also, that any such officer to whom any such annuity, pension, superannuation, retiring allowance, or gratuity has been so granted shall be entitled to claim and be paid such annuity, pension, superannuation, retiring allowance, or gratuity at the same times and subject to the same conditions in every respect and just as if such enactment had not been repealed.

Superannuation of officers.

4. If any officer of any prison has been an officer of such prison for not less than twenty years, and is not less than sixty years of age, or becomes incapable from confirmed sickness, age, or infirmity, or injury received in actual execution of his duty, of executing his office in person, and such sickness, age, infirmity, or injury is certified by a medical certificate, and there shall be a report of the "Board of Superintendence" testifying to his good conduct during his period of service, and recommending a grant to be made to him, the grand jury of the county in which such prison is situate may, upon the recommendation of the Inspectors General of Prisons, or one of them, at the assizes, or, as regards the county and city of Dublin, at the presenting term next after the date of such report, grant to such officer, having regard to his length of service, an annuity by way of superannuation allowance, not exceeding two thirds of his salary and emoluments, or a gratuity not exceeding the amount of his salary and emoluments for one year, and any such annuity or gratuity shall from time to time, without application to presentment sessions, and in the case of the county and city of Dublin at the presenting term, be presented by the grand jury, and shall be levied in like manner in every respect as the salary of such officer was previously levied; provided, that the salary and emoluments of any surgeon of any infirmary to whom any superannuation allowance or gratuity is granted under this Act, shall, for the purpose of ascertaining such superannuation allowance or gratuity, be deemed to be the salary and emoluments paid to such surgeon as surgeon of such county infirmary; provided also, that no superannuation allowance or gratuity under this Act shall be granted to any surgeon of any county infirmary so long as he continues to be the surgeon of such county infirmary.

Annuities, &c. not assignable, &c.

5. Any annuity or gratuity granted to any prison officer under this Act shall be payable to or in trust for such officer only, and shall not be assignable or chargeable with his debts or other liabilities.

SCHEDULE referred to in the foregoing Act.

6 & 7 William IV. chap. 116. sect. 125.
3 & 4 Victoria, chap. 44. sect. 5.
19 & 20 Victoria, chap. 68. sect. 23.

CHAPTER 52.

An Act for the Relief of Widows and Children of Intestates where the personal estate is of small value. [28th July 1873.]

WHEREAS many poor persons die intestate, possessed of property of small amount, and it is desirable to increase the facilities for taking out letters of administration to their estates and effects, and to reduce the expenses attending the same:

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:

For purposes of Act application may be made to a

1. Where the whole estate and effects of an intestate shall not exceed in value the sum of one hundred pounds, his widow or any one or more of his children, provided such widow or children respectively shall reside at a distance exceeding three miles from

registrar of a county court.

the Registry of the Court of Probate having jurisdiction in the matter, may apply to the registrar of the county court within the district of which the intestate had his fixed place of abode at the time of his death, and the said registrar shall fill up the usual papers required by the Court of Probate to lead to a grant of letters of administration of the estate and effects of the said intestate, and shall swear the applicant and attest the execution of the administration bond according to the practice of the Court of Probate, and shall then transmit the said papers by post to the registrar of the Court of Probate having jurisdiction in the matter, who shall in due course make out and seal the letters of administration of the estate and effects of the said intestate, and transmit them by post to the said registrar of the county court, to be by him delivered to the party so applying for the same, without the payment of any fee for the same save as is provided by this Act.

Identity of person may be required.

2. The registrar of the county court may require such proof as he may think sufficient to establish the identity and relationship of the applicant.

Registrar may refuse to take affidavit.

3. If the registrar of the county court has reason to believe that the whole estate and effects of which the intestate died possessed exceeds in value one hundred pounds, he shall refuse to proceed with the application until he is satisfied as to the real value thereof.

Registrars may exercise powers of Commissioners of Court of Probate.

4. All registrars of county courts shall for the purposes of this Act have power and are hereby authorised to administer oaths, and to take declarations and affirmations, and to exercise any other powers which can be exercised by Commissioners of the Court of Probate. In the necessary absence of the registrar of the county court, applicants may be sworn and execute any necessary documents at the office of the said registrar before any Commissioner of the Court of Probate.

Power to frame rules, orders, &c.

5. Any rules and orders and tables of fees requisite for carrying this Act into operation shall be framed and may from time to time be altered by the judge of the Court of Probate, subject as regards the tables of fees to the approval of the Commissioners of Her Majesty's Treasury; and such proportions of the said fees as the said judge, with such approval as aforesaid, shall think proper, may be made payable to the registrars of the county courts acting in the said matters, but the total amount to be charged to applicants shall not in any one case exceed the sums mentioned in the schedule to this Act.

Not to affect duty on administration.

6. Provided always, that nothing herein contained shall be construed to affect any duty now payable on letters of administration.

Application of Act to Ireland.

7. The provisions of this Act shall apply to Ireland, subject to the modifications following; (that is to say,)

The term the "registrar of the county court" shall be construed to mean the "registrar of the civil bill court:"

The term "Court of Probate" shall be construed to mean the "Court of Probate in Dublin."

SCHEDULE.

Where the whole estate and effects of the intestate shall not exceed in value twenty pounds, the sum of five shillings; and where the whole estate and effects shall exceed in value twenty pounds, the sum of five shillings, and the further sum of one shilling for every ten pounds or fraction of ten pounds by which the value shall exceed twenty pounds.