

ANNO QUINQUAGESIMO OCTAVO

GEORGII III. REGIS.

CAP. XXXIX.

An Act to explain and amend an Act passed in the Fifty-sixth Year of the Reign of His present Majesty, for amending the Law of *Ireland* respecting the Recovery of Tenements from absconding, overholding, and defaulting Tenants, and for the Protection of the Tenant from undue Distress. [28th *May* 1818.]

WHEREAS an Act passed in the Fifty-sixth Year of the Reign of His present Majesty, intituled *An Act to amend the Law of* Ireland *respecting the Recovery of Tenements from absconding, overholding, and defaulting Tenants, and for the Protection of the Tenant from undue Distress:* And whereas Doubts have arisen whether a Tenement which has been held by a Tenant at the precise Rent of Twenty Pounds by the Year is within the Provisions of the said Act; for Removal thereof, be it enacted by the King'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 in all Cases where any Tenement shall have been held at a Rent of Twenty Pounds by the Year, it shall be lawful to proceed respecting the said Tenement in the same Manner as by the said Act is provided with respect to any Tenement which shall have been held at a less Rent than Twenty Pounds by the Year. 56 G. 3. c. 88. Proceedings may be instituted against Tenants of 20l. a Year.

Authorizing Proceedings by way of Civil Bill.

II. And whereas it hath been uſual in Proceedings by way of Civil Bill to inſert the Civil Bill in the Proceſs ſerved upon the Defendant, but it hath been doubted whether it is not neceſſary in Proceedings under the ſaid Act to file the Civil Bill with the Clerk of the Peace previous to ſerving Proceſs upon the Defendant: And whereas it is reaſonable that the Proceedings by way of Civil Bill under the ſaid Act ſhould be conformable, as nearly as poſſible, to Proceedings by way of Civil Bill in other Caſes; be it therefore further enacted, That in all Caſes falling within the Proviſions of the ſaid Act, the Service of the Civil Bill and Proceſs thereon, in ſuch Forms as are contained in the Schedule to this Act annexed, or in any other Forms to the like Effect, ſhall be as valid and effectual to all Intents and Purpoſes, as the Service of any Civil Bill and Proceſs thereupon now by Law is in any other Proceeding by way of Civil Bill.

Affidavits of Landlords admiſſible.

III. And whereas in Proceedings under the ſaid Act for the Recovery of the Poſſeſſion of Lands or Tenements, Doubts have ariſen as to the Admiſſibility or Sufficiency in certain Caſes of the Affidavit of the Landlord or Leſſor or his Agent, for aſcertaining the Amount of Rent due; for Removal thereof, be it enacted, That in all Proceedings under the ſaid Act, ſuch Affidavit ſhall be as admiſſible, and to all Intents and Purpoſes of the like Force and Efficacy, as it would have been if the Proceeding had been by Action of Ejectment.

For enforcing the Attendance of Witneſſes.

IV. And whereas it is reaſonable that in Proceedings for the Recovery of the Poſſeſſion of Lands or Tenements under the Proviſions of the ſaid Act, the Power of enforcing the Attendance of Witneſſes, whether on the Part of the Plaintiff or Defendant, ſhould be the ſame as if the Proceeding had been by Action of Ejectment; be it therefore enacted, That in all ſuch Proceedings as aforeſaid, the Proceſs *ad Teſtificandum*, ſigned by the Clerk of the Peace, ſhall contain the ſame Penalty, and be of the ſame Efficacy, for the Purpoſe of compelling the Attendance of any Witneſs, whether ſuch Witneſs ſhall reſide within the County or not, as any *Subpœna ad Teſtificandum* which might or could be ſued out if the Proceeding had been by Action of Ejectment.

Extending to Aſſiſtant Barriſter, or Chairman of Seſſions, &c. being a Landlord in his own Juriſdiction, the Right to proceed by way of Civil Bill before Judge of Aſſize.

