JURY.

Remuneration and Expenses of Clerks of the Peace, &c.

1928. No. 39.

BY THE GOVERNOR AND PRIVY COUNCIL OF NORTHERN IRELAND.

ABERCORN.

Whereas under and by virtue of the provisions contained in section nine of the Juries Procedure (Ireland) Act, 1876, the Lord Lieutenant, by and with the advice and consent of the Privy Council of Ireland, may from time to time make Orders fixing a scale or scales according to which the expenses of printing and the remuneration of Clerks of the Peace, Clerks and Rate Collectors of Poor Law Unions in carrying into execution the several purposes of the Juries (Ireland) Acts, and thereby made payable, shall be calculated and thereupon such expenses and remuneration shall in each case be calculated according to the scale or scales fixed by such Order, and for the time being in force, and not otherwise :

And whereas under and by virtue of the provisions of sub-sections (2) and (3) of section ninety-six of the Local Government (Ireland) Act, 1898, the expenses of all printing required in any county in connection with the said Juries (Ireland) Acts are leviable off the county at large :

And whereas under and by virtue of the provisions of sub-section (7) of section eighty-three of the said Local Government (Ireland) Act, 1898, as modified by section one hundred and twenty-one of the same Act, all the powers and duties of the Clerk of the Union under the said Juries (Ireland) Acts have in Unions where there is not an existing Clerk, as that expression is defined by sub-section (1) of section one hundred and nine of the said Act of 1898, been transferred so far as respects rural districts to the Secretary of the Council of the Administrative county in which any such rural district is situate, and so far as respects every borough (whether a county borough or not) to the Town Clerk of such borough, and so far as respects every urban county district not being a borough to the Clerk of the Council of such urban district :

And whereas under and by virtue of the provisions of section seven of the Local Government (Ireland) Act, 1900, where the duties under the Juries (Ireland) Acts, 1871 to 1894, are performed by an existing Clerk of a Union the expenses thereby incurred are so far as respects such Union or so much of such Union as is situate in any county raised equally over the whole of the county in which such Union or such part of such Union is situate :

And whereas under and by virtue of the provisions of section eleven of the Jury Laws Amendment Act (Northern Ireland), 1926, where the Clerk of the council of an urban district performs duties under sub-section (7) of section eighty-three of the Local Government (Ireland) Act, 1898, in relation to Jurors' lists that urban district is exempt from any county at large charge for raising the sums payable in respect of remuneration or expenses in connection with Jurors' lists to the secretary of the council of the county in which that urban district is situate, to the clerk of any union in that county, or to the poor rate collector assisting such secretary or clerk of a union :

And whereas under and by virtue of the provisions of the said Local Government (Ireland) Act, 1898, the duties under the said Juries (Ireland) Acts formerly performed by Rate Collectors of Poor Law Unions are now performed as far as respects rural districts by Collectors, appointed by the Councils of the administrative counties in which such rural districts are respectively situate, and so far as respects urban districts by Collectors appointed by the District Councils of such districts.

And whereas under and by virtue of the provisions contained in section twenty-one of the County Officers and Courts (Ireland) Act, 1877, the Lord Lieutenant or other chief Governors of Ireland by and with the advice and consent of the Privy Council of Ireland may in fixing any scale or scales of remuneration of Clerks of the Peace under the Provisions of the Juries (Ireland) Acts, provide that any actual expenses shall be distinguished from any profits or remuneration presentable to and receivable by any Clerk of the Peace for his own use for or in respect of any duties imposed upon him by the Juries (Ireland) Acts, and thereupon such expenses and such profits and remuneration shall in each case be separately calculated, presented and paid according to the scale or scales fixed by such Order and for the time being in force and not otherwise, and the respective accounts thereof shall be audited and vouched as the Lord Lieutenant in Council may by order provide, and that after the union of the offices of the Clerk of the Crown and Clerk of the Peace for any County or Borough the amount of all profits and remuneration shall be presented to and receivable by His Majesty's Exchequer, but notwithstanding such union the amount of all such actual expenses as aforesaid shall continue to be presented and paid in the same manner as theretofore :

And whereas by the Government of Ireland Act, 1920, the Orders made thereunder, and the Irish Free State (Consequential Provisions) Act, 1922, the powers of the Lord Lieutenant are now exercisable in Northern Ireland by the Governor of Northern Ireland :

