'the Provisions of the Factory Acts should also be extended to the Employment of Women, 'Young Persons, and Children in the Processes of Hooking or Lapping, or Making-up and 'Packing:' Be it 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, as follows:

Extension of Bleaching and Dyeing Works Act.

1. After the passing of this Act, all such Provisions of the said Bleaching and Dyeing Works Act, 1860, as are now in force, shall apply to Women, Young Persons, and Children employed for Hire in any Building or Premises whatever in the Processes of Finishing, Hooking, or Lapping, or of Making-up and Packing, any Yarn or Cloth of Cotton, Wool, Silk, or Flax, or any of them, or any Mixture of them, or any Yarn or Cloth of any other Material or Materials, or any of such Processes; and in the Construction of the said Bleaching Act of 1860, and the Acts therein recited, "Bleaching Works" and "Dyeing Works" and "Factory" shall include any Buildings or Premises in which the said Processes or any of them are carried on: Provided always, that this Act shall not apply to any Building or Premises in which all the Persons employed are Males over the Age of Fourteen Years; provided also, that in Buildings and Premises within this Act the Owner or Owners may from Time to Time, by Notice to be given in Writing to the Inspector, elect what shall be the Working Hours in such Buildings and Premises, so as that the total Number of Hours during which Females, Young Persons, and Children may be lawfully employed in any One Day or Week, according to the Provisions of the said recited Act, be not exceeded, and so as the Working Hours elected be between Six in the Morning and Six in the Evening, or Seven in the Morning and Seven in the Evening, or Eight in the Morning and Eight in the Evening.

Short Title.

2. This Act may be cited for all Purposes as the "Bleaching and Dyeing Works Act Extension Act, 1864."

CAP. XCIX.

An Act to amend the Procedure of the Civil Bill Courts in *Ireland*.

[29th *July* 1864.]

'WHEREAS it is expedient to amend the Procedure in the Civil Bill Courts in *Ireland*, 'and to make Provision for the better Execution of the Decrees and Orders of such 'Courts:' 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, as follows:

Commencement of Act.

1. The Provisions of this Act shall come into operation on the First Day of *March* One thousand eight hundred and sixty-five.

Short Title.

2. This Act may be cited for all Purposes as "The Civil Bill Courts Procedure Amendment Act (*Ireland*), 1864."

Interpretation of Terms.

3. In the Construction of this Act the following Words and Expressions shall have the Force and Meaning hereby assigned to them, unless there be something in the Subject or Context repugnant thereto:

The Word "Person" or "Party" shall extend to and include any Body Politic, Corporate, or Collegiate, whether aggregate or sole, and any public Company:

The Word "Lands" shall include Houses, Messuages, and Tenements, and Premises, whether corporeal or incorporeal; and the Word "Premises" shall include Lands, Houses, and Tenements, corporeal or incorporeal:

The Word "County" shall extend to and include a County of a City, a County of a Town, a Town, a City, a Borough, and a Riding of a County:

The Word "Decree" shall include a Dismiss, or any Renewal of a Decree or Dismiss, or any Order of the Civil Bill Courts for the Payment of Money, or any Warrant, or any "Order" for, or "Writ of Restitution," issuing out of or awarded by such Courts:

The Word "Defendant" shall mean also the Person or Party whose Body, Goods, or Chattels may be liable to be taken under any Decree, Dismiss, Renewal, or Order of the Civil Bill Courts:

The Word "Bailiff" shall mean any Bailiff duly appointed by the Sheriff under and in pursuance of this Act, and shall include any Person assisting the Sheriff, Under Sheriff, or such Bailiff, with the Authority and in the Presence of such Sheriff, Under Sheriff, or Bailiff, in the Execution of any Decree, Dismiss, Renewal, Order, Writ, or Warrant of the Civil Bill Courts:

The Expression "Civil Bill Court" shall mean the Court for the hearing of Civil Bill Causes held in the several Counties of *Ireland:*

The Expressions "Chairman of the Court of Quarter Sessions," "Chairman of the County," and "Chairman" shall include the Judge of the Court for hearing Civil Bill Causes for such County, and shall extend to and include the Recorders of the City of *Dublin* and City of *Cork*, and the Recorder of any City, Borough, or Town in *Ireland*, under the Act passed in the Third and Fourth Years of Her Majesty's Reign, intituled *An Act for the Regulation of Municipal Corporations in* Ireland, and their Deputies, lawfully appointed:

The Expression "Clerk of the Peace" shall include the Acting or Deputy Clerk of the Peace, Registrar, or other Officer of the County or Recorders Courts, lawfully discharging the Duties of a Clerk of the Peace, either in a County, County of a City, or County of a Town:

The Word "Sheriff" shall include the "Under Sheriff;" and in Borough Civil Bill Courts, where an Officer of such Courts, and not the Sheriff, has now by Law the Execution of the Decrees of such Courts, shall include and mean such Officer:

The Expression "Process of the Court" shall include any Decree, Dismiss, Renewal, Order, or Writ, or other Proceeding of the Civil Bill Courts:

The Word "Plaintiff" shall include, in addition to the Plaintiff in any Decree, such Person as may by any Decree, Order, or Writ of the Civil Bill Court be entitled to receive the Possession of any Land, Chattel, or Money:

The Expression "Lord Lieutenant" shall include the Lords Justices of *Ireland.*

Decrees of the Civil Bill Courts to be executed by the Sheriffs and their Bailiffs.

4. All Decrees of the Civil Bill Courts signed before the Commencement of this Act, and remaining unexecuted, and all Decrees of such Courts hereafter to be signed by the Chairman of the several Counties of *Ireland*, shall be executed by the Sheriffs of the several Counties, Counties of Cities and of Towns respectively, or by their Bailiffs appointed under this Act, and by no other Persons; and the said Sheriffs shall be entitled to receive all Fees, and Sums of Money allowed by this Act in the Name of Fees, payable to the Sheriffs, out of which they shall provide for the Execution of the Duties for which such Fees are allowed, and for the Payment of the Bailiffs appointed to assist them under this Act; and every such Sheriff shall, save as herein-after otherwise specially provided, be responsible for his own Acts and Defaults, and for the Acts and Defaults of his Bailiffs in the Execution of the Duties imposed on him by this Act, as the Sheriff of any County in *Ireland* is responsible for his Acts and Defaults, and for the Acts and Defaults of his Officers in the Execution of any Writ or Process out of the Superior Courts in *Ireland:* Provided that whenever the Sheriff shall be a Party in any Proceeding by Civil Bill, and that any Decree shall be made therein against him, the Chairman shall appoint a Special Bailiff to execute such Decree, and the Precept of the Clerk of the Peace shall be directed to such Special Bailiff, who shall be entitled to receive the Bailiff's Fees for executing the same.

Sheriffs to appoint Assistant Bailiffs.

5. The Sheriff of each County, County of a City, and County of a Town in *Ireland* shall, within One Week after the Commencement of this Act, and from Time to Time thereafter as Occasion shall require, appoint, by Writing under his Hand, a sufficient Number of Persons resident within the County, and One at least of whom shall be resident within each Quarter Sessions District thereof, to be Bailiffs to assist the said Sheriff in the Execution of the Duties imposed on him by this Act; and it shall be lawful for the Sheriff,

at his Pleasure, to dismiss all or any of such Bailiffs, and appoint others or additional Bailiffs as he shall see fit: Provided that the Appointment of such Bailiffs shall not be vacated by the Death or Removal from Office of the Sheriff, but the Acts of such Bailiffs done after the Death or Removal of the Sheriff until the Appointment of the succeeding Sheriff shall be as valid as if such Sheriff had not died or been removed: Provided always, that no Action or other Proceeding shall be taken against any Sheriff for any Act, Neglect, or Omission in respect of the Provisions of this Act after the Expiration of Six Calendar Months from the Day on which the succeeding Sheriff shall be sworn into Office.

Chairman may fine Bailiffs for Neglect or Misconduct.

