to the making of such Order the said Commissioners shall cause a Notice in Writing stating their Intention to make such Order to be served upon the Person for the Time being entitled to such Licence, or in case such Person cannot be found, the Commissioners shall cause such Notice to be inserted as an Advertisement Three Times at least in some Newspaper circulating in such District; and no such Order shall be made till after the Expiration of One Month from the Service of such Notice, or from the Date of the last of such Advertisements, which shall last happen.

Power to alter Licences heretofore granted so as to give Effect to any Agreements.

**15.** That notwithstanding anything in any Act to the contrary, it may be lawful for the Commissioners to alter any Licence heretofore granted by them, or to grant a new Licence in lieu thereof, to the Licencee or his Representative, so as to give Effect to any Agreement or Undertaking which may have been given or entered into by or on behalf of any such Licencee with any Person or Body subsequently to the Date of any such Licence.

This Act to be read together with former Acts.

**16.** This Act shall be read together and construed as One Act with the said Acts now in force for the Regulation of the Sea Fisheries in *Ireland*.

## CAP. XCVIII.

An Act to extend the Duration of The Dockyard Extensions Act (1865). [10th *August* 1866.]

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:

Powers conferred on Admiralty under 28 & 29 Vict. c. 51. continued for a further Term.

**1.** The Power conferred by The Dockyard Extensions Act, 1865, on the Commissioners for executing the Office of Lord High Admiral shall be and the same is hereby continued until the End of the Session of Parliament next after the present Session; and the said Act shall accordingly be construed as if the End of the Session of Parliament next after the present Session had been mentioned in Section One of that Act, instead of the Thirty-first Day of *March* One thousand eight hundred and sixty-six.

Short Titles of Acts.

**2.** The said Act, and the Act of the present Session (Chapter Twenty-seven) amending the same, and this Act, may be cited together as The Dockyard Extensions Acts, 1865 and 1866.

## CAP. XCIX.

An Act to reduce the Number of Judges in the Landed Estates Court in *Ireland*, and to reduce the Duties payable under the Record of Title and Land Debentures Acts. [10th *August* 1866.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Twenty-first and Twenty-second Years of the Reign of Her present Majesty, intituled *An Act to facilitate the Sale and Transfer of Land in* Ireland, whereby it was enacted that there should be Three Judges of the Landed Estates Court thereby constituted: 21 & 22 Vict. c. 72.

'And whereas a Vacancy has arisen in consequence of the Demise of *Charles James Hargreave*, One of the said Judges, and it is not expedient, having regard to the State of the Judicial Business of the Court, that such Vacancy should be filled up:

'And

24 & 25 Vict. c. 123.

'And whereas an Act was passed in the Session of Parliament holden in the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty, intituled *An Act to reduce and alter the Rate of Duty payable on Proceedings under the Statute of the Twenty-first and Twenty-second Years of* Victoria, *Chapter Seventy-two, Section Eighty-eight, and for other Purposes*; and it is expedient further to reduce the Rates of Duty payable in respect of the larger Estates, and in respect of Partitions, Exchanges, and Divisions of Land:

28 & 29 Vict. c. 88. and 28 & 29 Vict. c. 101.

'And whereas Two Acts were passed in the last Session of Parliament, intituled respectively, the "Record of Title Act (*Ireland*), 1865," and the "Land Debentures (*Ireland*) Act, 1865," and it is expedient to reduce the Stamp Duty payable in respect of Land Debentures, and to make better Provision for carrying out the said Acts of the last Session of Parliament:'

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:

Judges of the Court to be Two only.

**1.** There shall be Two Judges only of the Landed Estates Court, and all Powers and Authorities which might by Law be exercised by Three Judges may be exercised by the Two existing Judges of the Court, and by their Successors in Office.

Salaries of Judges.

**2.** There shall be paid to each Judge a Salary of Three thousand Pounds a Year. Such Salaries shall be in lieu of the Salary provided by the first-mentioned Act, charged upon and payable out of the Consolidated Fund in the same Manner in all respects as the Salaries provided by the first-mentioned Act. The Provisions of the said Act with respect to the retiring Pensions of the Judges therein mentioned shall be applicable to the Judges of the said Court as constituted by this Act.

In event of Difference of Opinion between the Judges, Rules, &c. signed by Lord Chancellor and One Judge to be valid.

**3.** In the event of any Difference of Opinion arising between the Judges of the Court as to any proposed Rule, Regulation, Order, or Direction (excepting for the Removal of any Officer) in which their Concurrence may be required, it shall be lawful for the Lord Chancellor of *Ireland*, on such Matter being submitted to him, to determine the same; and every Rule, Regulation, Order, or Direction (except as aforesaid), when signed by the Lord Chancellor and by One of the said Judges, shall thereupon be as valid and binding for all Purposes as though such Rule, Regulation, Order, or Direction had been signed by both of the said Judges.

