peaceable and loyal Subjects have been grievouſly injured, and many of them have loſt their Lives: And whereas ſeveral Officers Civil and Military, and other Perſons, in order to preſerve the publick Peace, the Lives and Properties of His Majeſty's peaceable and loyal Subjects, and to ſuppreſs the ſaid Rebellion, have apprehended ſeveral Perſons ſuſpected of being concerned in the ſaid Inſurrections and Rebellion, without due Authority required by Law, and have done divers other Acts in Suppreſſion of the ſaid Inſurrections and Rebellion not juſtifiable by Law; which ſeveral Acts were ſo much for the publick Service, and ſo neceſſary for the Suppreſſion of ſuch Inſurrections and Rebellion, that the Perſons by whom they were tranſacted ought to be indemnified; 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 all Perſonal Actions and Suits, all Indictments, Informations, Attachments, Proſecutions, and Proceedings whatſoever, Judgements and Orders, if any be, againſt ſuch Officers Civil or Military, or other Perſons as aforeſaid, for or by reaſon of any Matter or Thing commanded, ordered, directed, or done ſince the Twenty-fifth Day of *March* One thouſand ſeven hundred and ninety-nine, in order to ſuppreſs the ſaid Inſurrections and Rebellion, and for the Preſervation of the Publick Peace in that Part of the United Kingdom called *Ireland*, ſhall be diſcharged and made void, and that every Perſon by whom any ſuch Act, Matter, or Thing ſhall have been adviſed, commanded, ordered, directed, or done for the Purpoſes aforeſaid, ſince the Twenty-fifth Day of *March* One thouſand ſeven hundred and ninety-nine, ſhall be freed, acquitted, and indemnified, as well againſt the King's moſt Excellent Majeſty, His Heirs and Succeſſors, as againſt all and every other Perſon and Perſons whomſoever.

All Actions, &c. againſt Civil or Military Officers, or other Perſons, for any Thing done ſince *March* 25, 1799, to ſuppreſs Inſurrection and Rebellion in *Ireland*, ſhall be made void, and ſuch Officers and Perſons indemnified.

II. And be it further enacted, That if any Proſecution, Action, or Suit, Criminal or Civil, hath been or ſhall be inſtituted, commenced, or proſecuted againſt any Perſon for any ſuch Act, Matter, or Thing ſo adviſed, commanded, ordered, directed, or done for the Purpoſes aforeſaid, or any of them, in that Part of the United Kingdom called *Ireland*, ſince the Twenty-fifth Day of *March* One thouſand ſeven hundred and ninety-nine, he or ſhe may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; and if the Plaintiff or Plaintiffs in any ſuch Action ſhall become Non-ſuit, or forbear further Proſecution, or ſuffer Diſcontinuance, or if a Verdict ſhall be found againſt ſuch Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover his, her, or their Double Coſts, for which he, ſhe, or they ſhall have the like Remedy as in other Caſes in which Coſts are given by Law to Defendants.

Perſons againſt whom Actions ſhall be brought, may plead the General Iſſue, and have Double Coſts.

III. And be it further enacted, That if any Action, Suit, Indictment, Information, Proſecution, or other Proceeding hath been or ſhall be brought, commenced, preferred, exhibited, or had in any Court in that Part of the United Kingdom called *Ireland*, againſt any Perſon or Perſons, for or on Account of any ſuch Act, Matter, or Thing as aforeſaid, it ſhall be lawful for the Defendant or Defendants in any ſuch Action, Suit, Indictment, Information, Proſecution, or Proceeding, or for any of them, to apply by Motion, Petition, or otherwiſe, in a ſummary Way to the Court, in which the ſame hath been or ſhall be brought commenced, preferred, exhibited, or had, or ſhall be depending, if ſuch Court ſhall be Sitting, and if not Sitting, then to any One of the Judges or Juſtices of ſuch Court, to ſtay all further Proceedings in ſuch Action, Suit, Indictment, Information, Proſecution, or Proceeding; and ſuch Court or any Judge or Juſtice thereof, when the ſaid Court ſhall not be Sitting, is hereby reſpectively authorized and required to examine the Matter of ſuch Application, and upon Proof by the Oath or Affidavit of the Perſon or Perſons making ſuch Application, or of any of them, or upon any other Proof made to the Satisfaction of ſuch Court, Judge, or Juſtice reſpectively, that ſuch Action, Suit, Indictment, Information, Proſecution, or Proceeding reſpectively is brought, commenced, preferred, exhibited, or had, for or on Account of any ſuch Act, Matter,

Defendants in Actions may apply to Courts to have Proceedings ſtayed, &c.

or Thing as aforeſaid, to make an Order for ſtaying Execution, and all other Proceedings in ſuch Action, Suit, Indictment, Information, Proſecution, or Proceeding, in whatever State the ſame ſhall or may reſpectively then be, and although Judgement ſhall have been entered up of Record or given, or any Writ of Error or Appeal ſhall have been brought or made, or ſhall be depending therein; and the Court, or Judge or Juſtice making ſuch Order for ſtay of Proceedings, ſhall alſo order unto the Defendant or Defendants, and he, ſhe, or they ſhall reſpectively have and be entitled to Double Coſts for ſuch Proceedings, as ſhall have been had or carried on reſpectively, in any ſuch Action, Suit, Indictment, Information, Proſecution, or other Proceeding, after the paſſing of this Act; for which Coſts he, ſhe, or they reſpectively ſhall have like Remedy, as in Caſes where Coſts are by Law given to Defendants.

Application may be made to have any Order for ſtaying Proceedings, vacated, &c.

IV. Provided always, and be it enacted, That it ſhall be lawful for any Perſon or Perſons being a Party or Parties to any ſuch Action, Suit, Indictment, Information, Proſecution, or other Proceeding, to apply by Motion, Petition, or otherwiſe in a ſummary Way to the Court in which the ſame ſhall have been brought, commenced, preferred, exhibited, or had, or ſhall be depending, to vacate, diſcharge, or ſet aſide any Order made as aforeſaid, by any Judge or Juſtice of that Court, for ſtaying Proceedings, or for Payment of Coſts as aforeſaid, ſo as ſuch Application ſhall be made within the firſt Ten Days on which ſuch Court ſhall ſit next after the making of any ſuch Order by any Judge or Juſtice as aforeſaid; and ſuch Court is hereby authorized and required to examine the Matter of ſuch Application, and to make ſuch Order therein as if the Application had been made originally to the ſaid Court; but nevertheleſs and in the mean Time, and until ſuch Application ſhall be made to the ſaid Court, and unleſs the ſaid Court ſhall think fit to vacate, diſcharge, ſet aſide, or reverſe ſuch Order, made by any Judge or Juſtice as aforeſaid, the ſame ſhall continue in full Force to all Intents and Purpoſes whatever.

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