6. The Chairman shall have Power to fine any of the Bailiffs appointed to execute Civil Bill Decrees for Neglect or Misconduct in a Sum not exceeding Five Pounds, to be levied by Distress on the Goods and Chattels of such Bailiffs.

Names of Bailiffs to be published.

7. The Name and the Place of Abode of every Bailiff to be so appointed from Time to Time by the Sheriff, and of every Bailiff who may be so dismissed or suspended as aforesaid, shall be published immediately after the Date of such Appointment, Suspension, or Dismissal, in some One or more Newspaper or Newspapers published or circulated within the County, and shall be returned to the Office of the Clerk of the Peace of such County, and shall be otherwise promulgated by the Sheriff, in such Manner as to the Chairman of the County shall seem expedient; and a List of the Bailiffs for the Time being shall be at all Times posted and kept open for public Inspection in the Office of the Under Sheriff, and in every Quarter Sessions Court House and in every Petty Sessions Room in the County.

Particulars of Fees, &c. to be printed on Decrees.

8. On every Civil Bill Decree to be signed after the Commencement of this Act there shall be printed, either at the Foot or on the Back thereof, a true Copy of the Fees payable to the Sheriff for executing Decrees, and to the Keepers for the Charge of the Goods seized, as specified in Part II. of Schedule (B.) to this Act annexed, and also a Copy of the Sixteenth Section of this Act.

Judge may order Writ of Certiorari to remove Judgment of Civil Bill Court into Superior Court.

9. If a Judge of a Superior Court shall be satisfied that a Party against whom Judgment for an Amount exceeding Twenty Pounds, exclusive of Costs, has been obtained in a Civil Bill Court has no Goods or Chattels which can be conveniently taken to satisfy such Judgment, he may, if he shall think fit, and on such Terms as to Costs as he may direct, order a Writ of Certiorari to issue to remove the Judgment of the Civil Bill Court into One of the Superior Courts, and when removed it shall have the same Force and Effect and the same Proceedings may be had thereon as in the Case of a Judgment of such Superior Court, but no Action shall be brought upon such Judgment.

Form of Warrant for Execution of Decree.

10. The Warrant to be added to all Civil Bill Decrees to be executed after the Commencement of this Act, whether such Decrees shall have been signed before or shall be signed after the Commencement of this Act, shall, instead of the Form to a Special Bailiff of the Plaintiff's Nomination as heretofore used, be in the Form following, or as near thereto as may be:

'County of } I authorize and empower *A.B.* of and *C.D.* of ,
'to wit. } Bailiffs, or either of them, and their Assistants, to execute the above
'Decree.

'Given under my Hand and Seal, this Day of 186 .
'*L.M.*, Sheriff of the said County.

'The Sum to be levied hereunder is £

'*L.M.*, Sheriff.'

And such Warrants shall not be addressed to any other Persons than the Bailiffs to be appointed by the Sheriffs in pursuance of this Act: Provided that such Warrant, if duly signed by the then Sheriff, shall, whilst such Decree shall remain in force, be a sufficient Authority for the Execution of the same, notwithstanding that such Sheriff may have died or been removed from Office, and that such Warrant shall not have been signed by his Successor; but no such Warrant shall be in force after the Dismissal or Suspension of the Bailiff to whom same is directed, but such Dismissal or Suspension shall be a Revocation of such Warrant.

11. There

Fees to be taken by Sheriffs according to the Schedule (B.)

11. There shall be payable to the Sheriffs of the several Counties, Counties of Cities and of Towns, for the Performance of the Duties imposed on them by this Act, the Fees specified in respect of such Duties in the Schedule (B.) to this Act annexed, and no other Fees; and a Table of such Fees shall be placed and maintained in some conspicuous Place in every Court-house where Civil Bill Causes shall be heard, and in the Offices of the Under Sheriffs and of the Clerks of the Peace of the several Counties; and the Grand Jury of every County are hereby required, at any Assizes to be held in and for such County, without previous Application to Presentment Sessions, to present the reasonable and actual Expenses of preparing, exposing, and maintaining such Table of Fees to be raised off such County, and to be paid to the Clerk of the Peace.

Party demanding Execution to lodge Certificate of Sum due.

12. No Sheriff shall, for executing any Decree, demand or receive Fees on any larger Sum than shall be certified in Writing to be justly due thereon by the Party on whose Behalf such Execution shall be demanded, or his Attorney, known Agent, or Receiver; and the Party demanding such Execution shall, when he shall so demand the same, lodge with the Sheriff, either by delivering the same at the Office of the Under Sheriff in the Town in which such Office shall be kept, to the Sheriff, Under Sheriff, or Clerk in charge of such Office, or by sending the same through the General Post Office in a Letter duly registered according to the Regulations of the Post Office, and addressed to the Sheriff at the Office of such Under Sheriff, a Certificate under his Hand, or under the Hand of his Attorney or known Agent or Receiver, stating the Sum then claimed to be due on Foot of such Decree, after all equitable Deductions, which Certificate shall be filed in the Office of the said Under Sheriff, and the Sum therein stated shall be entered in the "Decree and Order Book" herein-after mentioned, and also at the Foot of the Decree when delivered for Execution, for which the Fee of Sixpence shall be paid to the Sheriff by the Party demanding such Execution.

Sheriff to levy only for Sum stated.

13. No Sheriff shall levy for any greater Sum than shall be entered at the Foot of the Decree, together with the Poundage Fees on the Sum so entered, or on such Portion thereof as shall be actually levied, with the Keeper's Fees, according to the Scale specified in Part II. of Schedule (B.) to this Act annexed; and no Decree shall be executed at the Foot of which such Entry shall not have been made as aforesaid; and if the Party at whose Suit such Execution shall be demanded, or his Attorney, Agent, or Receiver, shall neglect or omit to deliver such Certificate as aforesaid, or shall appear to have wilfully and maliciously overcharged in such Certificate the Party against whom such Execution shall issue, the Party at whose Suit such Execution shall be demanded shall be liable to an Action for Damages at the Suit of the Party aggrieved.

Sheriff to receive the Poundage Fees on a Levy upon the Goods of a Party.

14. Upon every Levy under a Decree by Execution against the Goods of a Party, the Sheriff shall and may, after such Execution executed, demand and take therefor the Poundage Fees mentioned in that Behalf in Part II. of Schedule (B.) to this Act annexed, on the Sum stated to be due by the Entry at Foot of such Decree, if levied, and in addition thereto, or if the Goods taken shall not amount in Value to the Sum stated in such Entry, then on so much only as he shall levy, and which in such Case he shall be entitled to retain out of the Sum levied by him, paying the Balance to the Party demanding such Execution.

Fee to Sheriff from Party demanding Execution against the Body of a Party.

15. Upon every Warrant for Execution under a Decree against the Body of a Party there shall be payable to the Sheriff the Fee specified in that Behalf in Part II. of Schedule (B.) to this Act annexed, to be paid by the Party by whom such Execution shall be demanded on or before the Delivery of the Decree to the Sheriff for Execution, and in default of such Payment the Sheriff may refuse to execute the same; and such Fee shall not be chargeable against the Party against whom such Execution shall be issued: Provided that if the Party against whom such Warrant shall be issued shall not be arrested within Two Months from the Delivery of such Decree to the Sheriff, such Fee shall be returned by the Sheriff to the Person by whom the same shall have been paid.

