## CHAPTER 27.

An Act to authorise the Reduction of Local Light Dues. [13th July 1876.]

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:

Short title.

**1.** This Act may be cited as "The Local Light Dues Reduction Act, 1876."

Power to reduce local light dues.

**2.** Any local authority not otherwise empowered may and is hereby authorised and empowered from time to time, with the consent of Her Majesty in Council, to reduce all or any dues for the time being receivable by such local authority in respect of lighthouses, buoys, or beacons.

Definition of "local authority."

The term "local authority" in this Act shall mean any person or body of persons having by law or usage authority over local lighthouses, buoys, or beacons.

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## CHAPTER 28.

An Act to amend the Court of Admiralty (Ireland) Act, 1867, and confer a more extended Admiralty Jurisdiction on the Recorders of Cork and Belfast. [13th July 1876.]

WHEREAS it is expedient to extend the jurisdiction in Admiralty conferred by the Court of Admiralty (Ireland) Act, 1867, (in this Act referred to as "the principal Act,") upon the recorders of the boroughs of Cork and Belfast:

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; (that is to say,)

Short title.

**1.** This Act may be cited as the Court of Admiralty (Ireland) Amendment Act, 1876.

Construction of Act.

**2.** The principal Act as amended by this Act and this Act shall be construed together as one Act.

Admiralty jurisdiction of Recorders of Cork and Belfast.

**3.** The district within which Admiralty jurisdiction may be exercised by the Court of the Recorder of the borough of Cork shall be the county of Cork, with the parts of the sea adjacent to the same to a distance of three miles from the shore thereof; and the district within which Admiralty jurisdiction may be exercised by the Court of the Recorder of the borough of Belfast shall be the counties of Antrim and Down, with the parts of the sea adjacent to the same to a distance of three miles from the shore thereof.

In addition to any jurisdiction conferred by the principal Act upon these courts, each of them shall have all such jurisdiction, power, and authority as may be necessary for the trial and determination of any cause relating to all or any of the matters following (in this Act referred to as an "Admiralty cause"):

(1.) As to any claim for salvage, any cause in which the value of the property saved does not exceed one thousand four hundred pounds, or in which the amount claimed does not exceed four hundred pounds:

(2.) As to any claim arising out of any agreement made for or in relation to the use or hire of any ship, or for or in relation to the carriage of goods in any ship, and also as to any claim in tort in respect of goods carried in any ship, provided the amount claimed does not exceed four hundred pounds:

(3.) In all cases where jurisdiction is given by the principal Act to the local court, and where the amount claimed does not exceed four hundred pounds:

(4.) Any cause in respect of any such claims as aforesaid, in which the value of the property saved or the amount claimed is beyond the amount limited as above

mentioned, when the parties agree by a memorandum, signed by them or by their attorneys or agents, that the court shall have jurisdiction, and hear and determine the same.

Power to arrest and hold to bail.

**4.** Each of the said courts shall have jurisdiction to arrest and hold to bail, notwithstanding that the amount sued for in the cause shall exceed the limit fixed by the principal Act or by this Act; but in such cases the cause shall in other respects be subject to the provisions of the seventy-seventh section of the principal Act, and the registrars, or officers acting as registrars, in the said courts shall have the same powers within their jurisdiction as are conferred on registrars by section forty-six of the principal Act.

Bail in certain cases.

**5.** If a ship or goods shall be arrested, by a warrant from the High Court of Admiralty in Ireland, within a district subject to the jurisdiction of the court of either of the said recorders, (except in the case of final execution,) bail may be given in the court of the recorder in whose district the same shall have been arrested in like manner as is provided for by the preceding section; and such recorder shall have in respect of the proceedings for that purpose the same authority and power as the Judge of the High Court of Admiralty, subject, however, upon appeal, to the control and direction of the said Judge, and the provisions of section forty-seven of the principal Act shall apply in all cases of arrest under this Act.

Power to change venue.

**6.** The High Court of Admiralty, on motion by any party to an Admiralty cause pending in such High Court, may, if it thinks fit, transfer the cause to either of the said recorders' courts, on such terms (if any) as to security for costs or otherwise as said High Court may direct.

Procedure.

**7.** The mode of procedure in the courts of the said recorders in Admiralty causes, and the scale of costs and charges to be payable in respect of Admiralty business in such courts, shall be regulated and fixed by rules and orders to be made by the Lord Chancellor, with the concurrence of the said recorders or one of them.

The Lord Chancellor, with the concurrence of the Commissioners of Her Majesty's Treasury, may also fix and determine what court and office fees shall be payable in respect of such business, and such fees shall be received and accounted for in the manner provided in the one hundred and fourteenth and one hundred and fifteenth sections of the principal Act.

Nautical assessors in recorders' courts.

