Year, shall also be annually laid before both Houses of Parliament on or before the said First Day of *April*, or within such Period as aforesaid.

XIV. The Savings Banks established under the firstly herein-before recited Act, and to be established or continued under this Act, shall not, nor shall any Moneys which have been placed to the Account or have come to the Hands of the Commissioners for the Reduction of the National Debt, under the Acts hereby repealed or any of them, or which may be placed to the Account or come to the Hands of such Commissioners under this Act, be taken to be within the Provisions of an Act passed in the Ninth Year of the Reign of King *George* the Fourth, intituled *An Act to consolidate and amend the Laws relating to Savings Banks*, or of any other Act heretofore passed relating to Savings Banks. Military Savings Banks not to be within the Provisions of 9 G. 4. c. 92. or other Acts.

XV. In the Construction of this Act "*India*" shall have the same Meaning as under Section One of the Act of the Session holden in the Twenty-first and Twenty-second Years of Her Majesty, Chapter One hundred and six. As to the Word "India."

XVI. This Act shall, as regards the making of Regulations for Savings Banks thereunder, take effect immediately after the passing hereof, and in all other respects shall take effect from the Time at which the Regulations first made shall be therein appointed to come into operation. Commencement of Act.

CAP. XXI.

An Act to regulate the Office of Queen's Remembrancer, and to amend the Practice and Procedure on the Revenue Side of the Court of Exchequer.

[13th *August* 1859.]

'WHEREAS an Act was passed in the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Eighty-six, "for abolishing certain Offices on the Revenue "Side of the Court of Exchequer in *England*, and for regulating the Office of Her "Majesty's Remembrancer in that Court:" And whereas the Office of the said Remembrancer may be conveniently held and the Duties thereof performed by One of the Masters of the said Court, and the Commissioners of Her Majesty's Treasury have, upon the Retirement of *Henry William Vincent* Esquire, appointed *William Henry Walton* Esquire, One of the said Masters, to the said Office of Remembrancer: And whereas it is expedient further to regulate the said Office, and to make other Provision in relation thereto, and to the Procedure on the Revenue Side of the said Court:' 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: 5 & 6 Vict. c. 86.

I. The said Appointment of the said *William Henry Walton* shall be confirmed, and he may continue to hold the Office of Her Majesty's Remembrancer during good Behaviour, together with the Office of Master; and upon any Vacancy in the said Office of Remembrancer it shall be lawful for the Commissioners of Her Majesty's Treasury to appoint from Time to Time One of the Masters of the Court of Exchequer to be such Remembrancer, and such Master shall hold such Office together with the Office of Master: Provided, that in the Absence of the Remembrancer from Illness or other Cause the Senior Master for the Time being in attendance may perform the Duties of the Office of Remembrancer. Appointment of Queen's Remembrancer.

II. It shall be lawful for the Commissioners of Her Majesty's Treasury, with the Consent of the Lord Chief Baron of the Court of Exchequer, as soon as conveniently may be after the passing of this Act, to reduce or regulate the Establishment under Her Majesty's Remembrancer, and to fix or alter the Salaries of the Remembrancer and the Clerks and other Persons employed in such Establishment, and from Time to Time, and with the like The Treasury to regulate Establishment and to fix Salaries.

Consent, further to regulate or alter such Establishment and Salaries as Occasion may require.

Power to the Treasury to award Compensation.

III. Any Officer or other Person who may suffer Loss through the Reduction or Regulation of such Establishment may make a Claim for Compensation to the Commissioners of Her Majesty's Treasury; and the said Commissioners, if such Claim be established to their Satisfaction, shall award to the Claimant such Compensation as under the Circumstances of the Case they think him entitled to, either by a gross Sum or by way of Annuity.

Salaries and Expenses of Office to be paid out of the Fees.

IV. The Salaries and Compensation Allowances payable under this Act, together with the necessary Expenses of the Office of the Remembrancer, shall be paid out of the Fees received in the said Office; and the Surplus of such Fees, after the Payment of such Salaries, Allowances, and Expenses, shall be paid into the Receipt of the Exchequer, to the Credit of the Consolidated Fund of the United Kingdom; and in the event of the Fees so received being at any Time insufficient to defray the said Salaries, Allowances, and Expenses, the Amount of such Deficiency shall be paid out of the Superior Courts Fee Fund, and, in case of a Deficiency in such Fund, out of such Monies as shall be provided by Parliament for that Purpose.

Provisions of 5 & 6 Vict. c. 86. as to Fees to continue in force.