V. And whereas it is reaſonable, in Caſes where it may happen that the Aſſiſtant Barriſter of any County, or the Chairman of the Seſſion of the Peace of the County of *Dublin*, or the Recorder of the County of the City of *Dublin*, is the Landlord or Leſſor of any Tenement within his own Juriſdiction, that Proviſion ſhould be made for extending to ſuch Landlord or Leſſor the Benefits of the ſaid Act; be it therefore enacted, That in every ſuch Caſe it ſhall and may be lawful for ſuch Landlord or Leſſor to proceed by way of Civil Bill reſpecting ſuch Tenement, before any Judge of Aſſize who ſhall preſide in the Civil Court of the County wherein ſuch Tenement is ſituate, in the ſame Manner as any other Leſſor or Landlord might proceed, reſpecting any other Tenement, before ſuch Aſſiſtant Barriſter, Chairman, or Recorder, as the Caſe may be.

Allowing an Appeal.

VI. And be it further enacted, That an Appeal ſhall lie from any Decree of ſuch Judge, upon ſuch Civil Bill, to the next going Judge of Aſſize, in the ſame Manner, and ſubject to the ſame Reſtrictions, Conditions, and Limitations, as if the Decree had been pronounced by an Aſſiſtant Barriſter.

VII. And

VII. And whereas the Trouble of the Affiſtant Barriſters, Chairman of the Seſſions of the Peace, and Recorder, and of the Clerks of the Peace, and of the Attornies of the Parties, is much greater in Proceedings for the Recovery of the Poſſeſſion of Lands and Tenements under the Proviſions of the ſaid Act, than in Caſes of other Civil Bills; and it is reaſonable that the Fees of the ſaid Perſons upon ſuch Proceedings ſhould be increaſed; be it therefore further enacted, That the ſeveral Fees and Sums following, and no greater Sums, ſhall be charged and taken from any Perſon ſueing or being ſued upon any Civil Bill brought for the Recovery of the Poſſeſſion of any Lands or Tenements: Authorizing certain Fees to be taken.

	£	s.	d.
To the Affiſtant Barriſter, Chairman, or Recorder, upon the Entry of the Civil Bill	—	5	—
Upon every Affidavit	—	—	6½
Upon every Recognizance and Bail taken on an Appeal	—	1	1
For ſigning a Renewal	—	—	6½
For ſigning a Decree or Diſmiſs	—	5	—
But no Charge to be made on the Second Copy thereof.			
For every Bill of Coſts, where the ſame is actually taxed by him between Attorney and Client	—	2	6
To the Clerk of the Peace entering the Cauſe	—	—	6½
For ſigning, entering, and recording every Decree or Diſmiſs	—	1	1
For ſigning and entering every Renewal	—	—	4
For entering the Verdict of a Jury	—	—	6
For the Recognizance of Bail and Certificate of Appeal lodged	—	—	6
To the Plaintiff's Attorney, in lieu of all other Charges for taking Inſtructions, drawing the Proceſs, drawing Affidavit to verify entering the Cauſe, preparing for and attending the hearing and drawing up the Decree	1	2	9
To the Plaintiff's Attorney, for attending, drawing, and obtaining the Magiſtrate's Certificate, where the Proceeding is for Recovery of Lands or Premiſes abandoned	—	10	—
To the Defendant's Attorney, in lieu of all other Charges, for taking Inſtructions, preparing for and attending the hearing and drawing up the Diſmiſs, if the ſame ſhall be neceſſary	1	2	9
To the Attorney, for drawing or filling every Renewal, and drawing or filling up the Affidavit to obtain ſuch Renewal	—	—	6½
To the Sheriff for returning a Jury	—	1	—
For every Special Warrant granted at the Peril of the Party requiring the ſame	—	1	—
To any Witneſs attending on behalf of either Party, provided ſuch Witneſs ſhall have been brought by Proceſs *ad Teſtificandum* from ſome Place not within the Diſtrict where ſuch Trial ſhall be held, ſuch			

	£	s.	d.
Viaticum as ſhall appear to the Court to be reaſonable: Provided always, that it ſhall be lawful for any Attorney to charge to any Client the Expences of employing Counſel in caſe ſuch Attorney ſhall have received written Directions for that Purpoſe from ſuch Client; no Charge however for ſuch Purpoſe to be allowed on the Taxation of Coſts between Party and Party.			

No Sum to be allowed for Searches, except ordered.

VIII. And be it further enacted, That no Sum ſhall be allowed to the Plaintiff's Attorney, for any Searches for Incumbrances affecting the Lands and Tenements, unleſs he ſhall have received Directions in Writing, from the Plaintiff or his Land Agent, authorizing him to make the ſame.