Decree to be executed within Two Months,

16. The Sheriff shall, unless where otherwise directed in Writing by the Party delivering the same, execute every Decree delivered to him as aforesaid, and pay over the Proceeds thereof

thereof to the Party on whose Behalf Execution shall be demanded, or his Attorney thereto lawfully authorized, with all Expedition, and at the latest within Two Calendar Months after the said Decree shall be delivered to him for Execution; and if the Sheriff shall within the said Period of Two Months be unable, from sufficient legal Causes, to execute the said Decree, he shall, at the Expiration of the said Period, if required so to do by the Party who shall have delivered the same to him for Execution, or his Attorney thereto lawfully authorized, return the Decree to such Party or to his Attorney, and state in Writing on the Back thereof the Cause of the Non-execution of such Decree, by which Statement the Sheriff shall be bound in any Proceeding taken against him for Neglect of Duty: Provided that if the Sheriff shall execute any Decree before the Expiration of the said Period of Two Months, nothing herein contained shall authorize him to retain the Proceeds so levied until the Expiration of such Period; and provided further, that nothing herein contained shall prevent the Sheriff from executing any Decree after the Expiration of Two Months from its Delivery to him for Execution, so long as the said Decree shall be in force.

or returned, with a Statement of the Reasons for its Non-execution.

17. Any Sheriff or Under Sheriff or any Bailiff empowered to execute a Decree, or any Assistant of such Sheriff, Under Sheriff, or Bailiff, or any Keeper, who shall demand or receive from any Person, on or in respect of the Execution of such Decree, any Money or Gratuity other than the Poundage Fees legally payable on the Execution thereof as in this Act mentioned, and the Keeper's Fees, in case of a Seizure of Goods thereunder, as specified in Part II. of Schedule (B.) to this Act annexed, or who shall knowingly permit or suffer any one on his Behalf to receive the same, shall be liable to pay a Sum not exceeding Twenty Pounds to any Person who may sue for the same by Civil Bill.

Penalty on Sheriff or Bailiff receiving other than the Fees allowed.

18. If any Bailiff, or any Person assisting such Bailiff, acting under a Decree of a Civil Bill Court, or under colour of the Process of such Court, shall extort any Money, Security for Money, Chattel, or other Thing, such Person so offending shall be guilty of a Misdemeanor, punishable by a Fine not exceeding Twenty Pounds, or by Imprisonment not exceeding Twelve Calendar Months, with or without Hard Labour, or by both Fine and Imprisonment; and in any Indictment for such Offences it shall only be necessary to aver that the Party charged with the Offence was a Bailiff of the Civil Bill Court of the particular County, or a Person assisting such Bailiff, and that under or under colour of the Process of such Civil Bill Court he did extort Money, or a Security for Money, or some Chattel, as the Case may be.

Bailiff extorting guilty of a Misdemeanor.

19. All Decrees for the Possession of Land, and all Orders made by any Judge of Assize upon Appeal from any Decree relating to the Possession of Land, and under which the Possession of Land may be given or taken, shall be executed by the Sheriff of the County in which the said Lands or any Part of them are situated, or by his Bailiffs, and by no other Person, and the Sheriff shall himself or by his Bailiffs execute such Decrees and Orders within One Calendar Month after the same shall have been delivered to him for Execution, unless otherwise directed by the Party delivering the same, and such Decree or Order shall justify the Sheriff or his Bailiffs in entering upon the Premises named therein, with such Assistants as he or they shall deem necessary, and in taking and giving possession thereof accordingly; and in every Decree for the Possession of Land the Sheriff shall be commanded to put the Plaintiff into the Possession of the same; and the Warrant to be annexed to every such Decree shall be in the Form following, or as near thereto as may be:

Sheriff or his Bailiffs to execute all Decrees for Possession of Land.

'County of } I authorize and empower *A.B.* of and *C.D.* of ,
'to wit. } I Bailiffs, or either of them, and their Assistants, to execute the above
'Decree.

'Given under my Hand and Seal, this Day of 18 .
'(Seal.) *L.M.*, Sheriff of said County.'

Provided always, that no Entry shall be made upon any Premises under any Decree or Order for the Purpose of taking possession thereof except between the Hours of Nine in the Morning and Three in the Afternoon, and no such Entry shall be made on a *Sunday*, *Good Friday*, or *Christmas Day*; and whenever the Sheriff shall be a Party to any Ejectment by Civil Bill, the Decree for Possession in such Proceeding shall not be executed by

the Sheriff, but such Decree or Order as herein-before mentioned shall be directed to a Special Bailiff, to be named by the Chairman of the County, who shall be commanded to execute the same, and no other Person shall execute the same; and such Special Bailiff shall have all the Powers and Authority hereby conferred on the Sheriff for giving or taking possession under any Decree or any such Order of a Judge of Assize on Appeal.

Under Sheriff to keep "Ejectment" and "Decree and Order" Books.

20. The Under Sheriff of each County shall enter in a Book, to be kept by him for that Purpose, to be called the "Ejectment Book," the several Decrees in Ejectment which shall be delivered to the Sheriff for Execution, specifying the Names of the Parties therein, the Names of the Lands and the Barony in which the same are situated, the Date of the Decree, and the Date at which the same was delivered to him for Execution, and in Cases for the Nonpayment of Rent the Sum ascertained by such Decree as due for Rent, and shall state in the said Book the Time when such Decree shall have been executed, or if not executed the Cause of the Non-execution thereof; and the Under Sheriff shall also keep a Book, to be called the "Decree and Order Book," in which he shall enter the several Decrees, other than those last mentioned, given to the Sheriff for Execution, specifying the Names of the Parties therein, the Sums due on Foot thereof, as stated by the Person delivering the same, and the precise Time and Hour at which such Decrees were delivered to him for Execution, such Time and Hour of Delivery to be in all Cases endorsed by him on the said Decrees, and shall enter in the said Book the Time at which the said Decrees were executed, and the Sum (if any) and Poundage Fees levied or received thereunder, and if such Decrees shall not have been executed the Cause of the Non-execution thereof; and when more than One Decree shall be given to him for Execution against the same Person, the Sheriff shall execute such Decrees in the Order of Time in which the same shall have been respectively delivered to him; and whenever the Sheriff shall not execute any such Decree in Ejectment, he shall endorse on such Decree the Reason why the same was not so executed, and shall, at the Request of the Plaintiff or such other Person as may be entitled to demand the same from him, deliver back such Decree to the Plaintiff or such other Person, when required by him so to do; and the Under Sheriff shall produce the said Books for the Inspection of the Chairman of the County, or of the Clerk of the Peace, whenever he shall be required by the said Chairman or by the Clerk of the Peace, after reasonable Notice so to do.

Proceedings on lodging Civil Bill Decree for Execution.

21. On any Civil Bill Decree being lodged for Execution, the Person receiving the same for the Sheriff shall give to the Person lodging the same a certified Copy of the Entry made by him in his "Ejectment Book" or "Decree and Order Book."

Outgoing Sheriff to give a List of Decrees, &c. remaining unexecuted to his Successor.

22. The Sheriff of every County, County of a City, or County of a Town, shall, within One Week after the Expiration of his Term of Office, deliver to the succeeding Sheriff a correct List under his Hand of all Decrees and other Processes in his Possession not wholly executed by him, with all such Particulars as shall be necessary to explain to the succeeding Sheriff the several Matters intended to be transferred to him, and shall thereupon transfer to the succeeding Sheriff all such Decrees and Processes, and all Records, Books, and Matters connected with the Civil Bill Court of such County, and relating to his Duties under this Act; and the succeeding Sheriff shall thereupon sign and give a Duplicate of such List to the Sheriff retiring from Office, to whom the same shall be a sufficient Discharge from the further Execution of the Decrees, Processes, and other Matters therein contained; and the succeeding Sheriff shall thereupon stand charged with the Execution and Care of the said Decrees, Processes, and other Matters contained in the said List, as fully and effectually as if such Decrees and Processes had been made over to him by Indenture and Schedule; and if any Sheriff shall refuse or neglect, on the Expiration of his Term of Office, to deliver such List within such Period as aforesaid, or shall wilfully make out an untrue or incorrect List, or shall refuse or neglect to transfer such Decrees and Processes, Records, Books, and Matters, in manner aforesaid, it shall be lawful for the Chairman of the County, on Complaint made to him in Court by the incoming Sheriff as to any of the said Matters, after Notice given to such outgoing Sheriff Six clear Days before such Application, and upon Proof of such Refusal or Neglect as aforesaid in any of such Particulars, to fine the said outgoing Sheriff in any Sum not exceeding Fifty Pounds; and every such outgoing Sheriff so neglecting or refusing to perform any of the Particulars aforesaid shall be further liable

to make such Satisfaction, by Damages and Costs, to the Party aggrieved thereby, as he, she, or they shall sustain by such Neglect or Refusal, such Damages to be recovered in the ordinary Way by Process in the Civil Bill Court, and not elsewhere.