**8.** On the hearing of any Admiralty cause by any one of the said recorders, such recorder shall have power to call to his assistance one or more nautical assessor or assessors, to be selected by him; and the advice and opinion of such nautical assessor or assessors may be taken by the said recorder in the same manner as is in use in the High Court of Admiralty (Ireland); and such recorder shall have power to direct what remuneration shall be paid to each such assessor for his attendance, and to order the same to be paid by such of the parties to the cause as he shall think just.

Courts for hearing Admiralty causes.

**9.** The said recorders respectively shall hear and determine Admiralty causes at the usual courts held within their jurisdiction, or at special courts to be held by them, and which they are hereby required to hold as soon as conveniently may be, after they shall respectively have had notice of issue being joined in an Admiralty cause arising within the jurisdiction of their respective courts.

In certain cases may sue by Civil Bill.

**10.** When the amount or value in dispute shall not exceed fifty pounds, the same may be sued for by Civil Bill process, and the proceedings conducted in the same manner and subject to the same rules as are applicable to other actions by Civil Bill.

Additional salaries.

**11.** It shall be lawful for the Commissioners of Her Majesty's Treasury, if they shall think fit, with the consent of the Lord Lieutenant or other chief governor or governors of Ireland, to award to each of the said recorders or either of them, as remuneration for any additional duty imposed upon them by this Act or by the principal Act, such annual or other sums as they shall deem reasonable, and such sums shall be paid out of moneys which shall be provided by Parliament for the purpose.

Power to appoint marshals.

**12.** It shall be lawful for each of the said recorders, with the approval of the Lord Chancellor, to appoint some officer of his court, or other fit person to act as marshal within the district over which such recorder has jurisdiction; and such person shall, while acting as such marshal, have, exercise, and be subject to the like jurisdiction, powers, authorities, and liabilities within such district as the marshal of the High Court of Admiralty in Ireland; and such person while acting as such marshal as aforesaid shall be entitled to claim and receive such fees in respect of Admiralty business as from time to time the Lord Chancellor, with the approval of the Commissioners of Her Majesty's Treasury, shall order and direct.

The registrar and other officers of the courts of said recorders may also receive, for their own use, such fees in respect of Admiralty business as the Lord Chancellor with such concurrence as aforesaid may direct.

Every officer receiving fees shall keep an account of the fees received by him, and shall be bound, when required, to furnish to the Commissioners of Her Majesty's Treasury an account of his receipts: Provided that it shall be lawful for said Commissioners at any time to order that such officers shall be paid by salaries instead of fees, and to fix the salaries, and thereupon the fees paid to such officers shall be paid into the Exchequer at such times and under such regulations as the said Commissioners shall direct, and the salaries of such officers shall be paid out of moneys to be provided by Parliament.

In causes transmitted from the court of either of the said recorders to the High Court of Admiralty, the person for the time being appointed by such recorder to act as marshal in the district subject to his jurisdiction shall be subject to, and bound to obey, the judge of the High Court of Admiralty.

The marshal of the High Court of Admiralty shall act only in proceedings in the High Court.

Registrar to appoint deputy in case of illness, &c.

**13.** In case of the illness or unavoidable absence of any person who at the time of the passing of this Act shall hold the office of registrar of either of the said courts, it shall be lawful for such registrar from time to time to appoint a good and sufficient deputy, subject to the approval of the Lord Chancellor, to act during the illness or unavoidable absence of such registrar in his place and for the discharge of the duties by this Act imposed upon such registrar, but not further or otherwise.

The registrar appointing any deputy under this section shall pay the remuneration of such deputy, and shall continue liable notwithstanding such appointment for the due discharge of the duties by this Act imposed upon such registrar.

Appeal.

**14.** An appeal shall lie from decrees and orders made in Admiralty causes within the provisions of this Act to the same tribunal, and in the same manner, and subject to the same rules as are provided in the principal Act in reference to cases within the jurisdiction of local courts, and the several provisions of the principal Act in relation to local courts (except when the same shall be inconsistent with the provisions of this Act) shall apply to causes and proceedings under this Act.

Amendment of thirty-seventh section of principal Act.

**15.** The jurisdiction conferred by the thirty-seventh section of the principal Act upon the High Court of Admiralty shall be and is hereby extended to goods shipped upon or carried or about to be shipped upon or carried by any ship from any port in Ireland.

This jurisdiction as extended may and shall be exercised by the recorders of the boroughs of Cork and Belfast respectively, where the amount claimed does not exceed four hundred pounds.

Additional jurisdiction given to the High Court of Admiralty.

**16.** After the passing of this Act the High Court of Admiralty shall have jurisdiction to decide all claims arising out of any agreement made for or in relation to the use or hire of any ship, or for or in relation to the carriage of goods in any ship, and also all claims in tort in respect of goods carried in any ship.