V. The Provisions of the said Act of the Fifth and Sixth Years of Her Majesty concerning the fixing and altering of Fees from Time to Time, and Accounts of Fees and otherwise, shall continue in force, subject to the Provisions of this Act.

Enrolment of Accounts under 1 & 2 G. 4. c. 121. to be in the Discretion of the Commissioners of Audit.

VI. No Account shall be transmitted to the Office of Her Majesty's Remembrancer or be there enrolled as of Record, pursuant to Section Seven of the Act of the Session holden in the First and Second Years of King *George* the Fourth, Chapter One hundred and twenty-one, except where the Commissioners for auditing the Public Accounts, in the Exercise of their Discretion, deem it expedient for the Public Service that such Account should be so enrolled for enabling the Recovery of any Balance or Interest due or to become due thereon.

So much of 7 Ann. c. 20. as makes the Remembrancer One of the Registers, &c. repealed.

VII. So much of the Act of the Seventh Year of Queen *Anne*, Chapter Twenty, as makes the Queen's Remembrancer or his Deputy in the Court of Exchequer One of the Registers or Masters of the Office for the Matters and Things in that Act contained, shall be repealed, and the Registers or Masters of such Office shall account for and pay over to the said Remembrancer such Portion of the Monies received under that Act, after Payment thereout of such Sum or Sums as may be payable in respect of the Allowance or Allowances to their Deputy or Deputies, as would have been payable to Her Majesty's Remembrancer if he had continued to be One of the said Registers or Masters, and the Monies so received by such Remembrancer shall be applied and accounted for in all respects as other Fees received in respect of his Office.

Compensation Monies for Land under 5 & 6 Vict. c. 94. and 16 & 17 Vict. c. 107. to be paid into the Court of Chancery in stead of to the Queen's Remembrancer.

VIII. Any Money which under the Act of the Session holden in the Fifth and Sixth Years of Her Majesty, Chapter Ninety-four, "to consolidate and amend the Laws relating "to the Services of the Ordnance Department, and the vesting and Purchase of Lands and "Hereditaments for those Services, and for the Defence and Security of the Realm," is required or authorized to be paid into the Hands or in the Name of the Remembrancer or other proper Officer of Her Majesty's Court of Exchequer at *Westminster*, or which under the Act of the Session holden in the Sixteenth and Seventeenth Years of Her Majesty, Chapter One hundred and seven, "The Customs Consolidation Act, 1853," is required or authorized to be paid to the proper Officer of the Court of Exchequer at *Westminster*, shall in lieu of being paid as aforesaid be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there in the Matter of the particular Act to the Credit of the Persons claiming to be interested therein (naming them), pursuant to the Method prescribed by any Act in force at the Time being for regulating the Payment of Monies into the said Court; and upon the filing in the Court of Chancery of the Certificate of such Accountant General, with the Receipt annexed, of the Payment into his Name as aforesaid, of any such Money, the Hereditaments in respect whereof the same is paid shall become vested in the like Persons and in the like Manner and for the like Purposes as if such Money had been paid

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in manner provided by the said Acts of the Fifth and Sixth and Sixteenth and Seventeenth Years of Her Majesty respectively, and this Act had not been passed; and the Court of Chancery shall have the like Powers in relation to such Money as by the said Acts are given to the Barons of the Court of Exchequer, and the Provisions of the said Acts in relation to such Money shall be read and construed as referring to the Court of Chancery and the said Accountant General in the Place of the Court of Exchequer and the said Remembrancer.

Sect. 222 of 15 & 16 Vict. c. 76. extended to Suits, &c. in Exchequer.

IX. Section 222 of the "Common Law Procedure Act, 1852," for the Amendment of Defects and Errors in any Proceeding in Civil Causes, and concerning the Costs and Terms of such Amendment, shall extend to all Suits and Proceedings on the Revenue Side of the Court of Exchequer.

Special Case may be stated by Consent of Parties and Order of a Judge.

X. In any Suit or Proceeding on the Revenue Side of the Court of Exchequer, the Parties may, at any Time before Judgment, by Consent and Order of a Judge, state any Question or Questions of Law in a Special Case for the Opinion of the Court, without Pleadings, and upon Judgment thereon Error may be brought as on a Judgment on a Special Verdict, unless the Parties agree to the contrary, and the Proceedings for bringing a Special Case before the Court of Error shall, as nearly as may be, be the same as in the Case of a Special Verdict, and the Court of Error shall either affirm the Judgment or give the same Judgment as ought to have been given in the Court in which it was originally decided, the said Court of Error being required to draw any Inferences of Fact from the Facts stated in such Special Case, which the Court below ought to have drawn.