Sheriffs, in Execution of Decrees, to have the same Powers as High Sheriffs, &c.

23. The Sheriff of each County in *Ireland* and his Bailiffs shall have in the Execution of the Decrees of the Civil Bill Court of such County all the Powers, Privileges, and Rights which the Sheriffs of the several Counties in *Ireland* have or are entitled to in the Execution of all Writs delivered to them for Execution out of the Superior Courts in *Ireland;* and all Constables and other Peace Officers within their several Jurisdictions, and all and every other Person or Persons whom the Sheriff of the County would be entitled to call upon to assist him in the Execution of any Writ, shall to the same Extent be liable to assist the Sheriff in the Execution of any Decree of the Civil Bill Courts.

Priority of Executions issuing out of Superior Court and Civil Bill Court.

24. When a Writ against the Goods of a Party shall have issued from a Superior Court, and a Decree against the Goods of the same Party shall have issued from the Civil Bill Court, and been lodged for immediate Execution, the Priority of Right to the Goods seized under such Writ and Decree shall be determined by the Priority of the Delivery of such Writ and Decree at the Office of the Under Sheriff in the Town in which such Office shall be kept under this Act.

Execution not to be unlawful by reason of any Irregularity in the Mode of executing it.

25. The Sheriff or his Bailiffs, in executing any Decree of the Civil Bill Court, shall not be deemed Trespassers by reason of any Irregularity or Informality in the Form of such Decree, or in the Mode of executing it, but the Party aggrieved may proceed for the special Damage which he may have actually sustained by such Irregularity or Informality against the Sheriff or the Bailiff guilty thereof.

Rescuing Goods, or assaulting Sheriff or Bailiff in the Execution of their Duty, a Misdemeanor.

26. Whosoever shall, by Violence to, or Threat of Violence to, or Restraint of the Person of any Sheriff, Under Sheriff, or Bailiff when executing any Civil Bill Decree, or by Force, compel or induce such Sheriff, Under Sheriff, or Bailiff to abandon any Seizure of the Body or Goods of any Person previously made by such Sheriff, Under Sheriff, or Bailiff while in the Execution of such Decree, or who shall rescue or attempt to rescue the Body or Goods of any Person taken under a Civil Bill Decree by such Sheriff, Under Sheriff, or Bailiff, shall be guilty of a Misdemeanor, and upon Conviction thereof shall be liable to be imprisoned for a Period not exceeding Six Calendar Months, with or without Hard Labour.

Under Sheriff to attend the Civil Bill Court.

27. The Under Sheriff of each County, or his Deputy duly appointed by him in Writing, shall attend every Sitting of the Civil Bill Court of such County, except when his Absence shall be allowed by the Chairman, and shall in the Execution of his Duties conform to all such General Rules as shall be from Time to Time made for regulating the Proceedings of the Court as herein-after provided, and, subject thereto, to the Orders and Directions of the Chairman.

Regulates the Sale of Goods taken in Execution.

28. No Goods or Cattle which shall be taken in Execution under any Decree of a Civil Bill Court shall be sold until after the End of Three clear Days at least next following the Day on which such Goods or Cattle shall have been so taken, unless such Goods be of a perishable Nature, or upon the Request in Writing of the Party whose Goods or Cattle shall have been so taken; and it shall be lawful for the Sheriff from Time to Time to appoint such Persons as he shall think proper for keeping possession of Goods or Cattle so taken in Execution; and the Sheriff shall be entitled to receive out of the Proceds of the Sale of all Goods or Cattle taken in Execution, and sold by him or by his Bailiffs, a Sum of Money for the Expenses of the Bailiffs or Persons in charge of the Property taken (if such Property shall remain in their Charge), over the Amount entered at Foot of the Decree, at the Rate of Two Shillings and Sixpence for each Bailiff or Person for every Twenty-four Hours or any fractional Part of such Period that he shall be so in charge, together with such Sum, if any, as he shall actually incur in the Sustenance and Keep of such Cattle: Provided always, that the Number of Bailiffs or Persons for whom the said Sheriff may so charge shall not exceed Two, and the Length of Time for which he shall so charge shall not exceed Five Days; and the said Cattle or Goods shall be sold by public Cant to the highest and best Bidder, between the Hours of Ten in the Forenoon and Three in the Afternoon

on such Day after such Third Day as aforesaid, and at such Place, as the Sheriff or his Bailiffs shall appoint, first causing Notice in Writing, entitled in the Cause, of the Time and Place intended for such Sale to be posted up Two clear Days previous thereto in the Market Town next to the Place of such intended Sale at the usual Place for posting public Notices there.

As to Interest in Land.

29. It shall not be lawful to seize or sell under any Civil Bill Execution any Term for Years, or any Estate or Interest in Lands.

Power of Under Sheriff or Bailiff to sell by Auction Goods taken in Execution.

30. The Under Sheriff or any of his Bailiffs shall have Authority to sell Goods taken in Execution by him or by the Sheriff or any Bailiff, without the Assistance of a Licensed Auctioneer: Provided always, that the Sheriff shall be answerable for the proper Care and Sale of the Goods so taken, to the same Extent as Sheriffs in *Ireland* are answerable for the Care and Sale of Goods taken in Execution by them under Writs out of the Superior Courts.

Provides for the Appointment of a Deputy Under Sheriff as to the Duties of the Civil Bill Court, in case of Illness, &c. of Under Sheriff.

31. In case of the Death of any Under Sheriff, or of the Inability of any Under Sheriff to perform the Duties imposed on him by this Act from Illness or other Cause, the High Sheriff of such County shall forthwith appoint a fit and proper Person to act as Under Sheriff or Deputy Under Sheriff for the Execution of the Duties of the Civil Bill Court required by this Act, whose Name shall be returned to the Clerk of the Peace within Three Days from such Appointment: Provided that in the event of the High Sheriff being absent from *Ireland*, or otherwise unable to appoint such Deputy Under Sheriff, it shall be lawful for the Lord Chancellor of *Ireland* to appoint a fit and proper Person to act as such Under or Deputy Under Sheriff in reference to the Duties of such Civil Bill Court until such Appointment shall be made by the High Sheriff for the Time being, or any Successor to be duly appointed in his Place.

Execution to be superseded on Payment of Debt and Costs.

32. If the Party against whom an Execution under a Civil Bill Decree shall be issued shall, before an actual Sale of his Goods seized thereunder, pay or tender or cause to be paid or tendered to the Sheriff, or to the Bailiff employed to execute the Decree, the Amount specified to be levied at the Foot of such Decree, or such Part thereof as the Person entitled thereto shall agree to accept in full or in part Payment of his Debt, together with the lawful Poundage Fees and Charges to the Bailiffs or Keepers in care of the same, the Execution of the said Decree shall be superseded or suspended, as the Case may be, for such Time as the Person issuing such Execution shall direct, and the Goods of the said Party shall be released; and any Person taken into Custody under any such Decree who shall have satisfied the Sum stated in the Entry at Foot thereof, or such Portion thereof so agreed to be accepted as aforesaid, shall be discharged from Custody, but shall be liable to be again taken for the Residue, if any, which shall remain due on such Decree, provided such Residue shall, exclusive of the Costs of such Decree, exceed Ten Pounds.

Clerks of Peace to retain a Poundage on the Fees lodged with them for the Account of the Sheriffs.

