the Authority and according to the Directions of the said Act and of this Act, to serve any such Process; and that any Service or pretended Service of any Process by any Person or Persons not appointed and authorized as aforesaid shall be wholly null and void to all Intents and Purposes whatsoever; any Act or Acts of Parliament, or any Law, Usage, or Custom, to the contrary in anywise notwithstanding.

CAP. LXXXII.

An Act for extending to *Scotland* and *Ireland* the Power of the Lord High Chancellor to grant Commissions to enable Persons to take and receive Affidavits; and for amending the Law relating to Commissions for the Examination of Witnesses.

[22d *August* 1843.]

'WHEREAS it would be convenient to extend to *Scotland* 'and *Ireland* the Power of the Lord High Chancellor of '*Great Britain* to grant Commissions in order to enable Per-'sons to take Affidavits, Affirmations, and Declarations:' 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,

Lord Chancellor to have the same Powers for granting Commissions for taking Affidavits, &c. in Scotland and Ireland as he now has in England.

and by the Authority of the same, That the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, for the Time being, shall have such and the same Powers for granting Commissions for the Purpose of enabling fit and proper Persons to take and receive Affidavits, Affirmations, and Declarations in *Scotland* and *Ireland*, and to perform the other Duties of Masters Extraordinary of the High Court of Chancery in *England*, as he and they now have in any Part of the Kingdom of *England*.

Persons wilfully swearing falsely in any Affidavit, &c. in Scotland deemed guilty of Perjury, and liable to Punishment in same Manner as Persons swearing falsely in open Court.

II. And be it enacted, That all and every Persons and Person wilfully swearing or affirming or declaring falsely in any Affidavit or Affirmation or Declaration to be made in that Part of the United Kingdom called *Scotland*, before any Person or Persons who shall be empowered to take Affidavits or Affirmations or Declarations in *Scotland* under the Authority aforesaid, shall be deemed guilty of Perjury, and shall be liable to Prosecution and Punishment for Perjury in the same Manner and to the same Effect as if such Persons or Person had wilfully sworn falsely as a Witness or Witnesses in open Court in any judicial Proceeding in *Scotland*, or in any Court of competent Jurisdiction in that Part of the United Kingdom in which such Person shall be apprehended on such a Charge; and it shall be competent to bring such Prosecution, if brought in *Scotland*, either in the Court of Justiciary or in the Sheriff Court of the County within which the Offence shall have been committed.

Persons wilfully swearing falsely

III. And be it enacted, That all and every Persons and Person wilfully swearing or affirming falsely in any Affidavit or

or Affirmation to be made before any Person or Persons who shall be empowered to take Affidavits or Affirmations in *Ireland* under the Authority aforesaid shall be deemed guilty of Perjury, and shall incur and be liable to the same Pains and Penalties as if such Person or Persons had wilfully sworn or affirmed falsely in the open Court in which such Affidavit or Affirmation shall be intituled, or in the Court in which such Person or Persons shall be tried, and be liable to be prosecuted for such Perjury in any Court of competent Jurisdiction in *Ireland*, or in that Part of the United Kingdom in which such Person shall be apprehended on such a Charge; and if any Declaration which shall be made before any Person who shall be empowered to take Declarations in *Ireland* under the Authority aforesaid shall be false or untrue in any material Particular, the Person wilfully making such false Declaration shall be deemed guilty of a Misdemeanor, and shall be punishable accordingly.

in any Affidavit or Affirmation in Ireland deemed guilty of Perjury, and liable to same Pains and Penalties as for swearing falsely in open Court.

False Declaration, a Misdemeanor.

IV. And be it enacted, That every such Person authorized to act under any such Commission as aforesaid shall be entitled to receive and take such and the same Fees, and none other, as Masters Extraordinary of the High Court of Chancery in *England* are now entitled to by virtue of the Orders of that Court, or of any Act or Acts of Parliament now in force.

What Fees may be taken.

V. 'And whereas there are at present no Means of compelling the Attendance of Persons to be examined under any Commission for the Examination of Witnesses issued by the Courts of Law or Equity in *England* or *Ireland*, or by the Courts of Law in *Scotland*, to be executed in a Part of the Realm subject to different Laws from that in which such Commissions are issued, and great Inconvenience may arise by reason thereof;' be it therefore enacted, That if any Person, after being served with a written Notice to attend any Commissioner or Commissioners appointed to execute any such Commission for the Examination of Witnesses as aforesaid (such Notice being signed by the Commissioner or Commissioners, and specifying the Time and Place of Attendance), shall refuse or fail to appear and be examined under such Commission, such Refusal or Failure to appear shall be certified by such Commissioner or Commissioners, and it shall thereupon be competent, to or on behalf of any Party suing out such Commission, to apply to any of the Superior Courts of Law in that Part of the Kingdom within which such Commission is to be executed, or any one of the Judges of such Courts, for a Rule or Order to compel the Person or Persons so refusing or failing as aforesaid to appear before such Commissioner or Commissioners, and to be examined under such Commission, and it shall be lawful for the Court or Judge to whom such Application shall be made by Rule or Order to command the Attendance and Examination of any Person to be named or the Production of any Writings or Documents to be mentioned in such Rule or Order.

For compelling the Attendance of Witnesses.

VI. And

Punishment of Persons disobeying Rule or Order to appear or to produce Writings or Documents required.

VI. And be it enacted, That upon the Service of such Rule or Order upon the Person named therein, if he or she shall not appear before such Commissioner or Commissioners as aforesaid for Examination, or to produce the Writings or Documents mentioned in such Rule or Order, the Disobedience to such Rule or Order shall, if the same shall happen in *England* or in *Ireland*, render the Person disobeying subject and liable to such Pains and Penalties as he or she would be subject and liable to by reason of Disobedience to a Writ of Subpœna in *England* or in *Ireland*, and if such Disobedience shall happen in *Scotland* it shall be competent to the Lord Ordinary on the Bills, upon an Application made to him by or on behalf of any Party suing out such Commission, and upon Proof of such Disobedience made before him, to direct the Issue of Letters of Second Diligence, according to the Forms of the Law of *Scotland*, to be used against the Person disobeying such Rule or Order.

For Payment of Witnesses, &c.

VII. Provided always, and be it enacted, That every Person whose Attendance shall be so required shall be entitled to the like Conduct Money and Payment of Expences and for Loss of Time as for and upon Attendance at any Trial in a Court of Law; and that no Person shall be compelled to produce under such Rule or Order any Writing or other Document that he or she would not be compellable to produce at a Trial, nor to attend on more than Two consecutive Days, to be named in such Rule or Order.

CAP. LXXXIII.

An Act to amend the Law respecting the Duties of Coroners. [22d *August* 1843.]

'WHEREAS the Coroners of Boroughs and Liberties are empowered and directed by Law to appoint Deputies to act in their Stead in certain Cases: And whereas the Coroners of Counties have no sufficient Authority of the Law for making such Appointments: And whereas it is expedient to prevent unnecessary Expence and Delay in the holding of Inquests in Counties:' 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, That from and after the passing of this Act it shall be lawful for every Coroner of any County, City, Riding, Liberty, or Division, and he is hereby directed, by Writing under his Hand and Seal, to nominate and appoint from Time to Time a fit and proper Person, such Appointment being subject to the Approval of the Lord High Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, to act for him as his Deputy in the holding of Inquests; and all Inquests taken and other Acts performed by any such Deputy Coroner under and by virtue of any such Appointment shall be deemed and taken, to all Intents and Purposes whatsoever, to be the

Coroners of Counties, &c. may appoint Deputies, subject to the Approval of the Lord Chancellor.