And whereas the offices of Clerk of the Crown and Clerk of the Peace have been united in all Counties and Boroughs in Northern Ireland :

And whereas it is provided by sub-section (1) of section eighteen of the Jury Laws Amendment Act (Northern Ireland), 1926, that the said Act shall be construed as one with the Juries Acts and that the Juries Acts and the said Act may be cited together as the Juries Acts (Northern Ireland), 1871 to 1926 :

And whereas in pursuance of the foregoing statutes, Orders in Council were duly made on the 4th day of June, 1879; the 26th day of November, 1919; the 2nd day of February, 1920; the 5th day of November, 1920; and the 8th day of November, 1921 :

And whereas it is now deemed expedient to revoke the said Orders, and to make a new Order instead thereof fixing a scale or scales according to which the expenses of printing and the remuneration of Clerks of the Crown and Peace, existing Clerks of Unions, Secretaries of County Councils, Town Clerks of Boroughs, Clerks of Councils of Urban County Districts and Collectors of Poor Rate in carrying into execution the several purposes of the Juries Acts (Northern Ireland), 1871 to 1926, and thereby made payable, shall be calculated, and for the separate calculation of such expenses and such profits or remuneration of the Clerks of the Crown and Peace as aforesaid, and for the auditing and vouching of the respective accounts thereof :

Now, therefore, I, James Albert Edward, Duke of Abercorn, Governor of Northern Ireland, by and with the advice and consent of His Majesty's Privy Council in Northern Ireland and by virtue of the powers vested in me by the said recited enactments and by all other powers Me thereunto enabling, do hereby revoke the Orders made on the 4th day of June, 1879; the 26th day of November, 1919; the 2nd day of February, 1920; the 5th day of November, 1920; and the 8th day of November, 1921; and order that, subject to the provisions of section twelve of the Jury Laws Amendment Act (Northern Ireland), 1926, the following scale shall be, and the same is hereby fixed as the scale according to which the expenses of printing, and the remuneration of Clerks of the Crown and Peace, existing Clerks of Unions, Secretaries of County Councils, Town Clerks of Boroughs, Clerks of Councils of Urban County Districts and Collectors of Poor Rate, in carrying into execution the several purposes of the Juries Acts (Northern Ireland), 1871 to 1926, and thereby made payable, shall be calculated, and in exercise of the powers conferred upon Me by section twenty-one of the County Officers and Courts (Ireland) Act, 1877, do hereby also order that the sums payable under and by virtue of this Order in Council to the Clerks of the Crown and Peace under the Juries Acts (Northern Ireland), 1871 to 1926, shall henceforth be separately calculated, distinguished and apportioned as set out in paragraph (*b*) of Clause 1 of this Order, and I do hereby further order that the vouching and auditing of the said sums shall be in the manner directed by paragraph (*c*) of the said Clause 1.

1.—(*a*) Clerks of the Crown and Peace shall be paid at the rate of twenty-five pounds per annum for any number of names out of the total number of names on the Lists of General Jurors up to five hundred names, and eleven pence for every additional name ; and five pounds per annum in addition for any number of names out of the total number of names on the Lists of Special Jurors up to five hundred names, and three pence for every additional name : Provided that persons appointed to the office of Clerk of the Crown and Peace at any time after the date of this Order, shall be paid at the rate of twenty-five pounds per annum for any number of names out of the total number of names on the Lists of General Jurors up to five hundred names, and ten pence for every additional name ; and five pounds per annum in addition for any number of names out of the total number of names on the Lists of Special Jurors up to five hundred names, and two pence for every additional name.

(*b*) The sums to be distinguished and paid as and for actual expenses shall be one-half of the amount yielded by the scale under paragraph 1 (*a*) of this Order, and the sums to be distinguished and paid as and for profits or remuneration in respect of the duties imposed upon the Clerks of the Crown and Peace by the Juries Acts (Northern Ireland), 1871 to 1926, shall be the remaining half of the said amount.

(*c*) Every Clerk of the Crown and Peace shall prepare an account stating the amount claimed by him as expenses and profits or remuneration for or in respect of any duties imposed upon him by the Juries Acts (Northern Ireland), 1871 to 1926, and setting forth such particulars as may be necessary to show how such amount is calculated, and shall transmit the said account to the Secretary of the County Council or the Town Clerk of the Borough or City Council by which such expenses and profits or remuneration are payable, and every such Clerk of the Crown and Peace shall produce to such Secretary or Town Clerk such lists of jurors and other documents as may be necessary to vouch the sums claimed in said account, and to enable the said Secretary or Town Clerk to audit and ascertain the accuracy of the same, and such Secretary or Town Clerk shall audit the same accordingly.