33. 'And whereas it is fit that the Clerks of the Peace should be indemnified for the 'Trouble and Responsibility imposed on them by this Act in receiving the Fees mentioned 'in Part I. of Schedule (B.) to this Act annexed for the Account of the Sheriff on the Entry 'of Processes for Hearing, and issuing the Decrees of the Civil Bill Court:' Be it enacted, That the Clerks of the Peace, when acting in person, or if not so acting, then the Deputy or acting Clerk of the Peace, shall be at liberty to retain for their own Use One Penny out of each Shilling to be so paid to them for the Account of the Sheriff on the Entry of Processes for Hearing and on issuing said Decrees.

General Power of Appeal in all Proceedings under this Act.

34. In any Case where a Party shall be dissatisfied with the Judgment or Decree of the Chairman in respect of any Proceedings instituted by virtue of this Act, it shall be lawful for such Party to appeal against such Judgment or Decree in like Manner, and upon the like Terms and Stipulations, as Appeals in other Cases are allowed to be brought under the Acts now in force relating to Proceedings by Civil Bill.

Judge of Assize may state Case for

35. It shall be lawful for any Judge of Assize, upon the Trial of any Appeal, to direct a Special Case to be stated for the Opinion of a Superior Court of Common Law in *Ireland* in

in case any Question of Law shall arise before him on the Trial of any Appeal which in his Judgment may be proper to be decided by a Superior Court of Common Law, and the Case when stated shall be signed by the Judge, and the Appellant shall lodge the Case, and take all other necessary Steps to have the Case set down for Hearing before One of the said Superior Courts of Common Law within such Time as any General Rule to be made as herein-after provided shall require, and in default of his so doing the Decree shall stand affirmed with Costs, unless on special Application the Judge shall otherwise order. Opinion of Superior Courts.

36. The several Superior Courts of Common Law in *Ireland* are hereby empowered to hear and determine such Special Cases when submitted to them, and for that Purpose they shall severally have and exercise all the Powers vested by this or any other Act in the Judge of Assize in respect of said Cases, and on said Cases the Decision made by any Superior Court of Common Law shall be final and conclusive. Courts of Common Law shall finally hear and determine such Cases.

37. Any Superior Court of Common Law before whom any Case may be pending may direct said Case to be amended by Consent of the Parties, or on the Certificate of the Judge who signed said Case. Special Case may be amended.

38. The Judges of the Queen's Bench in *Ireland* shall, as soon as may be convenient after the passing of this Act, make Rules and Regulations, and may from Time to Time alter and amend said Rules and Regulations, for the Hearing and Disposal of all such Special Cases as may be stated by a Judge of Assize for the Decision of a Superior Court of Common Law, and for regulating the Costs of said Proceedings, and for directing when and where such Cases shall be lodged, and for providing that all such Cases shall be distributed in Rotation among the Three Superior Courts of Common Law in *Ireland*. Judges to make Rules.

39. In addition to any Costs now by Law recoverable from any unsuccessful Party on an Appeal, it shall be lawful to recover from such Party such additional Costs as may be awarded by the Court by whom the Special Case shall be decided, not exceeding in any Case the Costs to be fixed by any General Rule as aforesaid. Cost of Special Case.

40. No Action or other Proceeding shall be brought in the Superior Courts of Common Law in *Ireland* upon any Decree of any Civil Bill Court; but nothing herein contained shall be deemed to repeal or alter the Seventeenth and Eighteenth Sections of the Act passed in the Twelfth and Thirteenth Years of Her Majesty, Chapter One hundred and four, for filing and enrolling, as Judgments of the Superior Courts, Civil Bill Decrees for the Recovery of Poor Rates. No Suit to be brought in the Superior Courts on a Civil Bill Decree, &c.

41. It shall not be lawful for any Person who shall have obtained a Judgment in any of the Superior Courts at Law, or a Decree or Order of any Petty Sessions Court, in *Ireland*, to sue by Civil Bill in *Ireland* upon such Judgment, Decree, or Order, nor to proceed by Civil Bill for the Recovery of any Money which was the Subject of the Suit upon which such Judgment, Decree, or Order was obtained. No Civil Bill to be brought upon Judgment or Decree of a Superior or Petty Session Court.

42. 'And whereas Provision is not made in the Act passed in the Fourteenth and 'Fifteenth Years of Her Majesty, Chapter Fifty-seven, Section Fifty, for the Time within 'which Executors and Administrators should lodge the Accounts and Schedules in the 'said Section of the said Act mentioned:' Be it enacted, That such Executor or Administrator shall lodge with the Clerk of the Peace such Schedule or Schedules or Accounts within One Calendar Month after he shall have been called on in Writing to do so by any Person entitled to demand that the same should be lodged as in that Section named, or within such other Time as the Court shall order; and in default of his so doing, if no sufficient Cause shall be shown for such Default, such Executor or Administrator shall forfeit a Sum not exceeding Twenty Pounds, to be recovered as in the said Section of the said Act is mentioned. Amending the 50th Section of 14 & 15 Vict. c. 57., by directing the Time within which Executors Accounts should be lodged.

43. The Chairman of the County, upon Application on Affidavit by either Party in a Suit depending before him, may, if he shall think fit so to do, issue an Order under his Hand and Seal for bringing up before the Civil Bill Court any Prisoner or Person confined in any Gaol, Prison, or Place within his County to be examined as a Witness in any Cause or Matter Chairman may issue a Warrant for bringing up a Prisoner to give Evidence.

Matter depending before such Court; and the Person so required to be brought before such Court shall be brought under the same Custody and shall be dealt with in all respects as a Prisoner required by any Writ of Habeas Corpus awarded by any of Her Majesty's Superior Courts of Law at *Dublin* to be brought before such Court to be examined as a Witness is now by Law required to be brought and dealt with: Provided always, that the Person having the Custody of such Prisoner or Person shall not be bound to obey such Order unless a reasonable Sum be tendered to him for the Conveyance of a proper Officer or Officers, and of the Prisoner or Person, in going to and returning from such Court, such Sum to be Part of the Witness's Expenses incident to the Hearing of the Cause, unless otherwise ordered by the Chairman; provided also, that no Person confined in a County or City Gaol shall be brought up under any such Order to any other Place than to the Court House of such County Town, or City or Town where such Gaol is situated.

Chairman may renew Decree in Ejectment within Six Months, if Possession unlawfully taken by the Defendants.

44. Where a Decree for the Possession of Lands shall have been pronounced by the Chairman of the County, and the Defendant in such Decree shall, after the same shall have been executed by the Sheriff, and within Six Calendar Months after the Execution of such Decree, unlawfully re-enter or take possession of the Lands mentioned therein, it shall be lawful for the Chairman, upon the Application of the Plaintiff therein, to renew such Decree for the Purpose of enabling the said Plaintiff to re-execute the same; provided that such Application shall be made at a Sessions to be held for the Division in which such Lands are situated of which such Possession shall have been unlawfully taken as aforesaid by the Defendant in any such Decree, such Renewal to be granted upon such Notice and in like Manner as Renewals of Decrees in ordinary Civil Bill Cases are now by Law authorized to be granted.

Affidavits to be used in Civil Bill Courts may be sworn before particular Persons out of Sessions.

45. All Affidavits to be used in any Civil Bill Court in *Ireland* may be sworn before the Chairman of the County out of Quarter Sessions, and anywhere in *Ireland*, or before any Master Extraordinary in Chancery in *England* or *Ireland*, or any Commissioner for taking Affidavits in any of the Superior Courts at *Westminster* or *Dublin*; provided that all Affidavits taken as in this Section mentioned shall be filed as of Record in the Court where the same are intended to be used before the same shall be read, for the filing of which the Clerk of the Peace shall be entitled to receive a Fee of Sixpence.

Affidavit of Landlord or Agent admissible in Ejectment for Nonpayment of Rent.