Rates of Duty on certain Estates reduced.

**4.** The several Duties set out in the Schedule hereto shall be levied and paid in lieu of those now payable; and so much of the said recited Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her Majesty as imposes higher Rates of Duty than those set out in the Schedule hereto is hereby repealed.

Sect. 29. of 28 & 29 Vict. c. 101. as to Stamp Duty on Land Debentures repealed.

**5.** The Twenty-ninth Section of "The Land Debentures (*Ireland*) Act, 1865," is hereby repealed, and no Certificate under that Act shall be deemed to be a Deed within the Meaning of the Stamp Acts. A Debenture under the said Act shall be deemed to be a Mortgage for the Amount of the Principal Money thereby secured, and a Transfer of a Debenture shall be deemed to be a Transfer of a Mortgage, and the Court shall frame and promulgate such Rules and Directions as it shall consider expedient for securing the Payment of the Transfer Duty: Provided that where on the original making and issuing of any Debenture the same shall be stamped with a Duty of Four Shillings for every Hundred Pounds and also for any fractional Part of One hundred Pounds of the Principal Money thereby secured, then every Transfer thereafter made of such Debenture shall be exempt from the Stamp Duty which would otherwise be payable in respect of the Transfer.

Appointment of Recording Examiner.

**6.** 'And whereas by Section Sixty-two of the Record of Title Act (*Ireland*), One thousand eight hundred and sixty-five, it is enacted, that the Record shall be under the Management of the following principal Officers of the Landed Estates Court; *videlicet*, the Examiners and the Registrar, or of such One of them as the Judges shall from Time to Time direct, and in case of his Absence the Judges shall appoint One other of the said Officers to supply his Place; and the Judges shall adjust the Duties now performed by the said Officers in such Manner as may appear expedient for the Purposes aforesaid,

'and

'and shall so arrange the same that some One of the said Officers shall be in attendance 'daily (except as aforesaid) throughout the Year:' Be it enacted, That *Richard Denny Urlin*, Barrister-at-Law, the Examiner of the late Judge *Hargreave*, deceased, shall, so long as he shall continue to be an Examiner of the Court, be employed under and by the Judges of the Court in the Management of the Record of Title, and of the Record of Title Office, and shall be styled "the Recording Examiner" of the Court.

Salary of Recording Examiner.

**7.** There shall be paid to the Recording Examiner of the Court, in addition to his Salary as One of the Examiners of the Court, and as a Compensation for his increased Duty during Vacations, a Sum of Two hundred Pounds a Year, payable out of the Funds to be provided by Parliament for the Expenses of the Court.

Future Appointment of Recording Examiner.

**8.** When any Vacancy shall occur in the Office of Recording Examiner it shall be lawful for the Lord Lieutenant of *Ireland* by Warrant on the joint Recommendation of the Judges of the Court, or in default of such joint Recommendation at his own Discretion, to appoint thereto a fit Person, being a Barrister-at-Law or Solicitor of at least Ten Years Standing, or having filled some Office or Offices in the Landed Estates Court for Ten Years.

Removal, &c. of Recording Examiner.

**9.** The said *Richard Denny Urlin*, and every Recording Examiner hereafter to be appointed, shall be removeable in the same Manner and for the same Cause, and shall be entitled to the like retiring Allowance, and upon the same Conditions and payable out of the same Funds, as the Registrar or Taxing Officer of the Court under the said first-mentioned Act.

Recording Examiners may act for each other.

**10.** The Recording Examiner shall, either for the Purpose of winding up the Business now pending in the Chambers of the said *Charles James Hargreave*, or otherwise, discharge the ordinary Duties of an Examiner when directed by the Judges of the Court; and it shall be lawful for any Examiner to act in the Place of the Recording Examiner during his Absence in Vacation or otherwise.

Chief and other Clerks to transact such Business as the Judges may direct.

**11.** The Chief Clerk, Second Clerk, and Junior Clerk now attached to the Court and Chambers of the said Judge *Hargreave* (deceased) shall be employed as the Judges may direct in the Business of the Court, and any or either of them may be transferred to the Record of Title Office, or to some other suitable Office in the Court, but no such Employment or Transfer shall involve any Decrease of annual Salary to the said Officers or either of them.

Power to consolidate the Offices of Registrar and Recording Examiner.