Costs to follow Event unless otherwise agreed.

XI. In case no Agreement shall be entered into as to the Costs of such Special Case and Proceedings, the Costs shall follow the Event, and be recovered by the successful Party.

Appeal from Assessments of Succession Duty may be carried to a Superior Court.

XII. In Cases of Appeal from the Assessment of the Commissioners of Inland Revenue to the Court of Exchequer, made under the Provisions of the Succession Duty Act, 1853, the Party decided against may appeal from the Decision of the Court upon a Case to be stated by the Parties, or, if they differ, to be settled by the Court, or a Judge thereof, or any Officer to whom the Court may think proper to refer the same; and the Court of Appeal shall give such Judgment as ought to have been given by the Court of Exchequer, and shall have Power to adjudge the Payment of Costs.

Courts of Appeal.

XIII. Such Appeal as aforesaid shall be made to the Court of Error in the Exchequer Chamber, and the Decision of the said Court of Error shall be subject to appeal to the House of Lords.

Notice of Appeal to be given.

XIV. No such Appeal shall be allowed under this Act unless Notice thereof be given in Writing to the opposite Party or Attorney, and to the proper Officer of the Court, within Four Days after the Decision complained of, or such further Time as may be allowed by the Court or Judge.

In summary Proceedings for Legacy or Succession Duty Parties may appeal.

XV. In any Proceeding in the Court of Exchequer by Writ of Summons under the Succession Duty Act, 1853, or by Rule under any of the Legacy Duty Acts, the Court may refer the Matter to the proper Officer to report thereon, and may, if they deem it expedient, order the Facts contained in such Report to be stated in the Form of a Special Case for the Opinion of the Court, and may give such Directions as to the Mode of settling the Case, and the Matters to be contained therein, and for the Production of such Documents, and may direct any Issue or Issues of Fact to be tried by a Jury, as they may think proper, and the Court may proceed to give Judgment on such Case, and for any Amount of Duty the Court are of opinion may be due to the Crown, and for Costs, in like Manner as on a Verdict on Information, and on such Judgment Error may be brought and Judgment given as on a Special Case stated by Consent.

Powers of 1 W. 4. c. 22. &c. as to Examination

XVI. All the Powers, Authorities, and Provisions contained in an Act passed in the First Year of the Reign of King *William* the Fourth, intituled *An Act to enable Courts of Law to order the Examination of Witnesses upon Interrogatories*, and of the Act of the

of Witnesses, and of Sections 46, 47, 48, and 49 of 15 & 16 Vict. c. 76. extended to Revenue Proceedings.

Persons giving false Evidence guilty of Perjury.

Thirteenth Year of King *George* the Third, recited therein, as to the Examination of Witnesses within and out of the Jurisdiction of the Superior Courts of Common Law at *Westminster*, and as to the Attendance of Witnesses, Production of Documents, Costs thereof, and other Matters relating to such Examinations, and all the Powers, Authorities, and Provisions contained in the Forty-sixth, Forty-seventh, Forty-eighth, and Forty-ninth Sections of the "Common Law Procedure Act, 1854," are hereby extended to all Suits and Proceedings on the Revenue Side of the said Court of Exchequer; and if upon any Examination under this Enactment any Person wilfully and corruptly give any false Evidence, he shall be deemed and taken to be guilty of Perjury, and shall and may be indicted and prosecuted for such Offence in the County where such Evidence is given, or in the County of *Middlesex* if the Evidence be given out of *England*.

Revenue Causes may be tried without a Commission.

XVII. From and after the passing of this Act it shall be lawful for all Justices of Assize, and they are hereby authorized and empowered, on their respective Circuits, to try Suits and Proceedings pending on the Revenue Side of the Court of Exchequer, and to proceed thereon in like Manner as they can or may do in respect of Causes pending on the Plea Side of the said Court, and it shall not be necessary hereafter to issue any Commission from the Revenue Side of the said Court for that Purpose.

Error to be brought within Six Years.

Proviso as to Disabilities.

XVIII. No Judgment in any Cause on the Revenue Side of the Exchequer shall be reversed or avoided for any Error or Defect therein unless Error be commenced or brought and prosecuted with Effect within Six Years after such Judgment signed or entered of Record: Provided that if the Party entitled to bring Error be at the Time of such Title accrued within the Age of Twenty-one Years, Feme Covert, Non compos mentis, or beyond the Seas, the Court or a Judge may allow Error to be brought at any other Time.

Writ of Error abolished.