46. 'And whereas the Eighty-eighth Section of the Act of the Fourteenth and Fifteenth 'Years of Her Majesty, Chapter Fifty-seven, is repealed by the Act of the Twenty-third 'and Twenty-fourth Years of Her Majesty, Chapter One hundred and fifty-four, and it is 'expedient to re-enact the Provisions of the said Section to such Extent as is herein-after 'next mentioned:' Be it enacted, That in all Proceedings by Civil Bill Ejectments for Nonpayment of Rent, where the Defendant shall not appear to defend the same, the Affidavit of the Landlord or Lessor, or his Agent or Receiver, for ascertaining the Amount of the Rent due, shall be admissible.

Power to Chairman to adjourn Case to another Division.

47. If the Chairman of the County shall be satisfied that any Suit pending by Civil Bill in his Court can be more conveniently tried in any other Division of his County than that to which it has been returned for Hearing, or if during the Hearing of any Suit it shall appear to the Chairman that it would meet the Ends of Justice to adjourn the further Hearing of the said Suit to some Town in another Division of the County, it shall be lawful for him to direct that such Case shall be heard in such other Division, or he may adjourn the Hearing of the same to any Town in such other Division; and any Decree made in such other Division shall in that Case have the same Effect as if the same were pronounced in the Division to which the Suit was originally returned for Hearing.

Power of Amendment.

48. It shall be lawful for the Chairman of the Civil Bill Court, or any Judge of Assize on Appeal, at all Times to amend all Processes by adding or striking out Parties, whether Plaintiffs or Defendants, and all other Defects and Errors in any Civil Bill Process or Notice, or other Proceeding of the Civil Bill Court, whether there may be anything in Writing to amend by or not; and all such Amendments may be made in such Manner as shall be thereby directed, and with or without Costs, and upon such Terms as to the said

Chairman

Chairman or Judge shall seem fit; and all such Amendments as may be necessary for the Purpose of determining in any existing Suit the real Question in controversy between the Parties shall be so made; and when such Amendment shall be allowed, the Order for allowing the same, specifying the Amendment, shall be entered as of Record upon the Court Book of the Clerk of the Peace: Provided always, that no such Amendment shall be made if it shall appear to the Chairman or to the Judge of Assize on Appeal that the same is calculated to mislead and injuriously prejudice the opposite Party in the Merits of his Case.

Amendment of Orders or Convictions of Magistrates on Appeal.

49. If on the Trial of any Appeal to any Court of General Quarter Sessions of the Peace in *Ireland*, or to the Chairman of the County, against any Conviction or Order made or pronounced by any Justice or Justices of the Peace, any Objection shall be taken on account of any Omission or Mistake in the making or drawing up of such Conviction or Order, or any Variance between the Facts stated in such Conviction or Order and the Evidence adduced in support thereof, and it shall be shown to the Satisfaction of the Court that sufficient Grounds were in Proof before the Justice or Justices making such Conviction or Order to have authorized the drawing up thereof free from the said Omission or Mistake, or that such Variance is in some Point not material to the Merits of the Case, it shall be lawful for the Court to amend such Conviction or Order on such Terms as it shall think fit, and to adjudicate thereupon as if no such Omission or Mistake or Variance had existed

Power to take fresh Recognizances on Appeals, where those entered into may be defective in Form.

50. 'And whereas the Act now in force giving a Right of Appeal to the Courts of 'General Quarter Sessions in *Ireland*, or the Chairman of the Civil Bill Courts in *Ireland*, 'frequently require a Recognizance or Recognizances to be entered into as a Condition of 'such Appeal, and Appellants are liable to be prevented from trying their Appeals upon 'the Merits in consequence of Imperfections in the taking of such Recognizances:' Be it enacted, That where any Recognizance or Recognizances which shall have been entered into within the Time by Law required, before any Justice or Justices, for the Purpose of complying with any such Condition of Appeal, shall appear to the Court before which such Appeal is brought to have been insufficiently entered into, or to be otherwise defective or invalid, it shall be lawful for the Court, if it shall so think fit, to permit the Substitution of a new and sufficient Recognizance or new and sufficient Recognizances to be entered into before such Court, in the Place of such insufficient, defective, or invalid Recognizance or Recognizances, and for that Purpose to allow such Time, and make such Examination, and impose such Terms as to Payment of Costs to the Respondent or Respondents, as to such Court shall appear just and reasonable, and such substituted Recognizance or Recognizances shall be as valid and effectual to all Intents and Purposes as if the same had been duly entered into at any earlier Time or Times as required by any Act or Acts now in force.

Power to give Costs when Appeal not proceeded with.

51. And for the more effectual Prevention of frivolous Appeals be it enacted, That any Court of General or Quarter Sessions of the Peace, upon Proof of Notice of any Appeal to such Court having been given to the Clerk of the Petty Sessions Court, and such Recognizance having been entered into as in "The Petty Sessions (*Ireland*) Act, 1851," is in that Behalf mentioned, though such Appeal may not be afterwards prosecuted or entered, or though Notice in Writing of the Intention of the Party to prosecute the same shall not have been served Seven clear Days before the Commencement of said Sessions, as by said Act required, may, if it shall so think fit, at the Sessions for which such Notice of Appeal was given, order to the Party receiving the same such Costs and Charges not exceeding Forty Shillings as by the said Court shall be thought reasonable and just to be paid by the Party giving such Notice, such Costs to be recoverable in the same Manner as the Costs in ordinary Cases of Appeal are now by Law recoverable.

Expenses to be allowed to Witnesses, as Chairman shall direct.

52. It shall be lawful for the Chairman of the County or Judge of Assize upon Appeal to allow reasonable Expenses to any Person examined before him in any Proceeding by Civil Bill, and to tax and award against the unsuccessful Party in any such Proceeding the Expenses so allowed, not to exceed the Sum of Five Pounds to any One Witness.

53. Every

Process out of a County may be served by any Person, and when served by a Process Officer of the County may be proved by Affidavit.

53. Every Process which shall be required to be served out of the County in which the Cause is to be heard may be served by the Process Officer of any Civil Bill Court or by any other Person; and when the Service of Process out of the County shall be made by a Process Officer of the County where such Service shall be made, such Service may be proved by Affidavit purporting to have been made before a Master Extraordinary in Chancery or any other Person now authorized by Law to take Affidavits; and the Fee for taking such Affidavit shall be One Shilling, and shall be Part of the Costs incident to the Civil Bill; and such Affidavit shall be filed with the Clerk of the Peace of the County in which the same shall be used as Evidence of Service, and before the Hearing of the Cause in which such Affidavit is intended to be used, and shall specify fully the Residence of the Parties served, and the Residence of the Person making such Affidavit, and the Manner in which Service was effected, for the filing whereof such Clerk of the Peace shall be entitled to a Fee of Sixpence.

This Act incorporated with recited Acts.

54. The Act of the Fourteenth and Fifteenth Years of Her Majesty, Chapter Fifty-seven, intituled *An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in* Ireland, *and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors*, and "The Landlord and Tenant Law Amendment Act, *Ireland*, 1860," shall, as to such of the Provisions of said Acts as relate to the Civil Bill Courts of *Ireland*, or any Proceeding therein, be incorporated with this Act, and shall, so far as the same are not inconsistent with this Act be read as if the said recited Acts (except such Parts thereof as have been repealed or amended by this Act) and this Act were One Act.

Existing Decrees to remain in force, and to be executed with annexed Warrants, &c.

55. All Decrees and other Proceedings of every Nature and Kind obtained in any County Court in *Ireland*, and in force and unexecuted at the Time of the Commencement of this Act, shall, notwithstanding anything herein contained, remain and be in force so long as the same would have been in force and effect if this Act had not been passed, and may be executed with such Warrant annexed thereto as is by this Act directed.

Original not necessary to be shown at Time of Service, &c.

56. So much of Section Sixty-five of the Fourteenth and Fifteenth *Victoria*, Chapter Fifty-seven, as requires the Original of a Civil Bill Process to be shown to the Party served with such Process, and so much of Section Sixty-six of said Act as requires, in the Case of Lodgers, that a Copy of the Process shall be posted on the usual Place for posting Notices on the nearest Police Barrack to the House in which the Defendant shall so lodge, shall be and the same are hereby repealed.

