CAP. XIX.

An Act to explain and amend an Act for the Regulation of Process and Practice in the Superior Courts of Common Law in *Ireland*. [10th *June* 1850.]

13 Vict. c. 18.

'WHEREAS by an Act passed in the present Session of Parliament, intituled *An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in* Ireland, it is enacted, that the said Act as to certain Provisions thereof shall commence and take effect from and after the last Day of *Trinity* Term next after the passing thereof; and it is expedient to prevent Doubts as to the Construction of the said Act in that respect:' Be it therefore enacted and declared 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 the Words "from and after the last Day of *Trinity* Term," in the said Act contained, shall be construed and taken to mean, and the said Words are hereby declared to mean, wherever used in the said Act, the last Day of *Trinity* Term One thousand eight hundred and fifty.

The Words "Trinity Term" in recited Act to mean Trinity Term, 1850.

Provision as to Costs in Section 19. of recited Act to apply only to Cases herein specified.

II. 'And whereas it is by the said Act enacted, that in all Cases when Judgment shall be permitted to go by Default no Taxation of Costs shall take place therein, but the Officer of the Court in which Judgment shall be signed shall and he is thereby required to add to such Judgment the Sums in the said Act specified as and for the Plaintiff's Costs:' Be it enacted and declared, That the said Provision shall be construed and taken, and it is hereby declared to apply only to Cases of Judgment by Default in personal Actions brought for the Recovery of liquidated Sums under Twenty Pounds.

Commencement of Act.

III. And be it enacted, That this Act shall take effect from the passing thereof.

CAP. XX.

An Act to amend an Act of the Fifth and Sixth Years of Her present Majesty, for the Appointment and Payment of Parish Constables. [10th *June* 1850.]

5 & 6 Vict. c. 109.

'WHEREAS an Act for the Appointment and Payment of Parish Constables was passed in the Fifth and Sixth Years of Her present Majesty, and it is desirable to amend 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, That the Provisions in the said recited Act made in case of Vacancy by Death or Disqualification of any Constable during his Year of Office shall be extended to the Discharge of any Constable which shall take place under the Powers of the said recited Act.

Provision in case of Discharge of Parish Constables.

Fees and Allowances.

II. 'And whereas it is by the said recited Act enacted, that certain Fees and Allowances, to be settled by Justices in General or Quarter Sessions assembled, shall be paid to Constables for the Service of Summonses and Execution of Warrants:' Be it enacted, That the said Fees and Allowances so settled by the Justices in General or Quarter Sessions, and approved by a Secretary of State, as in the said recited Act is required, shall in like Manner be paid to the said Constables for the Execution of any Order of a Justice made in Writing, or for the Performance of any occasional Duties, the same being sanctioned and allowed by Justices in Petty Session assembled.

Justices to fill up Vacancies, in the Case of Death, Resignation, &c. of paid Constables.

III. And be it enacted, That in case of the Death or Resignation or Dismissal for Misconduct of any paid Constable at any Time, it shall be lawful for the Justices of the Division in Petty Sessions assembled forthwith to appoint another paid Constable, from and out of the List of Constables allowed by the said Justices at the Special Sessions last holden for the Appointment of Constables, at the same Rate of Salary as has been agreed by the Vestry in the Manner required by the said recited Act to be given to paid Constables.

IV. 'And

Notices for holding Special Sessions for Appointment of Constables to be given by Clerks.

IV. ‘ And whereas it is by the said recited Act enacted, that due Notice shall be given ‘ to Justices to hold Special Sessions for the Appointment of Parochial Constables, but it is ‘ not stated by whom such Notice shall be given:’ Be it enacted, That such Notice shall be given by the Clerk or Clerks to the said Justices.

All Persons employed by Post Office exempt from serving as Constables.

V. ‘ And whereas it is by the said recited Act enacted, that certain Persons therein named ‘ shall be freed and exempt from serving the Office of Constable under the said Act:’ Be it enacted, That the said Exemption shall extend to all Postmasters and Persons employed in the Business of the Post Office.

5 & 6 Vict. c. 109. s. 23., as to Appointment of Constable to take charge of Lock-up Houses, repealed.

VI. ‘ And whereas it is by the said recited Act enacted, that whenever the Justices shall ‘ have provided a Lock-up House under this Act they shall also appoint a superintending ‘ Constable to have the Charge thereof, who shall have all the Powers and Immunities of a ‘ Parish Constable under this Act, and shall have the Superintendence of all the Parish ‘ Constables appointed in such Parishes as shall be ordered by the said Justices, and under ‘ such Regulations as they shall make, and every such superintending Constable shall be ‘ entitled to hold his Office until dismissed by the Justices in General or Quarter Session ‘ assembled, and shall receive such Salary out of the County Rates as the Justices assembled ‘ as aforesaid shall order; and it is expedient that the said Enactment should be repealed, ‘ and other Provisions made in lieu thereof:’ Be it enacted, That the said Enactment shall be repealed; and that it shall be lawful for the Justices of the Peace of any County in General or Quarter Session assembled to appoint a superintending Constable for each or any Petty Sessional Division within the said County, who shall have all the Powers and Immunities of a Parish Constable under the said recited Act, and shall have the Superintendence of all the Parish Constables appointed in such Parishes as shall be ordered by the said Justices, and under such Regulations as they shall make, and shall perform such Duties as the said Justices shall require of him; and whenever the Justices assembled as aforesaid shall have provided a Lock-up House under the said recited Act, they shall also appoint a Constable to have the Charge thereof, who shall also have all the Powers and Immunities of a Parish Constable under the said recited Act; and every superintending Constable, and Constable so appointed to the Charge of a Lock-up House, shall be entitled to hold his Office until dismissed by the Justices in General or Quarter Sessions assembled, and shall receive such Salary and Allowances out of the County Rates as the Justices assembled as aforesaid shall order: Provided always, that Notice of the Day at which any Business relating to the Appointment or Dismissal, or to the fixing or ordering of the Salary and Allowances, of any such Constable shall begin at such General or Quarter Session shall be given by the Clerk of the Peace.