Aſſiſtant Barriſters, &c. to tax Coſts of Suit.

IX. And be it further enacted, That it ſhall and may be lawful for the Aſſiſtant Barriſter, Chairman, or Recorder, as the Caſe may be, and he is hereby required, on the Requeſt of either Party or his Attorney, to tax the Coſts between Party and Party, and to include the ſame in the Decree or Diſmiſs, as the Caſe may be; and further, on the like Requeſt, to tax Coſts between Attorney and Client, upon any Proceedings that ſhall have been taken or may hereafter be taken for the Recovery of the Poſſeſſion of Lands or Tenements under the Proviſions of the ſaid recited Act or this Act, receiving for each ſuch Taxation the Sum of Two Shillings and Sixpence and no more; and that no Clerk of the Peace ſhall have any Power to tax the ſame; and that no Attorney ſhall be entitled to recover any Sum againſt any Client for or by reaſon of any Proceedings under this Act or the ſaid recited Act, or any Preparation for ſuch Proceedings, unleſs the ſame ſhall have been previouſly taxed in Manner herein provided.

No Attorney entitled to recover until Coſts are taxed.

Aſſiſtant Barriſter, &c. to examine upon Oath.

X. And be it further enacted, That upon ſuch Taxation it ſhall and may be lawful for the ſaid Aſſiſtant Barriſter, Chairman, or Recorder, as the Caſe may be, and he is hereby required, to examine upon Oath (which Oath he is hereby authorized to adminiſter) the Attorney ſeeking to charge ſuch Client, as to all Matters and Things which it may appear to the ſaid Aſſiſtant Barriſter neceſſary to aſcertain for the due Taxation of the ſaid Coſts.

Forms to be uſed in proceeding under this and the recited Act.

XI. And be it further enacted, That the Forms in the Schedule to this Act annexed, marked A. B. C. and D. or any other Forms to the like Effect, may be uſed in the reſpective Caſes in the ſaid Schedule mentioned, as and for the Civil Bills and Proceſs; and that the Forms in the ſaid Schedule marked E. F. and G. or any other Forms to the like Effect, may be uſed in the reſpective Caſes in the ſaid Schedule mentioned, as and for the Decrees of the ſaid Aſſiſtant Barriſters, Chairman, or Recorder, as the Caſe may be; and that the Form marked H., or any other Form to the like Effect, may be uſed by the Magiſtrates in the ſaid Act mentioned, as and for a Certificate of Deſertion; and that the Form marked I., or any other Form to the like Effect, may be uſed for the Affidavit aſcertaining the Rent due, to enable the Magiſtrate to grant the ſaid Certificate.

The SCHEDULE to which this ACT refers.

A.

FORM of a CIVIL BILL, to be uſed where the Tenant has deſerted the Premiſes.

County of
Diviſion of } BY the Aſſiſtant Barriſter at the Quarter Seſſions of the Peace for the ſaid Diviſion of the ſaid County:

Plaintiff
Defendant } WHEREAS the Defendant holds all that and thoſe in the Pariſh of and Barony of and in the ſaid Diviſion of in the ſaid County, as Tenant to the Plaintiff under a Demiſe thereof made the Day of in the Year of our Lord One thouſand eight hundred and for the Term of which is ſtill in being, at the yearly Rent of And whereas the Sum of for Rent of the ſaid Premiſes, ending on the Day of laſt paſt, became and was due by the ſaid Defendant to the ſaid Plaintiff, and ſtill remains ſo due after all fair and juſt Allowances whatſoever: And whereas the ſaid Defendant, on the Day of in the Year of our Lord One thouſand eight hundred and deſerted the ſaid Premiſes and abandoned the ſame, and did not leave ſufficient Diſtreſs thereon to countervail the Rent ſo due for the ſame, and ſuch ſufficient Diſtreſs cannot be had to countervail the Rent ſo due
The Defendant is therefore hereby required perſonally to be and appear before the ſaid Aſſiſtant Barriſter, at in the Diviſion aforeſaid, in the ſaid County, on the Day of next, at a Quarter Seſſions to be then and there holden for ſaid Diviſion of ſaid County, to anſwer the Plaintiff's Bill brought by him for Recovery of the Poſſeſſion of the Premiſes, by reaſon of the Matters aforeſaid, and by virtue of the Statutes in that Caſe made and provided; or in default thereof, the ſaid Aſſiſtant Barriſter will proceed as to Juſtice ſhall appertain. Dated this Day of in the Year One thouſand eight hundred and

Signed on Behalf of the Plaintiff,

Attorney.