XIX. A Writ of Error shall not be necessary or used in any Suit or Proceeding in Error on the Revenue Side of the Court of Exchequer, and the Proceeding to Error shall be a Step in the Cause, and shall be taken in manner and subject as to such Terms and Conditions as to giving Bail or Security as may be directed by any Rule or Order made by the Barons under this or any other Act or Acts of Parliament authorizing the same; provided that nothing herein contained shall invalidate any Proceedings already taken or to be taken by reason of any Writ of Error issued before the Commencement of this Act, or before such Rules and Orders come into effect.

Bill of Exceptions.

XX. Either Party may tender a Bill of Exceptions on the Trial of any Issues arising on the Revenue Side of the Court, and the like Proceedings may be had and taken thereon as in such Cases between Subject and Subject.

Costs.

XXI. The Costs of all Suits, Informations, and other Proceedings, and of any interlocutory Matter or Proceeding on the Revenue Side of the Court of Exchequer, whether in Law or Equity, may be adjudged, decreed, or ordered by the Court or a Judge between the Crown and the Subject on the same Principles as such Costs are now allowed between Subject and Subject, so far as such Principles may be applicable, subject to such Rules and Orders as to the Allowance of such Costs as may be made by the Barons under this or any other Act of Parliament authorizing the same; and it shall be lawful for the Commissioners of Her Majesty's Treasury, and they are hereby required to pay Costs directed to be paid by the Crown out of any Monies which may hereafter be voted by Parliament for that Purpose.

Defect in Form not to invalidate Pleadings.

XXII. No Pleading on the Revenue Side of the Court of Exchequer shall be deemed insufficient for any Imperfection, Omission, Defect in or Lack of Form, or formal Commencement or Conclusion, or for the Want or Omission of an Averment of any Matters unnecessary to be proved.

Process on Estreats may issue without reference to any Seal Day.

XXIII. Unless stayed by Order of the Court of Exchequer, or a Baron thereof, or by Warrant of the Commissioners of Her Majesty's Treasury, Process for duly levying and enforcing Payment of all Fines, Issues, Amerciaments, Penalties, and forfeited Recognizances, estreated into the Court of Exchequer and not lawfully vacated and discharged, may be

be issued by Her Majesty's Remembrancer at any Time or Times without reference to any Seal Day, and so from Time to Time until the same shall be fully paid or levied, vacated or discharged.

Provision for the Recovery of a Debt of Record due to Her Majesty, where the Party liable resides in another Jurisdiction.

XXIV. For the Recovery of any Debt which by Record in Her Majesty's Court of Exchequer in *England* has become or shall become due to Her Majesty, in any Case where the Person of the Debtor, or the Estate or Effects of such Debtor, may be within the Jurisdiction of the Court of Exchequer in *Scotland* or *Ireland*, a Copy of the Record of such Debt may be exemplified and transmitted, under the Great Seal of the said Court of Exchequer in *England*, to such other of Her Majesty's said Courts of Exchequer having Jurisdiction in the Place where the Person liable to Payment of such Debt happens to reside, or where his Estate or Effects may be, and the Court to which such exemplified Copy is transmitted shall cause such Copy to be forthwith enrolled in the Rolls of the said Court; and upon the same being so enrolled, the said Court shall cause Execution or other Process to issue for recovering or levying the said Debt so due to Her Majesty, according to the Rules and Practice of such Court, in like Manner in all respects as if such Record had been originally entered or filed in such Court, or the said Debt had originally accrued within the Jurisdiction thereof; and the Proceeds of such Debt, when so recovered, shall be accounted for and paid over in the same Manner as if the same had been recovered within the Jurisdiction of the Court in which such Debt originally accrued.

The Crown may re-enter on Lands to enforce Right without Inquisition taken.

XXV. When a Right of Re-entry upon Lands or other Hereditaments shall have accrued to Her Majesty or Her Successors, such Right may be exercised or enforced without any Inquisition being taken or Office being found, or any actual Re-entry being made on the Premises.

Rules may be made by the Barons as to the Process, Practice, and Pleading in Revenue.

XXVI. It shall be lawful for the Lord Chief Baron and Two or more Barons of the Court of Exchequer from Time to Time to make all such Rules and Orders as to the Process, Practice, and Mode of Pleading on the Revenue Side of the Court, and as to the Allowance of Costs, and for the effectual Execution of this Act, and the Intention and Objects thereof, as may seem to them necessary and proper; and also from Time to Time by any such Rule or Order to extend, apply, or adapt any of the Provisions of the "Common Law Procedure Act, 1852," and the "Common Law Procedure Act, 1854," and any of the Rules of Pleading and Practice on the Plea Side of the said Court to the Revenue Side of the said Court, as may seem to them expedient for making the Process, Practice, and Mode of Pleading on the Revenue Side of the said Court as nearly as may be uniform with the Process, Practice, and Mode of Pleading on the Plea Side of such Court.

