Command of militia in the absence of superior officer.

5. When the commanding officer of any regiment of militia is absent on leave, the command of such regiment shall devolve without special authority from the Crown in accordance with the usual custom of the service.

Amendment of section 4 of Militia Reserve Act, 1867.

6. The fourth section of "The Militia Reserve Act, 1867," providing for the term and mode of enlistment of men in the militia reserve shall be construed as if the words "six years" were inserted therein in the place of the words "five years."

Dealings with lands of the Duchy of Lancaster for the purposes of the Act.

7. The Chancellor and council for the time being of the Duchy of Lancaster may, if they think fit, from time to time contract and agree with Her Majesty's Principal Secretary of State for the War Department, for the sale of, and may absolutely make sale and dispose of, for such sum or sums of money as to the said Chancellor and council appear sufficient consideration for the same, any lands or rights belonging to Her Majesty, her heirs or successors, in right of the said duchy, which for the purposes of the Defence Acts, 1842 and 1860, the said Secretary of State may from time to time deem it expedient to purchase, and such lands or rights may be granted and assured to the said Secretary of State, and the said moneys shall be paid and dealt with, as if the said lands or rights had been sold under the authority of the Duchy of Lancaster Lands Act, 1855.

Amendment of the Military Forces Localization Act, 1872, s. 10.

8. Where any municipal borough or boroughs has or have contributed towards the expense of providing any barracks, storehouses for arms and ammunition, or other buildings or land which may be transferred to the Secretary of State in pursuance of the tenth section of the Military Forces Localization Act, 1872, such borough or boroughs shall be entitled to share in any moneys paid by the Secretary of State as a consideration for such transfer, in the proportion which the amount of their contribution bears to the original amount expended in providing such barracks, storehouses, buildings, or lands.

"Municipal borough" shall, in this section, have the same meaning which it has in the Military Forces Localization Act, 1872.

CHAPTER 69.

An Act to provide for proceeding on Petitions of Right in the Courts of Law and Equity in Ireland. [5th August 1873.]

WHEREAS an Act was passed in the session of Parliament held in the twenty-third and twenty-fourth years of the reign of Her present Majesty, intituled "An Act to "amend the law relating to petitions of right, to simplify the proceedings, and to make "provision for the costs thereof:"

And whereas it is expedient to make provision for the trial of petitions of right in the courts of law and equity in Ireland in the same manner as under the said statute they may be tried in England:

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 of Act.

1. This Act may upon all occasions and for all purposes be cited as "The Petitions of Right (Ireland) Act, 1873."

Petition of right may be entitled in Irish court.

2. Any petition of right may, if the suppliant think fit, be entitled in any one of the superior courts of common law or equity at Dublin in which the subject matter of such petition, or any material part thereof, would have been cognizable if the same had been a matter in dispute between subject and subject; and every such petition shall be in the form by the said Act prescribed, and upon the presentation of such petition the proceedings shall be the same as are provided for by the said Act, save and except that same may be, if Her Majesty shall be pleased to grant her fiat to that effect, prosecuted in the court in

which same shall be so entitled, or in such other court as the Lord Chancellor of Ireland may direct.

Petition must aver that cause of action arose in Ireland.

3. Provided always, that every petition so entitled shall contain an averment that the subject matter of the said petition, or a material part thereof, arose within that part of the United Kingdom of Great Britain and Ireland called Ireland, and such averment shall be deemed to be a material and necessary statement in the case of the suppliant, and a traverse of such averment shall be deemed to be a sufficient pleading in bar of the suppliant's right to relief.

Provisions of Petitions of Right Act to apply.

4. The provisions of "The Petitions of Right Act, 1860," shall extend to and be applicable to proceedings under this Act, and shall in relation to such proceedings be construed as if the courts of law and equity in Ireland had been named in such Act instead of the courts of law and equity in England, and for such purposes the words "Lord High Chancellor" and "Lord Chancellor" shall be construed to mean and include the Lord Chancellor, Lord Keeper, and Lords Commissioners for the custody of the Great Seal of Ireland for the time being; the words "Her Majesty's Attorney General" or "the Attorney General" shall be construed to mean Her Majesty's Attorney General for Ireland; the words "Solicitor to the Treasury" shall be construed to mean Crown and Treasury Solicitor for Ireland; and the word "court" shall be construed to mean any one of the superior courts of common law at Dublin in which any such petition is presented, and all judgments and decrees pronounced by any court of law or equity in Ireland under this Act shall have the same force and effect to all intents and purposes as judgments and decrees pronounced under "The Petitions of Right Act, 1860," by any court of law or equity in England: Provided always, that unless within twenty-eight days after Her Majesty's fiat to any petition has been obtained a copy of such petition and fiat shall be left at the office of the Crown and Treasury Solicitor for Ireland, endorsed in manner by the said Petitions of Right Act, 1860, prescribed, no further proceedings shall be taken or had upon such petition.

Irish courts to make rules.

5. The power of making rules and orders conferred upon the judges of the Court of Chancery and common law in England by the fifteenth section of the said Act shall and may, in relation to the proceedings under this Act, be exercised by the judges of the Courts of Chancery and common law in Ireland respectively, in the same manner in all respects and subject to the same provisoes and restrictions as in such section provided and contained.

Forms prescribed in Petitions of Right Act to be used.

6. The forms contained in the schedule annexed to the said Act shall be applicable to proceedings under this Act, with such alterations and additions as may show that such petition is entitled and such proceedings had in one of Her Majesty's superior courts of common law or equity in Ireland.

CHAPTER 70.

An Act to amend the Law relating to the appointment of Revising Barristers and the holding of Revision Courts. [5th August 1873.]

WHEREAS it is expedient to amend the law relating to the appointment of revising barristers and the holding of revision courts:

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:

Short title.

1. This Act may be cited as "The Revising Barristers Act, 1873."

Repeal of Acts in schedule.

2. The Acts specified in the schedule to this Act are hereby repealed from and after the passing of this Act to the extent specified in the third column of the schedule, without