Entries in Clerk of the Peace's Book Evidence.

57. In all Proceedings, Civil or Criminal, the Entry in the Clerk of the Peace's Book of a Decree or Dismiss shall be conclusive Evidence that a Decree or Dismiss between the Parties named in such Entry, and to the Purport and Effect mentioned therein, was pronounced by the Chairman of the County at the Sessions of which such Book shall purport to be the Record, and it shall not be necessary in any Case to produce the Decree or Dismiss signed by the Chairman.

General Rules may be made from Time to Time.

58. It shall be lawful for the several Chairmen of Quarter Sessions in *Ireland*, or for any Five of them, to be selected at a Meeting of the said Chairmen to be convened for that Purpose, to make and issue such General Orders, Rules, and Regulations as they shall think fit, from Time to Time and as often as may be deemed necessary, for regulating the Forms, Proceedings, and general Practice of the Civil Bill Courts in *Ireland*, and from Time to Time to alter, vary, and annul any previous Order relating to the Practice of the said Courts, and to make any new or other Rule or Rules, Orders, and Regulations, in lieu thereof, provided that any such Rules, Orders, and Regulations shall not be inconsistent with this Act, or any Act in force in *Ireland* relating to Civil Bills. Such Rules, Orders, and Regulations shall be submitted to the Chief Justice of *Ireland* for his Approval, and Copies of all such Rules, Orders, and Regulations, when so approved, shall be transmitted to the Under Sheriffs and the Clerks of the Peace of the respective Counties in *Ireland*, to be by them kept and preserved in their Offices, and there to remain open at all Times to public Inspection; and such Rules, Orders, and Regulations, when approved by the said Chief Justice, shall be as binding as if they were contained in this Act.

59. The

59. The Schedules to this Act annexed shall be taken to be a Part of this Act; and the Forms herein contained, or any other Forms to the like Effect, may be used in the respective Cases to which they are applicable, and shall be good and sufficient for such Cases. Schedules to be Part of this Act.

60. From and after the Commencement of this Act the several Acts and Parts of Acts set forth in the Schedule (C.) to this Act annexed, to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, and every other Act or Acts, or such Parts of every other Act or Acts, as shall be inconsistent with this Act, shall be and the same are hereby repealed, except as to anything done before the Commencement of this Act, and except so far as any of the said Acts or Parts of Acts repeal any former Act or Part of an Act, and except so far as may be necessary for the Purpose of supporting and continuing any Proceeding taken before the Commencement of this Act, and except as to the Recovery or Application of any Penalty for any Offence which shall have been committed before the Commencement of this Act. Repeal of Acts and Parts of Acts as in Schedule (C.)

61. No Under Sheriff, or any Person for his Use or Benefit, shall act as an Attorney in any Cause or Proceeding to be heard or determined before any Chairman of any County in *Ireland*; and if any such Under Sheriff, or any Person for his Use or Benefit, shall so act as an Attorney in any such Cause or Proceeding, such Under Sheriff shall thereupon forfeit the Sum of One hundred Pounds, to be recovered by any Person, within One Year after such Offence committed, by Action or Information in any of Her Majesty's Courts of Record in *Dublin*. Under Sheriff shall not act as an Attorney before the Chairman. Penalty, 100*l*.

62. The Under Sheriff for each County in *Ireland* shall at all Times have and keep in the County Town of the County for which he shall be so appointed, or in such One of the Quarter Sessions Towns of the County as may be most convenient, and as may be approved by the Chairman of Quarter Sessions, an Office for the Performance of his Duties under this Act, and such Office shall be kept open every Day in the Year (*Sundays*, *Christmas Day*, and *Good Friday* only excepted) from Ten o'Clock in the Morning until Three o'Clock in the Afternoon, such Office to be in the Charge of a Clerk to be appointed by such Under Sheriff, and the Delivery of every Decree or other Document to such Clerk shall be a Delivery to the said Under Sheriff, and the Application for a Return of a Decree to the said Clerk shall be an Application to the said Under Sheriff; and the said Under Sheriff shall keep in the said Office, and not elsewhere, the "Ejectment" Book, and "Decree and Orders" Book in this Act mentioned. Under Sheriff to keep an Office in the County Town or in One of the Quarter SessionsTowns.

63. All Decrees, Certificates, or other Documents in relation to any Matter under this Act may be delivered to the Sheriff, either by giving the same personally to the Sheriff, Under Sheriff, or Clerk in charge of the Under Sheriff's Office in the County of which he is Under Sheriff at such Office, and not elsewhere, or by sending the same through the General Post Office in a prepaid Letter, duly registered, and addressed to the Sheriff or Under Sheriff, at the Office of the Under Sheriff in the Town in which such Office shall be kept; and in all Proceedings against any Sheriff in which it shall be necessary to prove a Delivery of such Decree, Certificate, or other Document, Proof that such Decree, Certificate, or Document was duly posted in a prepaid registered Letter, directed to the Sheriff or Under Sheriff at the Office of such Under Sheriff, in the Town in which such Office shall be kept, shall be conclusive Evidence that such Decree, Certificate, or Document was received by the said Sheriff or Under Sheriff at the Time at which such registered Letter would have been delivered at the said Office in due Course of the Post, unless the said Sheriff or Under Sheriff shall prove that such registered Letter was not delivered at the said Office, or was not delivered there until after the usual Time for its Delivery in due Course of the Post; and no Delivery of any Decree, Certificate, or other Document in any other Mode than as herein-before mentioned shall be a good Delivery for the Purpose of charging the Sheriff with the Receipt thereof. Decrees and other Documents may be delivered to the Sheriff personally or by registered Letter at the Under Sheriff's Office, and not elsewhere.

64. And for the Protection of Sheriffs acting in the Execution of this Act, be it enacted, That all Actions or Proceedings to be brought against any Sheriff for anything done in pursuance of this Act shall be commenced within Six Calendar Months after the Protection of Sheriffs acting in execution of this Act.

Fact

Fact committed, and not afterwards or otherwise; and Notice in Writing of such Action, and of the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of such Action or Proceeding; and no Plaintiff shall recover in any such Action or Proceeding if Tender of sufficient Amends shall have been made before such Action or Proceeding brought, or if after Action or Proceeding brought a sufficient Sum of Money shall have been paid into Court, with Costs, by or on behalf of the Defendant.

Fees in Schedule (B.) to be the lawful Fees for the Discharge of the Duties named.

65. In all Actions and Proceedings by Civil Bill under this Act the Fees specified in the Schedule (B.) to this Act annexed shall be established, and be deemed and taken as the lawful Fees and Emoluments for the Discharge of the several Duties therein specified by the respective Persons therein mentioned, and by the Process Officers for the Service of all Civil Bill Processes, whether under this Act or otherwise, and no other Fees or Payments shall be recoverable for the Discharge of such Duties; and every Sheriff, Clerk of the Peace, Attorney, Bailiff, or Process Officer who shall receive any greater Fee, Gratuity, Emolument, or other Consideration for any of the Services herein-before or in the said Schedule specified shall forfeit and pay the Sum of Ten Pounds Sterling for every such Offence, to be recovered by Civil Bill by any Person who may sue for the same.

Fees in Schedule (B.) to be chargeable against the unsuccessful Party, save where otherwise provided.

66. The several Fees mentioned and set forth in the Schedule (B.) to this Act annexed in that Behalf shall, save wherein herein-before or in the said Schedule otherwise expressly declared, be chargeable against the Party against whom any Decree or Dismiss shall be pronounced upon any Civil Bill or other Proceeding brought under the Provisions of this Act, and in all Cases whatsoever as to the Fees hereby provided for the Process Officers.

When Business of Court shall not be transacted.

67. It shall not be lawful for the Chairman of any County in *Ireland* to open his Court or to hear any Case of Civil Bill on *Good Friday*, neither shall it be lawful for him to open his Court or to hear any Case of Civil Bill before Ten of the Clock in the Morning, nor shall it be lawful for him to commence the Hearing of any Civil Bill after Five of the Clock in the Afternoon of any other Day.