New Forms of Writs and Proceedings may be made.

XXVII. Such new or altered Writs and Forms of Proceedings and Scales of Costs for the Revenue Side of the said Court may be issued, altered, taken, and acted on as the said Lord Chief Baron and Barons shall from Time to Time think fit to order, and all such Writs and Proceedings shall be acted on and enforced in such and the same Manner as the Writs and Proceedings on the Revenue Side of the said Court are now acted on and enforced, or as near thereto as the Circumstances of the Case will admit; and any existing Form of Writ or Proceeding the Form of which shall be in any Manner altered in pursuance of this Act shall nevertheless be of the same force and virtue as if no Alteration had been made therein, except so far as the Effect thereof may be varied under the Powers of this Act.

Sect. 8 of 3 & 4 W. 4. c. 99., &c. requiring Sheriff's Accounts to be audited by Commissioners of Audit, repealed.

XXVIII. Section Eight of the Act of the Session holden in the Third and Fourth Years of King *William* the Fourth, Chapter Ninety-nine, and so much of any other Act as provides for the Examination and Audit of the Accounts of any Sheriff or Under Sheriff by the Commissioners for auditing the Public Accounts shall be repealed, so far as respects the Accounts of any Sheriff who may leave Office after the passing of this Act, and the Accounts of the Under Sheriff of any such Sheriff; and all Accounts of such Sheriffs and their Under Sheriffs now required to be examined and audited by the said Commissioners shall be examined and audited by such Persons and in such Manner as the Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, direct, and the Commissioners

Commissioners of the Treasury may, by any such Warrant, make all such Provisions in relation to the Transmission, Examination, and Audit of such Accounts, and for ascertaining and determining the Balances due from and the Discharge of the Persons accounting as to the said Commissioners may seem proper; and every such Warrant shall be laid before both Houses of Parliament within Fourteen Days after the making thereof if Parliament be sitting, and if Parliament be not sitting then within Fourteen Days after the next Meeting of Parliament.

Transmission of Sheriff's Accounts.

XXIX. Subject to such other Provisions in this Behalf as may be made by any such Warrant as aforesaid, all Sheriffs and Under Sheriffs now required to transmit Accounts to the Commissioners for auditing the Public Accounts, in manner provided by Section Nine of the said Act of the Third and Fourth Years of King *William* the Fourth, shall, in lieu of transmitting the same to such Commissioners, transmit the same to the Commissioners of Her Majesty's Treasury: And so much of Section Thirty-one of the said Act as requires a Copy of the Accounts therein mentioned to be transmitted to the Commissioners for auditing Public Accounts is hereby repealed.

Form substituted for that in 3 G. 4. c. 46.

Construction of Sect. 1. of 4 G. 4. c. 37.

XXX. The Form of Writ in the Schedule to this Act shall be substituted for the Form in Schedule (A.) to the Act of the Third Year of King *George* the Fourth, Chapter Forty-six; and Section One of the Act of the Fourth Year of King *George* the Fourth, Chapter Thirty-seven, amending the said Act of the Third Year of the same Reign, shall be construed as if the Words "Lands or Tenements" were omitted therein.

Section 14. of 3 G. 4. c. 46. repealed.

XXXI. Section Fourteen of the said Act of the Third Year of King *George* the Fourth shall be and is hereby repealed.

Clerks of Assize now required to estreat Fines, &c. into the Exchequer, to send Process to the Sheriff.