**12.** When any Vacancy shall occur in the Office of Registrar of the Court, or in the Office of Recording Examiner, if it shall appear to the Lord Lieutenant on Communication with the Judges that such Offices can be conveniently united, the Lord Lieutenant may thereupon by his Warrant unite the said Offices, and thenceforward the said Offices shall be filled by the same Person at the Salary of the Recording Examiner.

Messengers, &c. to hold during Pleasure.

**13.** Every Tipstaff, Crier, or Messenger in the Landed Estates Court shall hold his Situation at pleasure, subject to be dismissed by Order of the Judges.

Short Title.

Construction of Act.

**14.** This Act may be cited for all Purposes as the "Landed Estates Court Act, 1866," and in construing it the same Meanings shall be assigned to Words as were assigned to them by the said recited Act of the Twenty-first and Twenty-second Years of the Reign of Her Majesty.

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SCHEDULE of DUTIES to be payable in respect of SALES, DECLARATIONS of TITLE, PARTITIONS, EXCHANGES, and DIVISIONS of LAND to be made by ORDER of the LANDED ESTATES COURT.

| | *s.* | *d.* |
|---|---|---|
| 1. If the Value of the Estate sold, or of which the Title shall be judicially declared, do not exceed 10,000*l.*, then for every 100*l.* of Value a Duty (at the present Rate) of - - - - - - - - - | 10 | 0 |

| | s. | d. |
|---|---|---|
| 2. If the Value exceed 10,000*l.* and does not exceed 25,000*l.*, then for the First 10,000*l.* after the Rate aforesaid, and for every subsequent 100*l.* of Value a Duty of - - - - - - - - - - | 5 | 0 |
| 3. If the Value exceed 25,000*l.*, then for the First 10,000*l.* a Duty for every 100*l.* of Value of 10*s.*, and for every 100*l.* in Value between 10,000*l.* and 25,000*l.* a Duty of 5*s.*, and for every subsequent 100*l.* of Value a Duty of - - | 2 | 6 |
| 4. For every Partition, Exchange, or Division made by Order of the Court, where there is no Sale of Land, an uniform Duty in respect of every 100*l.* of Value of - - - - - - - - - - | 2 | 6 |

## CAP. C.

### An Act for the Amendment of the Laws relating to Prisons.

[10th *August* 1866.]

3 & 4 W. 4. c. 71.

'WHEREAS, in pursuance of the Act passed in the Session holden in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, Chapter Seventy-one, intituled *An Act for the Appointment of convenient Places for the holding of Assizes in* England *and* Wales, Orders of Her Majesty in Council have been made changing the Places at which Assizes may be held, and with a view to such Changes requiring the Prisoners of certain Prison Authorities to be removed to Prisons beyond the Jurisdiction of such Authorities:

'And whereas Difficulties have arisen in relation to the Maintenance of the Prisoners so removed:'

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:

As to Maintenance of Prisoners removed out of the Jurisdiction of the Authority liable to maintain them.

**1.** Where, in pursuance of any Orders of Her Majesty in Council, Prisoners committed for Offences arising within the Jurisdiction of one Prison Authority herein-after referred to as "the Sending Authority" have been or may hereafter be committed or sent to the Prison of another Prison Authority herein-after referred to as "the Receiving Authority," then, if and so long as no Contract with respect to the Maintenance of such Prisoners exists, all Expenses that have previously to the passing of this Act been incurred or may hereafter be incurred by the Receiving Authority, in the Conveyance, Maintenance, or Care of the Prisoners of the Sending Authority, or otherwise by reason of such Prisoners having been committed or sent to the Prison of the Receiving Authority, including a due Proportion of the Salaries of Officers and the Expense of repairing, adding to, or altering the Prison, shall be deemed to be a Debt due from the Sending Authority to the Receiving Authority, and shall be payable out of the same Rate or Funds out of which the Expenses of maintaining the Prisoners of the Sending Authority are by Law payable.

Dispute as to Amount to be determined by Arbitration.

**2.** Any Dispute as to the Amount of Expenses payable by the Sending Authority to the Receiving Authority in pursuance of this Act shall be deemed to be a Difference authorized by The Prisons Act, 1865, to be settled by Arbitration, and the Provisions of the said Act shall apply accordingly.

Time of Payment of Expenses by Sending Authority to Receiving Authority.

**3.** Payment by the Sending Authority to the Receiving Authority of any Expenses incurred before the passing of this Act shall be made by Four equal yearly Instalments, the first of such Instalments to be paid within Three Months from the passing of this Act; and all Moneys so payable by Instalments shall bear Interest at the Rate of Four *per Centum per Annum* from the Date of the passing of this Act until the Time of the Payment thereof.

Payment by the Sending Authority to the Receiving Authority of any Expenses incurred after the passing of this Act shall be made half-yearly, or at such other Times as may be determined