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:

Provision restraining Bank of Ireland from lending Money on Mortgage, repealed.

I. The said recited Provision of the said Act of the Parliament of *Ireland* of the Twenty-first and Twenty-second Years of King *George* the Third shall be repealed; and it shall be lawful for the said Corporation, or any Person or Persons on their Behalf, to lend or advance any Sum or Sums of Money to be secured by Mortgage or Sale of Lands, Tenements, or Hereditaments redeemable, if the said Corporation shall so think fit.

Recited Act and this to be read as One Act.

II. So much of the said recited Act as remains unrepealed, and this Act, shall be read and construed together as One Act.

CAP. XXXII.

An Act to abolish the Jurisdiction of the Ecclesiastical Courts in *Ireland* in Cases of Defamation, and in *England* and *Ireland* in certain Cases of Brawling.

[3d *July* 1860.]

'WHEREAS it is expedient to abolish the Jurisdiction of the Ecclesiastical Courts of *England* and *Ireland* over Persons not in Holy Orders in Suits for Brawling, and to abolish the Jurisdiction of the Ecclesiastical Courts of *Ireland* in Suits for Defamation, as hath already been done with respect to the like Jurisdiction in *England*:' 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:

Jurisdiction of Ecclesiastical Courts in Suits for Defamation and Brawling abolished as against Persons not in Holy Orders.

Persons in Custody for Defamation, &c. under Order of Ecclesiastical Courts to be discharged.

Order for Discharge not to be made until Costs lawfully incurred are paid.

I. That it shall not be lawful for any Ecclesiastical Court in *England* or *Ireland* to entertain or adjudicate upon any Suit or Cause of Brawling commenced after the passing of this Act against any Person not being in Holy Orders, nor shall it be lawful for any Ecclesiastical Court in *Ireland* to entertain or adjudicate upon any Suit or Cause of Defamation commenced as aforesaid; and in the Case of every Person committed or to be committed to Gaol under any Writ De contumace capiendo, issued in consequence of any Proceedings before any Ecclesiastical Court in any Cause or Suit for Defamation of Character, or where such Person is not in Holy Orders for Brawling, the Judge of the Ecclesiastical Court before whom such Proceedings shall have been had shall make an Order upon the Officer in whose Custody such Person shall be at any Time hereafter for discharging such Person out of Custody, and such Officer shall on the Receipt of such Order forthwith discharge such Person; and it shall not be necessary for such Person to take any Oath of future Obedience to his or her Ordinary: Provided always, that such Order shall not be made unless the Costs lawfully incurred in any such Suit shall have been previously paid into the Registry of such Ecclesiastical Court; provided further, that where any such Suit for Brawling or Defamation has been commenced before the passing of this Act, and final Judgment has not been given thereupon, or where final Judgment has been given, but the Defendant has not been taken under a Writ De contumace capiendo pursuant to such Judgment, the Court, upon Payment by the Defendant of the Costs of Suit incurred by the Promoter of the Office of the Judge to the Time of the passing of this Act, shall stay all further Proceedings therein.

Penalty for making a Disturbance in Churches, Chapels, Churchyards, &c.

18 & 19 Vict. c. 81.

II. Any Person who shall be guilty of riotous, violent, or indecent Behaviour, in *England* or *Ireland* in any Cathedral Church, Parish or District Church or Chapel of the Church of *England* and *Ireland*, or in any Chapel of any Religious Denomination, or in *England* in any Place of Religious Worship duly certified under the Provisions of the Eighty-first Chapter of the Statute passed in the Session of Parliament of the Eighteenth and Nineteenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Law concerning the certifying*

certifying and registering of Places of Religious Worship in England, whether during the Celebration of Divine Service or at any other Time, or in any Churchyard or Burial Ground, or who shall molest, let, disturb, vex, or trouble, or by any other unlawful Means disquiet or misuse any Preacher duly authorized to preach therein, or any Clergyman in Holy Orders ministering or celebrating any Sacrament or any Divine Service, Rite, or Office in any Cathedral, Church, or Chapel, or in any Churchyard or Burial Ground, shall on Conviction thereof before Two Justices of the Peace be liable to a Penalty of not more than Five Pounds for every such Offence, or may, if the Justices before whom he shall be convicted think fit, instead of being subjected to any pecuniary Penalty, be committed to Prison for any Time not exceeding Two Months.

Offenders may be immediately after Offence committed, apprehended, &c.

III. Every such Offender in the Premises after the said Misdemeanor so committed immediately and forthwith may be apprehended and taken by any Constable or Churchwarden of the Parish or Place where the said Offence shall be committed, and taken before a Justice of the Peace of the County or Place where the said Offence shall have been so committed, to be dealt with according to Law.

Persons aggrieved may appeal against Conviction.

IV. Any Person convicted as aforesaid who shall think himself aggrieved by such Conviction may forthwith appeal to the next Court of General or Quarter Sessions, which shall be holden not less than Twelve Days after the Day of such Conviction for the County, Riding, Division, City, or Borough wherein the Cause of Complaint shall have arisen; provided such Person shall enter into a Recognizance with Two sufficient Sureties before the convicting Justices, conditioned personally to appear at the said Sessions and to try such Appeal, and to abide the Judgment of the Court thereupon, and to pay such Costs as shall be by the Court awarded; and upon such Recognizance being entered into, the Justices shall liberate such Person, and the Court at such Sessions shall hear and determine the Matter of the Appeal, and shall make such Order therein, with or without Costs to either Party, as to the Court shall seem meet; and in case of the Dismissal of the Appeal or the Affirmance of the Conviction, shall order and adjudge the Offender to be punished according to the Conviction, and to pay such Costs as shall be awarded, and shall, if necessary, issue Process for enforcing such Judgment.

Chapter 4. of Statute 5 & 6 Edw. 6. repealed.

V. The Act Chapter Four of the Statute passed in the Session of Parliament of the Fifth and Sixth Years of the Reign of *Edward* the Sixth is hereby repealed, so far as relates to Persons not in Holy Orders.

Act not to affect Statutes of 1 Mar. Sess. 2. c. 3., 1 Eliz. c. 2., or Sect. 18. of 1 W. & M. c. 18.

VI. Nothing herein-before contained shall be taken to repeal or alter the Statute passed in the Second Session of the First Year of the Reign of Queen *Mary*, Chapter Three; or the Statute passed in the First Year of the Reign of Queen *Elizabeth*, Chapter Two; or the Eighteenth Section of the Statute passed in the First Year of the Reign of King *William* and Queen *Mary*, Chapter Eighteen.

Nothing to limit Power of Ordinary over Fabric of Churches, &c.

VII. Provided also, That nothing herein contained shall limit, restrain, or abolish the Power possessed by the Ordinary over the Fabric of any Church or over the Churchyard or Burial Ground connected therewith.

C A P. XXXIII.

An Act to amend certain Provisions in the Bankrupt Law of *Scotland*.

[3d *July* 1860.]

19 & 20 Vict. c. 79.

'WHEREAS it is expedient that certain Provisions of "The Bankruptcy (*Scotland*) Act, 1856," should be amended:' 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.

I. This Act may be cited as "The Bankruptcy (*Scotland*) Amendment Act, 1860."