2. Each existing Clerk of a Union shall be paid in respect of the whole Union at the rate of ten pounds per annum for any number of names up to one hundred, and ninepence for every additional name. The payment is to be calculated upon the number of names returned in accordance with the precept.

In the case of a Union extending into two or more counties the total sum payable to the existing Clerk of such Union in each year shall be raised off those counties, in proportion to the number of the names of residents in each such county appearing in the Clerk's List of jurors for the whole Union.

3. Secretaries of County Councils, Town Clerks of Boroughs and Clerks of Councils of Urban County Districts shall be paid at the rate of two shillings per name per annum for any number of names up to one hundred out of the total number of names returned by them in accordance with the terms of the precept and nine pence for every additional name so returned, provided that the total sum paid in respect of any one local financial year to any such Secretary, Town Clerk, or Clerk for the performance of duties under the Juries Acts (Northern Ireland), 1871 to 1926, in any County or Urban District shall in no case be less than ten pounds.

4. Collectors of Poor Rate shall be paid at the rate of two pounds ten shillings per annum to each Collector for any number of names up to twenty-five, and four pence for every additional name. The payment is to be calculated upon the number of names within the Collector's District which are returned by him as qualified in accordance with the terms of the precept.

5. Each Secretary of a County Council, existing Clerk of a Union, Town Clerk of a Borough, and Clerk of an Urban County District shall be paid a sum of ten shillings and sixpence for each day on which he is necessarily in attendance at the Court for the revision of Jurors' Lists in execution of his duties, and a sum of ten shillings and sixpence for each night on which he is necessarily absent from his headquarters, together with the actual travelling expenses incurred in attending the Court.

Each Collector of Poor Rate shall be paid a sum of seven shillings and sixpence for each day on which he is necessarily in attendance at the Court for the revision of Jurors' Lists in execution of his duties, and a sum of seven shillings and sixpence for each night on which he is necessarily absent from his headquarters, together with the actual travelling expenses incurred in attending the Court.

Provided that no payment shall be made in respect of fees for attendance and travelling expenses unless the Crown Solicitor certifies in writing that the expenses claimed have been necessarily incurred by the Officers in the discharge of their duties.

6. All printing required in connection with the Juries Acts of lists, forms, notices, books, advertisements, or otherwise, whether required by any Clerk of the Crown and Peace, Secretary of a County Council, Town Clerk, Clerk of a Union, or Clerk of an Urban District Council shall be done in accordance with a contract in the manner provided by sub-sections (2) and (3) of section ninety-six of the Local Government (Ireland) Act, 1898, and not otherwise unless in any exceptional case the County Council for special reasons so permit.

And I do hereby Order and Direct that this Order shall take effect and be in force from and immediately after the date of its notification in the Belfast Gazette.

Given at the Council Chamber, Stormont Castle, this 30th day of April, 1928.

By His Grace's Command.

R. Dawson Bates.

Craigavon.
H. M. Pollock.
John M. Andrews.
J. Milne Barbour.
A. B. Babington.

LAND (ACQUISITION OF).

Assessment of Compensation : General, p. 140. | *Assessment of Compensation : Fees, p.* 143.

Assessment of Compensation : General.

MADE BY THE MINISTRY OF FINANCE UNDER THE ACQUISITION OF LAND (ASSESSMENT OF COMPENSATION) ACT, 1919, AS AMENDED BY SECTION 1 OF THE ADMINISTRATIVE PROVISIONS ACT (NORTHERN IRELAND), 1928.

1928. No. 66.

1. These Rules may be cited as the Acquisition of Land (Assessment of Compensation) Rules (Northern Ireland), 1928.

2.—(1) In these Rules, unless the context otherwise requires, the following expressions shall have the meanings respectively assigned to them—

"The Principal Act" means the Acquisition of Land (Assessment of Compensation) Act, 1919, as amended by the Referees and Arbitrators (Procedure) Act, (Northern Ireland), 1922.

"The Act of 1928" means section 1 of the Administrative Provisions Act (Northern Ireland), 1928.

"Acquiring Authority" means any local authority or any public authority as defined in the Principal Act.