CHAPTER 26.

An Act to amend the practice of the Courts of Law with respect to the Review of the Decisions of Justices. [18th July 1872.]

WHEREAS ex parte proceedings are frequently taken in the Superior Courts of Common Law at Westminster to bring under review the decisions of justices of the peace acting both in and out of sessions, and there is no fund at the disposal of such justices to defray the expense of appearing by counsel to support their decisions:

And whereas it is expedient that such justices, should without expense to themselves, have an opportunity in such cases of informing the Court of the grounds of their decision, and of all material facts bearing upon the same:

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 Review of Justices Decisions Act, 1872."

Justice, when his decision is called in question in a Superior Court, may file affidavit showing grounds of his decision without payment of fee.

2. Whenever the decision of any justice or justices is called in question in any Superior Court of Common Law by a rule to show cause or other process issued upon an ex parte application, it shall be lawful for any such justice to make and file in such court an affidavit setting forth the grounds of the decision so brought under review, and any facts which he may consider to have a material bearing upon the question at issue, without being required to pay any fee in respect of filing such affidavit or any stamp duty thereupon, and such affidavit may be sworn before a Commissioner authorised to take oaths in Chancery, and may be forwarded by post to one of the Masters of the Court for the purpose of being so filed.

Court to take into consideration matters contained in affidavit notwithstanding non-appearance of counsel in support.

3. Whenever any such affidavit has been filed as aforesaid, the Court, shall, before making the rule absolute against the justice or justices, or otherwise determining the matter so as to overrule or set aside the acts or decisions of the justice or justices to which the application relates, take into consideration the matters set forth in such affidavit, notwithstanding that no counsel appear on behalf of the said justices.

CHAPTER 27.

An Act to amend the Elementary Education Act, 1870. [18th July 1872.]

WHEREAS it is expedient to extend the powers and provisions of the Elementary Education Act, 1870, in regard to the borrowing of money, so as to enable the School Board for London to avail themselves of such powers and provisions for the purchase of lands required for the erection of offices for the Board with all suitable and necessary appurtenances:

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:

33 & 34 Vict. c. 75. s. 19. extended to offices.

1. The 19th section of the Elementary Education Act 1870, shall extend to any offices required by the School Board for London.

Sects. 57. and 58. extended to expense for offices.

2. The 57th and 58th sections of the said Act shall extend to any expense incurred by the School Board for London in providing or enlarging any such offices as aforesaid.