CHAPTER 26.

An Act to amend the practice of the Courts of Law with respect to the Review of the Decisions of Justices. [18th July 1872.]

WHEREAS ex parte proceedings are frequently taken in the Superior Courts of Common Law at Westminster to bring under review the decisions of justices of the peace acting both in and out of sessions, and there is no fund at the disposal of such justices to defray the expense of appearing by counsel to support their decisions:

And whereas it is expedient that such justices, should without expense to themselves, have an opportunity in such cases of informing the Court of the grounds of their decision, and of all material facts bearing upon the same:

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 Review of Justices Decisions Act, 1872."

Justice, when his decision is called in question in a Superior Court, may file affidavit showing grounds of his decision without payment of fee.

2. Whenever the decision of any justice or justices is called in question in any Superior Court of Common Law by a rule to show cause or other process issued upon an ex parte application, it shall be lawful for any such justice to make and file in such court an affidavit setting forth the grounds of the decision so brought under review, and any facts which he may consider to have a material bearing upon the question at issue, without being required to pay any fee in respect of filing such affidavit or any stamp duty thereupon, and such affidavit may be sworn before a Commissioner authorised to take oaths in Chancery, and may be forwarded by post to one of the Masters of the Court for the purpose of being so filed.

Court to take into consideration matters contained in affidavit notwithstanding non-appearance of counsel in support.

3. Whenever any such affidavit has been filed as aforesaid, the Court, shall, before making the rule absolute against the justice or justices, or otherwise determining the matter so as to overrule or set aside the acts or decisions of the justice or justices to which the application relates, take into consideration the matters set forth in such affidavit, notwithstanding that no counsel appear on behalf of the said justices.

CHAPTER 27.

An Act to amend the Elementary Education Act, 1870. [18th July 1872.]

WHEREAS it is expedient to extend the powers and provisions of the Elementary Education Act, 1870, in regard to the borrowing of money, so as to enable the School Board for London to avail themselves of such powers and provisions for the purchase of lands required for the erection of offices for the Board with all suitable and necessary appurtenances:

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:

33 & 34 Vict. c. 75. s. 19. extended to offices.

1. The 19th section of the Elementary Education Act 1870, shall extend to any offices required by the School Board for London.

Sects. 57. and 58. extended to expense for offices.

2. The 57th and 58th sections of the said Act shall extend to any expense incurred by the School Board for London in providing or enlarging any such offices as aforesaid.

3. The term "offices" shall include all necessary conveniences and appurtenances. The term "offices."

4. This Act shall be read and construed as part of the Elementary Education Act, 1870, and in citing this Act in other Acts of Parliament and in legal instruments it shall be sufficient to use the expression "The Elementary Education Act Amendment Act, 1872." Short title.

CHAPTER 28.

An Act to amend the Practice and Procedure of the Crown Side of the Court of Queen's Bench in Ireland. [18th July 1872.]

WHEREAS it is expedient to amend the practice and procedure of the Crown side of the Court of Queen's Bench in Ireland by assimilating the same as far as practicable to the practice and procedure of the Court of Queen's Bench 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:

1. That it shall and may be lawful for the Lord Chief Justice and the judges of the Court of Queen's Bench in Ireland, or any three of them, to make such rules, orders, and regulations from time to time, for the care and custody of the records and other proceedings on the Crown side of the said Court, and the enrolment thereof, and the issuing, returning, and filing of writs and other proceedings, and all other matters and things relating to the practice and the general business to be transacted on the Crown side of the said Court, as to them shall seem fit and proper. Lord Chief Justice, &c. to make rules as to practice, &c. at Crown side of Queen's Bench, Ireland.

CHAPTER 29.

An Act to amend the Act of the Session of the Twenty-eighth and Twenty-ninth years of the reign of Her present Majesty, chapter one hundred and thirteen, intituled "An Act to authorize the Payment of Retiring Pensions "to Colonial Governors." [18th July 1872.]

WHEREAS by the Colonial Governors Pensions Act, 1865, one of Her Majesty's Principal Secretaries of State is authorised to grant to persons who have administered the government of any colony or colonies for certain periods the full rate of pension or the reduced rate of pension as therein provided, and it is expedient to authorise in certain cases an increase of such reduced rate of pension, and otherwise to amend the said Act: 28 & 29 Vict. c. 113.

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:

1. The principal Act and this Act may be cited together as the Colonial Governors (Pensions) Acts, 1865 and 1872, and each of them may be cited as the Colonial Governors (Pensions) Act of the year in which it was passed. Short title.

2. This Act shall be construed as one with the Act of the session of the twenty-eighth and twenty-ninth years of the reign of Her present Majesty, chapter one hundred and thirteen, intituled "An Act to authorize the payment of retiring pensions to colonial "governors," in this Act referred to as the principal Act. Construction of Act.