SCHEDULES referred to in the foregoing Act.

SCHEDULE (B.)

PART I.

Fees payable to the Sheriff (in lieu of the Fees of One Shilling and Two and Sixpence now payable to him under the 14th and 15th Victoria, Chapter 57., for granting a Warrant to the Special Bailiffs of the Plaintiff's Nomination in Ordinary and Ejectment Decrees).

	£	s.	d.	
On every Process or Ejectment entered for Hearing with the Clerk of the Peace -	0	0	6	Such Fee to be paid to the Clerk of the Peace for the Account of the Under Sheriff, at the Time of the Entry, to be taxed with the Plaintiff's Costs, if a Decree be made in his Favour.
On every Decree, Dismiss, Renewal, or Order (save those in Ejectment Cases or Orders or Writs of Restitution as to Lands):—				Such Fees to be paid to the Clerk of the Peace, for the Account of the Under Sheriff, by the Person in whose Favour the Decree is pronounced, before he shall be entitled to receive the same, and to be taxed at Foot of the Decree as Portion of the Costs payable by the Party against whom such Decree shall be pronounced.
For any Sum not exceeding 20*l.* - -	0	1	0	
Exceeding 20*l.* - - - -	0	2	0	
On every Decree, Dismiss, and Renewal in Ejectment Cases, and on every Order or Writ of Restitution as to Lands - - -	0	2	6	

PART

PART II.

Fees payable to the Sheriff.

	£	s.	d.	
For executing any Decree, Dismiss, Renewal, or Order (except Decrees or Renewals in Ejectment Cases, or Writs or Orders of Restitution as to Lands) - - -	-	-	-	One Shilling in the Pound (or for any fractional Part of the First Pound) on the Amount stated in the Entry at Foot of the Decree, Dismiss, Renewal, or Order, if the entire Amount shall be levied; or if the entire Amount shall not be levied, then on the Amount actually levied, and so in proportion for any fractional Part of a Pound after the First Pound; One Shilling to be paid in every Case of a Levy, though the Amount produced may not be One Pound.
In all Cases for executing any Decree, Dismiss, Renewal, or Order, by Arrest of the Party - - - - - -	0	10	0	To be paid to the Sheriff on the Delivery of the Decree by the Person desiring to execute the same by Arrest of the Party, and also 6*d.* per Statute Mile for the Conveyance of the Party, if arrested, from the Place of his Arrest to the County Gaol, to be chargeable to and recovered from the Person demanding such Execution by Arrest.
For executing any Decree or Renewal in Ejectment, or Writ or Order of Restitution as to Lands not exceeding Five Pounds annual Valuation, and where the personal Attendance of the Sheriff is not required -	0	10	0	
And where the personal Attendance of the Sheriff shall be required, or where the Lands exceed Five Pounds annual Valuation - - - - - -	1	1	0	And where the personal Attendance of the Sheriff shall be required by the Party executing the Decree, 6*d.* additional shall be paid to the Sheriff for every Statute Mile he shall necessarily travel on going to such Lands, such Mileage not to be charged against the opposite Party.
In Cases of Replevin, for drawing Affidavit of Value by Replevingers, and in full of all Charges in relation to such Cases - -	0	4	0	
To the Sheriff in full for Proceedings by Interpleader - - - - -	0	3	6	
For returning a Jury in any Case - -	0	3	6	
To Keepers (not exceeding Two in Number) of Goods seized under any Decree or Dismiss, per Day each (not exceeding Five Days) - - - - - -	0	2	6	
For filing the Certificate and making the Entry at Foot of the Decree, as in Section 11 of this Act mentioned - - - - -	0	0	6	To be paid by the Party presenting such Certificate.

PART III.

Fees payable to the Clerk of the Peace.

	£	s.	d.	
For the filing of any Affidavit sworn under the special Provisions of the 44th and 52d Sections of this Act - - - -	0	0	6	To be paid by the Person requiring such Affidavit to be filed, and not to be taxable against the opposite Party.
For preparing a fresh Recognizance in Cases of Appeal, when required so to do under the 49th Section - - - - -	0	3	6	
And One Penny in every Shilling lodged with them for the Account of the Sheriff, as herein-before mentioned, to be retained by them out of the Monies so lodged.				

PART IV.

Attorney's Fees.

	£	s.	d.	
For preparing, presenting, &c. the Certificate of the Sum due on Foot of any Decree, as in Section 11. of this Act - - - -	0	1	0	
To the Plaintiff's Attorney in full for all Proceedings as to the Re-execution of Ejectment Decrees, under the 43d Section of this Act, and making the Application to the Court, as thereby directed - - - - -	0	10	6	
For attending the Clerk of the Peace with any Affidavit to be filed under the special Provisions of the 44th and 52d Sections of this Act - - - - - -	0	1	0	Not to be chargeable against the opposite Party.

PART V.

Process Officers Fees.

	£	s.	d.
Serving Civil Bill in any Case where there is but One Defendant, or several Defendants residing in the same House, where the Sum sought to be recovered shall not exceed 10*l.* - - - - -	0	0	6
For serving Two or more Defendants not residing in the same Dwelling House, where the Sum sought to be recovered shall not exceed 10*l.* - - - - - -	0	1	0
For serving One Defendant, or several Defendants residing in the same House, where the Sum sought to be recovered shall exceed 10*l.* - - - - -	0	1	0
For serving Two or more Defendants not residing in the same Dwelling House, where the Sum sought to be recovered shall exceed 10*l.* - - - - -	0	2	0

SCHE-

SCHEDULE (C.)

Acts and Parts of Acts to be repealed, so far only as they may relate to any Proceedings by Civil Bill under this Act.

Date of Act.	Title.	Extent of Repeal.
14 & 15 Vict. c. 57.	An Act to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in Ireland, and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors.	Section 95. So much of the Forms 26 and 27, Schedule (C.), as relate to the Forms of the Sheriffs Warrants to Special Bailiffs of the Plaintiffs Nomination on Decrees and Dismisses. So much of Section 139. providing that no Civil Bill Decree for Possession of any Lands or Tenements, or any Affirmance of such Decree, shall be renewed, save for the Costs thereby decreed, as is inconsistent with the Power of Renewal specially given by this Act. Section 145. Section 146. Section 147. So much of Section 152. and Schedule (D.) therein referred to relating to Fees payable to Sheriffs, Process Servers, and Keepers, as is inconsistent with the Fees given to them by this Act.
23 & 24 Vict. c. 154.	An Act to consolidate and amend the Law of Landlord and Tenant in Ireland.	Section 92. Section 93.

CAP. C.

An Act to confirm certain Proceedings of the Justices for the County of *Sussex*. [29th *July* 1864.]

'WHEREAS the County of *Sussex* is divided or reputed to be divided for certain 'Purposes into Two Divisions called respectively the Eastern and Western Divisions, 'but there is but One Commission of the Peace for the whole County: And whereas the 'Court of Quarter Sessions for the said County is for Convenience held every Quarter first 'in one of the said Divisions and then in the other: And whereas the Justices for the said 'County, meeting in Quarter Sessions in the said Divisions respectively, have been accus-'tomed to make separate County Rates for each Division, and to do and regulate divers 'other Acts, Matters, and Things for each Division separately, as if in fact each of such 'Divisions was a separate County: And whereas a separate Basis or Standard for the 'Assessment of the County Rates has been made for each Division: And whereas Doubts 'have arisen whether, under the several Statutes regulating the County Rate, and such 'other Acts, Matters, and Things, or otherwise, each of such Divisions ought to have been 'treated as a separate County, and whether a separate Basis or Standard for the County 'Rate ought to have been made as aforesaid: And whereas it is believed that sometimes 'through Inadvertence the Court of Quarter Sessions in the said County may not have 'been properly adjourned from Time to Time and from Place to Place:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords