ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

****

C A P. XLVII.

An Act to revive, for One Year, Three Acts made in the Forty-seventh and Fiftieth Years of the Reign of His Majesty King *George* the Third, and in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, for the preventing improper Persons from having Arms in *Ireland*, and to indemnify such Persons as may have acted in the Execution of and pursuant to the Provisions of the said Acts since the Expiration thereof. [15th *October* 1831.]

WHEREAS an Act was made in the Forty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act to prevent improper Persons from having* 47G.3.Sess.2.
Arms in Ireland, to continue in force for a certain Period therein c. 54.
mentioned; and the said Act was, by an Act made in the Fiftieth 50G.3.c.109.
Year of His said Majesty's Reign, continued and amended: And
whereas, by an Act made in the Fourth Year of the Reign of His 4 G. 4. c. 14.
late Majesty King *George* the Fourth, the said recited Acts of the Forty-seventh and Fiftieth Years of the Reign of His Majesty King *George* the Third were further continued; and the said Acts were,
by an Act made in the Tenth Year of the Reign of His said late 10 G. 4. c. 47.
Majesty King *George* the Fourth, further amended and continued until the End of the last Session of Parliament, when the same

5 O expired;

expired; and it is expedient that the said Acts should be revived, and that the ill Consequences arising from the Expiration thereof should be remedied: 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 the said recited Act of the Forty-seventh Year of the Reign of His Majesty King *George* the Third, as the said Act is amended by the said recited Act of the Fiftieth Year of the Reign of His Majesty King *George* the Third and by the said recited Act of the Tenth Year of the Reign of His Majesty King *George* the Fourth, shall be and the said Acts are hereby revived, and shall be and remain and continue in force from the passing of this Act for One Year; and that all Acts, Matters, and Things done and committed at any Time since the End of the last Session of Parliament, and which could or might have been done pursuant to or under Authority thereof, if the same had not expired, shall be and be deemed to be as good, valid, and effectual to all Intents and Purposes whatsoever as if the same had not expired.

Recited Acts, 47G.3.Sess.2. c.54. 50G.3.c.109. and 10 G. 4. c. 47. revived and continued for One Year.

II. And be it further enacted, That all personal Actions, Suits, Indictments, Informations, and Prosecutions heretofore brought, commenced, preferred, exhibited, or now depending, or to be hereafter brought, commenced, preferred, or exhibited, and all Judgments thereupon obtained, if any such there be, and all Proceedings whatsoever, against any Person or Persons for or on account of any Act, Matter, or Thing by him or them done, committed, or directed to be done, since the Expiration of the said recited Acts, and which it would have been lawful and competent for him or them to have done, committed, or directed to be done if the said recited Acts had not expired, shall be discharged and made void; and that every Person or Persons by whom any such Act, Matter, or Thing shall have been done, committed, or directed to be done, shall be freed, acquitted, discharged, and indemnified, as well against the King's Majesty, His Heirs and Successors, as against all and every other Person or Persons whomsoever.

Actions brought for any Matter done, which might have been done if the said recited Acts had not expired, shall be discharged, and Persons indemnified.

III. And be it further enacted, That if any Action or Suit hath been or shall be brought, commenced, or had in any Court in *Ireland*, against any Person or Persons for or on account of any such Act, Matter, or Thing as aforesaid, he or they may plead the General Issue, and give this Act and the special Matter in Evidence; and if the Plaintiff or Plaintiffs shall become Nonsuit, or forbear further Prosecution, or suffer a Discontinuance in any such Action or Suit, or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, the Defendant or Defendants shall have and be entitled to Double Costs, for which he or they shall have the like Remedy as in other Cases in which Costs by Law are given to the Defendants.

Defendants may plead the General Issue, and give this Act in Evidence, and have Double Costs.

IV. And be it enacted, That if any Action, Suit, Indictment, Prosecution, or Proceeding hath been or shall be brought, commenced, preferred, exhibited, or had in any Court against any Person or Persons for or on account of any such Act, Matter, or

Court (or a Judge if the Court is not sitting) on Application of Defendant

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 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 any of them, or other Proof to the Satisfaction of such Court, Judge, or Justice, that such Action, Suit, Indictment, Information, Prosecution, or Proceeding is brought, commenced, preferred, exhibited, or had for or on account of any such Act, Matter, 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 then may be, and although Judgment 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 the Judge or Justice making such Order for Stay of Proceedings in any Action or Suit as aforesaid shall also order unto the Defendant or Defendants, and he and they shall have and be entitled to, Double Costs for all such Proceedings as shall be had or carried on in any such Action or Suit after the passing of this Act, and for which Costs he and they shall have the like Remedy as in Cases where Costs are by Law given to Defendants: Provided always, 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 by any Judge or Justice of that Court for staying Proceedings or for Payment of Costs as aforesaid, so as such Application be made within the first Four 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 required to examine the Matter of such Application, and to make such Order therein as if the Application had been originally made to the said Court; but nevertheless in the meantime and until such Application shall be made to the said Court, and unless the said Court shall think fit to vacate, discharge, or set aside or reverse the Order made by any such Judge or Justice as aforesaid, the same shall continue in full Force to all Intents and Purposes whatsoever.

may stay Proceedings and give Double Costs.

Court may, on Application of any Party to such Action, set aside or reverse Order of Judge made out of Court.

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