XXXII. The Clerks of Assize, and the Clerk of the Crown for the County Palatine of *Durham* and *Sadberge*, by whom respectively any Fines, Issues, Amerciaments, Penalties, and Recognizances set, lost, imposed, or forfeited would, if this Act had not been passed, have been certified or estreated in or into the Exchequer, shall not so certify or estreat the same or transmit any Account thereof to the Commissioners for auditing the Public Accounts, but every such Clerk of Assize and such Clerk of the Crown respectively shall in the like Cases and at the like Times in and at which he would, if this Act had not been passed, have certified or estreated such Fines, Issues, Amerciaments, Penalties, and Recognizances as aforesaid, copy on a Roll such Fines, Issues, Amerciaments, Penalties, and Recognizances, together with the Names and Residences, Trades, Professions, or Callings of the Parties, and distinguish such as have been paid, and send a Copy of such Roll, with a Writ, according to the Form and Effect in the Schedule to this Act, to the Sheriff, Bailiff, or Officer of the County, City, Borough, or Place having Execution of Process therein in which the Parties liable to the Payment of such Fines, Issues, Amerciaments, Penalties, and Recognizances are stated to be resident, and such Copy and Writ shall be the Authority to such Sheriff, Bailiff, or Officer for proceeding to the immediate levying and recovering of such Fines, Issues, Amerciaments, Penalties, and Recognizances on the Goods and Chattels of such Parties, or for taking into Custody their Bodies in case sufficient Goods and Chattels be not found whereon Distress can be made for Recovery thereof; and every Person so taken shall be lodged in the Common Gaol until Payment be made or he be discharged by the Authority of the Commissioners of Her Majesty's Treasury, or otherwise in due Course of Law; and it shall be competent for such Commissioners to give Authority under their Hands for such Discharge, either absolutely or on such Terms and Conditions as they may see fit: Provided always, that where the Residences of the Parties in such Roll liable as aforesaid are not all in One County, Borough, City, or Place, then a Copy of so much only of such Roll as relates to the Fines, Issues, Amerciaments, Penalties, and Recognizances to be paid by the Parties resident in each County, City, Borough, or Place shall be sent with such Writ as aforesaid to the Sheriff, Bailiff, or Officer having Execution of Process therein.

Oath of Clerk of Assize sending Process.

XXXIII. The Clerk of Assize and Clerk of the Crown respectively shall, before sending such Writ as aforesaid to any such Sheriff, Bailiff, or Officer, make Oath before a Judge of One of Her Majesty's Superior Courts of Record at *Westminster*, or before any Commissioner

missioner for taking Affidavits in the same Courts, or to administer Oaths in Chancery, which Oath shall be endorsed on the Back of the Writ, or of the said Roll attached thereto; and such Oath shall be in the Form following:

'I make Oath, That this Roll is truly and carefully made up and examined, and that all Fines, Issues, Amerciaments, Penalties, and Recognizances which in right and due Course of Law ought to be levied and paid are, to the best of my Knowledge and Understanding, inserted in the said Roll, and that in the said Roll are also contained and expressed all such Fines, Issues, Amerciaments, Penalties, and Recognizances as have been paid to or received by me, without any wilful or fraudulent Discharge, Omission, Misnomer, or Defect whatever.

'So help me GOD.'

Return of Writ to the Treasury.

XXXIV. The Sheriff, Bailiff, or Officer to whom any such Writ as aforesaid is sent shall, on such Day as the Commissioners of Her Majesty's Treasury may from Time to Time, by Warrant under their Hands, direct, return such Writ to such Commissioners, and shall state on the Back of the said Roll what has been done in the Execution of such Process.

Until Fines, &c. are levied, Sheriff to retain Writ, which shall continue in force and be Authority to act upon.

XXXV. The Sheriff, Bailiff, or other Officer to whom the said Writ is sent, shall, until all the said Fines, Issues, Amerciaments, Penalties, and Recognizances have been paid or recovered or discharged, or it be duly ascertained to the Satisfaction of the Commissioners of Her Majesty's Treasury, that the Party in default has not any Goods or Chattels in the County, City, Borough, or Place of such Sheriff, Bailiff, or Officer, or in any other County, City, Borough, or Place in *England* in which a Levy can be made, and that such Party cannot be found or that his Body cannot be lodged in any of Her Majesty's Gaols, keep and detain in the Possession of such Sheriff, Bailiff, or Officer the Writ so directed to him and the Roll attached to such Writ, delivering to the said Commissioners of Her Majesty's Treasury a Copy of such Roll on the Day on which he is required to return such Writ, and also a Copy of any former Roll or Rolls in which the Fines, Issues, Amerciaments, Penalties, and Recognizances have not been paid or discharged; and the original Writ and Roll or Writs and Rolls sent to the Sheriff, Bailiff, or other Officer, shall continue in force and effect, and shall be sufficient Authority without any further Writ or Roll, for the levying of the said Fines, Issues, Amerciaments, Penalties, and Recognizances, and such Sheriff, Bailiff, or other Officer is hereby authorized and required on quitting his Office to deliver over to his Successor all Rolls and Writs in his Possession, particularizing any Fines, Issues, Amerciaments, Penalties, and Recognizances remaining unpaid or undischarged in order that the Sheriff, Bailiff, or other Officer coming into the Office may use every Means in his Power for recovering the Sums unpaid and not charged to his Predecessors on the passing of his Accounts before any Person duly authorized to pass the same.

