CHAPTER 42.

An Act to amend the Law respecting certain Returns from Convict Prisons. [11th August 1876.]

WHEREAS by section fourteen of the Act of the fifth year of the reign of King George the Fourth, chapter eighty-four, intituled "An Act for the Transportation "of Offenders from Great Britain," it is enacted as follows:

"The said superintendent shall from time to time make returns specifying the name of "every person in custody in each of such places of confinement, the offence of which he "shall have been guilty, the court before which he shall have been convicted, and the "sentence of such court, together with his age and bodily state, and his behaviour whilst "in custody; and also the names of such offenders as shall have died whilst in such "custody, or shall have escaped, or have been lawfully discharged from the same, which "returns shall be made on the first day of January, April, July, and October in every "year to one of His Majesty's Principal Secretaries of State, on the oath of the overseer "of each place of confinement, such oath to be made before a justice of the peace:"

And it is expedient to make further provisions respecting such returns:

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:

Short title.

1. This Act may be cited as the "Convict Prisons Returns Act, 1876."

Returns from convict prisons to be sent.

2. There shall be from time to time sent to one of Her Majesty's Principal Secretaries of State such returns respecting the prisoners in every place of confinement to which the recited Act applies as such Secretary of State may from time to time direct.

Repeal of s. 14 of recited Act.

3. Section fourteen of the above-recited Act is hereby repealed.

CHAPTER 43.

An Act to make Provision respecting the Superannuation Allowances or Pensions of Persons employed in the Service of Her Majesty in the Government of the Isle of Man. [11th August 1876.]

WHEREAS it is expedient to make provision respecting the superannuation allowances or pensions of persons employed in permanent offices in the service of Her Majesty in the government of the Isle of Man, in cases where they have served Her Majesty in some other civil capacity:

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:

Reckoning of service in office in the government of the Isle of Man for purposes of superannuation allowance or pension.

1. Where a person employed in a permanent office in the service of Her Majesty in the government of the Isle of Man, qualifying him to receive a superannuation allowance out of the duties of customs collected in the said Isle, has been employed also in some other civil capacity, service in the said office shall, for the purposes of the Superannuation Act, 1859, and the Colonial Governors Pensions Acts, 1865 and 1872, be deemed to be service in the permanent Civil Service of the State, and the said office shall be deemed to be an office in a public department, and the said person shall be qualified to receive a superannuation allowance or pension accordingly:

Provided that the Commissioners of Her Majesty's Treasury shall determine according to the circumstances of the case and the principles of the said Acts, the portion of every such superannuation allowance or pension which is payable on account of service in the said office in the government of the Isle of Man, and that portion shall be deducted from

the superannuation allowance or pension payable out of moneys provided by Parliament, and shall be paid as part of the necessary expenses attending the government of the Isle of Man out of the duties of customs collected in that island.

" Civil capacity " in this section means the permanent Civil Service of the State, and also the administration of the government of any colony within the meaning of the Colonial Governors Pensions Act, 1865. Meaning of "civil capacity."

2. This Act may be cited as the Isle of Man (Officers) Act, 1876. Short title.

CHAPTER 44.

An Act to amend the Law relating to Legal Practitioners in Ireland.

[11th August 1876.]

WHEREAS it is expedient to amend the law relating to legal practitioners in Ireland:

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. This Act may be cited as " The Legal Practitioners (Ireland) Act, 1876." Short title.

2. The Act specified in the first column of the schedule annexed hereto is hereby repealed to the extent specified in the third column of the said schedule, except as to anything heretofore duly done thereunder, and except so far as may be necessary for the purpose of supporting and continuing any proceedings taken before the passing of this Act. Amendment of 12 & 13 Vict. c. 53. s. 2.

It shall be lawful for any judge of any of the superior courts of law and equity to authorise an attorney or solicitor to commence an action or suit for the recovery of his fees, charges, or disbursements against the party chargeable therewith, and also to refer his bill of fees, charges, and disbursements, and the demand of such attorney and solicitor thereupon, to be taxed and settled by the proper officer of the court in which such reference shall be made, although one month shall not have expired from the delivery of the bill of fees, charges, or disbursements, on proof to the satisfaction of the said judge that there is probable cause for believing that the party chargeable therewith is about to quit Ireland, or to become a bankrupt or a liquidating or compounding debtor, or to take any other steps or do any other act which, in the opinion of the judge, would tend to defeat or delay such attorney or solicitor in obtaining payment.

3. In every case in which an attorney or solicitor shall be employed to prosecute or defend any suit, matter, or proceeding in any court of justice, it shall be lawful for the court or judge before whom any such suit, matter, or proceeding has been heard or shall be depending to declare such attorney or solicitor entitled to a charge upon the property recovered or preserved, and upon such declaration being made such attorney or solicitor shall have a charge upon and against and a right to payment out of the property, of whatsoever nature, tenure, or kind the same may be, which shall have been recovered or preserved through the instrumentality of any such attorney or solicitor, for the taxed costs, charges, and expenses of or in reference to such suit, matter, or proceeding; and it shall be lawful for such court or judge to make such order or orders for taxation of and for raising and payment of such costs, charges, and expenses out of the said property as to such court or judge shall appear just and proper; and all conveyances and acts done to defeat or which shall operate to defeat such charge or right shall, unless made to a bonâ fide purchaser for value without notice, be absolutely void and of no effect as against such charge or right: Provided always, that no such order shall be made by any such court or judge in any case in which the right to recover payment of such costs, charges, and expenses is barred by any Statute of Limitations. Power to courts of justice to charge property recovered with payment of costs.