Superintendents of Constables to be appointed.

When Lock-up Houses are provided Justices to appoint Constables to take charge of the same.

Notice for the Appointment, &c. of Constables to be given by the Clerk.

Act not to apply to the City of London, the Metropolitan Police District, or any Borough or Place within the Provisions of 5 & 6 W. 4. c. 76. and 3 & 4 W. 4. c. 90.

VII. And be it enacted, That nothing herein contained shall be taken to prevent the Appointment of Special Constables, or to apply to the City of *London* or the Metropolitan Police District, or to any Borough which is within the Provisions of an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, or of any Charter granted in pursuance of that Act or of any Act made for the Amendment thereof, or to any Parish, Town, or Place in which Rates are or shall be levied for the Payment of Constables under the Provisions of an Act passed in the Fourth Year of the Reign of His late Majesty, making Provision for the lighting and watching of Parishes in *England* and *Wales*, or of any Local Act specially applying to such Parish, Town, or Place; and that nothing herein-before contained shall be taken to apply to the County Palatine of *Chester*.

Exempting Metropolitan Police District from Payments under this or the recited Act.

VIII. And for the Purposes of exempting the Metropolitan Police District as herein-before provided, be it enacted, That the Justices in General or Quarter Sessions assembled shall in each Year, at the Time of making up their Accounts for the Year, ascertain what Proportion any Expenses that have been incurred during the preceding Year under this or the said recited Act shall bear to the gross Amount of the County Rate expended within the same Period, and also what Proportion of the said County Rate has been levied within the Metropolitan Police District, and shall repay to each Parish within the said Metropolitan Police

Police District such Proportion of the Sums so levied as they shall ascertain to be a like Proportion of the Sums expended under this Act out of the County Rate.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. XXI.

An Act for shortening the Language used in Acts of Parliament.

[10th *June* 1850.]

Acts of Parliament may be altered, &c. in the same Session.

BE it declared and 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 every Act to be passed after the Commencement of this Act may be altered, amended, or repealed in the same Session of Parliament, any Law or Usage to the contrary notwithstanding.

Acts to be divided into Sections, without introductory Words.

II. Be it enacted, That all Acts shall be divided into Sections, if there be more Enactments than One, which Sections shall be deemed to be substantive Enactments, without any introductory Words.

Where any Act is referred to it shall be sufficient to cite the Year of the Reign, Chapter, and Section, &c.

III. Be it enacted, That in any Act, when any former Act is referred to, it shall be sufficient, if such Act was made before the Seventh Year of *Henry* the Seventh, to cite the Year of the King's Reign in which it was made, and where there are more Statutes than One in the same Year the Statute, and where there are more Chapters than One the Chapter; and if such Act referred to was made after the Fourth Year of *Henry* the Seventh, to cite the Year of the Reign, and where there are more Statutes or Sessions than One in the same Year the Statute or the Session (as the Case may require), and where there are more Chapters or Sections than One the Chapter or Section or Chapter and Section (as the Case may require), without reciting the Title of such Act, or the Provision of such Section, so referred to; and the Reference in all Cases shall be made according to the Copies of Statutes printed by the Queen's Printer, or to the Copies thereof contained in the Reports of the Commissioners of Public Records: Provided that where it is only intended to amend or repeal any Portion only of such Section it shall be necessary still either to recite such Portion or to set forth the Matter or Thing intended to be amended or repealed.

Interpretation of certain Words for future Acts.

IV. Be it enacted, That in all Acts Words importing the Masculine Gender shall be deemed and taken to include Females, and the Singular to include the Plural, and the Plural the Singular, unless the contrary as to Gender or Number is expressly provided; and the Word "Month" to mean Calendar Month, unless Words be added showing Lunar Month to be intended; and "County" shall be held to mean also County of a Town or of a City, unless such extended Meaning is expressly excluded by Words; and the Word "Land" shall include Messuages, Tenements, and Hereditaments, Houses and Buildings, of any Tenure, unless where there are Words to exclude Houses and Buildings, or to restrict the Meaning to Tenements of some particular Tenure; and the Words "Oath," "swear," and "Affidavit" shall include Affirmation, Declaration, affirming, and declaring, in the Case of Persons by Law allowed to declare or affirm instead of swearing.

Repealed Acts not to be revived, &c.

V. Be it enacted, That where any Act repealing in whole or in part any former Act is itself repealed, such last Repeal shall not revive the Act or Provisions before repealed, unless Words be added reviving such Act or Provisions.

Repealed Provisions of any Act to remain in force until the substituted Provisions come into force.

VI. Be it enacted, That wherever any Act shall be made repealing in whole or in part any former Act, and substituting some Provision or Provisions instead of the Provision or Provisions repealed, such Provision or Provisions so repealed shall remain in force until the substituted Provision or Provisions shall come into operation by force of the last made Act.

VII. Be