Where a Party resides in another County, &c., or has removed, Sheriff to issue his Warrant to the Sheriff of the other County, &c.

XXXVI. In all Cases where the Party incurring or subject to the Payment of any Fine, Issue, Amerciament, Penalty, or Recognizance resides or has fled or removed from or out of the Jurisdiction of the Sheriff, Bailiff, or Officer to whom any such Writ as aforesaid has been directed, such Sheriff, Bailiff, or Officer shall issue his Warrant, together with a Copy of the said Writ, directed to the Sheriff, Bailiff, or other Officer acting for the County, City, Borough, or Place in which such Person then resides or is, or in which his Goods or Chattels may be found, requiring such Sheriff, Bailiff, or other Officer to execute such Writ; and every such last-mentioned Sheriff, Bailiff, or other Officer is hereby authorized and required to act in all respects under such Warrant in the same Manner as if the original Writ had been delivered to him, and the said Sheriff, Bailiff, or other Officer is hereby required within Thirty Days after the Receipt of such Warrant to return to the Sheriff, Bailiff, or other Officer from whom he received the same what he has done in the Execution of such Process; and in case a Levy has been made, to pay over all Monies received in pursuance of the Warrant to the Sheriff, Bailiff, or Officer from whom he received the same.

Penalty on Sheriff for Neglect.

XXXVII. Every Sheriff, Bailiff, or other Officer as aforesaid neglecting to do or perform any Duty by this Act required shall forfeit and pay such Sum as in Section Ten of the

the said Act of the Third Year of King *George* the Fourth is provided for such Neglect as therein mentioned, and to be recovered in like Manner.

Estreats may be required to be enrolled in the Exchequer.

XXXVIII. The Commissioners of Her Majesty's Treasury, or the Party liable to pay any Fine, Issue, Amerciament, Penalty, or Recognizance which, if this Act had not been passed, would have been certified or estreated into the Exchequer, may, by Notice in Writing to the Clerk of Assize or Clerk of the Crown directed by this Act to proceed as herein-before provided for causing the same to be levied, require such Clerk of Assize or Clerk of the Crown, within Twenty Days after such Notice, to return the Estreat thereof into the Office of the Queen's Remembrancer in the Exchequer, there to be enrolled, and such Estreat shall be returned and enrolled accordingly; and any and the like Proceedings may be had and taken, by Motion or otherwise, in the Court of Exchequer, in respect of such Estreat so enrolled, as might be had and taken in the Case of any Fine, Issue, Amerciament, Penalty, or Recognizance lawfully certified or estreated into the Exchequer in the ordinary Course of Law.

Provision as to setting over Fines, &c.

XXXIX. All Fines, Issues, Amerciaments, Penalties, and Forfeitures now from Time to Time set over by Her Majesty's Remembrancer to Corporations, Lords of Liberties, and others entitled thereto, shall after the passing of this Act be set over by such Person as the Commissioners of Her Majesty's Treasury may direct, and the Books of Reference to such Corporations, Lords of Liberties, and others now in the Office of Her Majesty's Remembrancer, or Copies thereof, or of such Parts thereof as may be necessary, shall be delivered to such Commissioners or such Person as they may direct.

Recognizances forfeited at Coroners Inquests to be returned to Clerks of the Peace, as in the Case of Fines imposed by Coroners.

XL. Every Recognizance forfeited at any Inquest to be holden before the Coroner of any County, City, Town, Liberty, or Place in *England*, shall be certified by such Coroner to the Clerk of the Peace for the County, Riding, Division, or Place in which the Person forfeiting such Recognizance shall reside, on or before the First Day of the Quarter Session of the Peace then next ensuing, and such Coroner shall cause a Copy of such Certificate to be served upon the Person liable to the Payment of such Forfeiture by leaving it at his Residence; and every such Clerk of the Peace shall proceed to act in respect of such Forfeiture as in the Case of Fines certified by Coroners pursuant to Section Seventeen of the Act passed in the Seventh and Eighth Years of Her Majesty, Chapter Ninety-two, and such Forfeiture shall be levied and applied in like Manner, and subject to the like Powers, Provisions, and Penalties, as such Fines.

Rolls not to be returned into Exchequer.

XLI. The Rolls known as Originalia Rolls shall cease to be returned or sent from the Petty Bag Office of the Court of Chancery into the Court of Exchequer.

Approval of Sheriffs of London and Sheriff of Middlesex, how to be signified in future.

XLII. From and after the passing of this Act it shall not be necessary for the Sheriffs of *London* and Sheriff of *Middlesex* to attend on the Morrow of *Saint Michael* in the Court of Exchequer as heretofore, and unless otherwise directed by Order of Her Majesty in Council, Warrants under the Great Seal of the Exchequer shall be prepared at the Office of Her Majesty's Remembrancer signifying the Approval by Her Majesty of the Election of such Sheriffs and Sheriff, which Warrants may be delivered to the said Sheriffs and Sheriff, or their Under Sheriffs or Agents duly authorized to receive the same, without Fee or Reward in that Behalf, on the said Morrow of *Saint Michael*, or between that Day and the Morrow of *Saint Martin*, in each Year, and an Entry shall from Time to Time be made on the Roll of the Court of such Warrants having been granted; and unless such Warrants be stayed by Order of Her Majesty in Council on or before the Morrow of *Saint Michael* the Election of such Sheriffs and Sheriff shall be deemed and taken to be approved by Her Majesty; and all Warrants, Orders, Certificates, and other Documents heretofore read and ordered to be filed and recorded in the said Court on the annual Presentation of the Sheriffs shall continue to be filed and recorded in the Office of Her Majesty's Remembrancer as heretofore, on being presented at such Office for that Purpose within the Period aforesaid, and shall be as valid and effectual to all Intents and Purposes as if the same had been filed and recorded by Order of the Court itself.

As to Rents rendered by the Corporation of

XLIII. 'And whereas it has been the Custom on the Occasion of the Presentation of 'the Sheriffs of the City of *London* and Sheriff of *Middlesex* Elect for the Approval of the

'Crown

'Crown to the Barons of the Court of Exchequer at *Westminster* to render, on behalf of the Corporation of the said City, in open Court, certain ancient Rents and Services in respect of the Tenure of a Piece of Waste Ground, called the *Moors*, in the County of *Salop*, and of a Tenement, called "The *Forge*," in the Parish of *Saint Clement Danes*, in the County of *Middlesex*:' London before the Court of Exchequer.

The said Rents and Services in respect of the said Ground and Tenement may be rendered by the Corporation of *London*, or by their Agent in that Behalf, at the Office of the Queen's Remembrancer on the Morrow of *Saint Michael*, or between that Day and the Morrow of *Saint Martin*, and the proper Entries in respect thereof shall be made as heretofore on the Rolls of the Court.

XLIV. Save as herein expressly provided, nothing in this Act shall affect or prejudice the Jurisdiction or Authority of the Court of Exchequer, or of the Commissioners of Her Majesty's Treasury, or any Right or Privilege now exercised by Her Majesty's Attorney General on behalf of the Crown. Saving Rights herein named.

SCHEDULE.

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith:

To the Sheriff or Bailiff or Officer [*as the Case may be*] for the County of [*or* City, Borough, *or* Place, *as the Caes may be*] greeting.

You are hereby required and commanded, as you regard yourself and all yours, That you omit not, by reason of any Liberty in your County, City, Borough, or Place [*as the Case may be*], but that you enter the same, and of all the Goods and Chattels of all and singular the Persons in the Roll to this Writ annexed, you cause to be levied all and singular the Debts and Sums of Money upon them in the same Roll severally charged, so that the Money may be ready for Payment at the [*Time of the Return of the Writ*], to be paid over in such Manner as the Commissioners of Her Majesty's Treasury may direct; and if any of the several Debts cannot be levied, by reason of no Goods or Chattels being to be found belonging to the Parties, then in all Cases that you take the Bodies of the Parties refusing to pay the aforesaid Debts, and lodge them in the Gaol (of the County, City, &c.), there to remain until they pay the same, or be discharged by the Authority of the said Commissioners or otherwise in due Course of Law.

Dated the Day of in the Year of Our Reign.

[*Signature*]
Clerk of Assize *or* Clerk of the Crown
[*as the Case may be*].

CAP. XXII.

An Act to amend the Acts relating to the Constabulary Force in *Ireland*.

[13th *August* 1859.]

'WHEREAS an Act was passed in the Session of Parliament holden in the Sixth Year of the Reign of King *William* the Fourth, intituled *An Act to consolidate the Laws relating to the Constabulary Force in* Ireland: And whereas the Lord Lieutenant, by virtue of the Authority given to him by the said recited Act, did, by Warrant under his Hand, appoint Two Persons to be Deputy Inspectors General of the Police Force in *Ireland*, and did also appoint, by virtue of the like Authority, and in the like Manner, Four Persons to be County Inspectors of Police in *Ireland*, to be charged with the general Government of the Police Force to be established within such Number of Counties as the Lord Lieutenant might direct: And whereas, under the Provisions of an Act passed in the Second 6 W. 4. c. 13.