To the Defendant, }

B.

FORM of a CIVIL BILL, to be uſed where the Tenant's Intereſt is determined, and Poſſeſſion has been demanded by the Landlord in Perſon.

County of
Diviſion of } BY the Aſſiſtant Barriſter at the Quarter Seſſions of the Peace for the ſaid Diviſion of the ſaid County:

Plaintiff
Defendants } WHEREAS One of the Defendants, lately held all that and thoſe in the Pariſh of and Barony of and in the Diviſion of aforeſaid, in the ſaid County, as Tenant to the Plaintiff, under a Demiſe thereof made the Day of in the Year of our Lord One thouſand eight hundred and for the Term of at the yearly Rent of which Demiſe determined on the Day of laſt, by And whereas the ſaid Plaintiff after the Determination of the ſaid Demiſe, to wit, on the Day of now laſt paſt, duly demanded the Poſſeſſion of the ſaid Premiſes, and a Delivery of the ſaid Poſſeſſion to him; and the ſaid Poſſeſſion and the Delivery thereof have and hath been withheld, and the ſeveral Defendants are reſpectively in Poſſeſſion of the Premiſes, and no other Perſon is in Poſſeſſion of any Part thereof: The Defendant therefore, and all Perſons claiming to have any Intereſt in the ſaid Premiſes, are hereby required perſonally to be and appear before the ſaid Aſſiſtant Barriſter, at in the Diviſion of aforeſaid, in the ſaid County, on the Day of next, at a Quarter Seſſions to be then and there holden for the ſaid Diviſion of ſaid County, to anſwer the Plaintiff's Bill brought by him for the Recovery of the Poſſeſſion of the Premiſes, by reaſon of the Matters aforeſaid, and by virtue of the Statute in that Caſe made and provided; or in default thereof, the ſaid Aſſiſtant Barriſter will proceed as to Juſtice ſhall appertain. Dated this Day of in the Year One thouſand eight hundred and

Signed on Behalf of the Plaintiff,

Attorney.

To the Defendant, }

C.

FORM of a CIVIL BILL, where the Tenant's Intereſt is determined, and Poſſeſſion has been demanded by a Bailiff or Receiver.

County of
Diviſion } BY the Aſſiſtant Barriſter at the Quarter Seſſions of the Peace for the ſaid Diviſion of the ſaid County:

Plaintiff
Defendants } WHEREAS One of the Defendants, lately held all that and thoſe in the Pariſh of and Barony of and in the Diviſion of aforeſaid, in the ſaid County, as Tenant to the Plaintiff, under a Demiſe made thereof the Day of in the Year of our Lord One thouſand hundred and for the Term of at the yearly Rent of which Demiſe determined on the Day of laſt paſt by And whereas the Bailiff and Receiver of the ſaid Plaintiff, after the Determination of the ſaid Demiſe, to wit, on the Day of now laſt paſt, duly demanded the Poſſeſſion of the ſaid Premiſes, and a Delivery of the ſaid Poſſeſſion to him as ſuch Bailiff and Receiver of the ſaid Plaintiff, and the ſaid Poſſeſſion and the Delivery thereof have and hath been withheld, and the ſeveral Defendants are reſpectively in Poſſeſſion of the Premiſes, and no other Perſon is in Poſſeſſion of any Part thereof: The Defendants therefore, and all Perſons having or claiming any Intereſt in the Premiſes in Queſtion, are hereby required perſonally to be and appear before the ſaid Aſſiſtant Barriſter at in the Diviſion of aforeſaid, in the ſaid County, on the Day of next, at a Quarter Seſſions to be then and there holden for the ſaid Diviſion of the ſaid County, to anſwer the Plaintiff's Bill, brought by him for the Recovery of the Poſſeſſion of the Premiſes, by reaſon of the Matters aforeſaid, and by virtue of the Statutes in that Caſe made and provided; or in default thereof, the ſaid Aſſiſtant Barriſter will proceed as to Juſtice ſhall appertain. Dated this Day of in the Year One thouſand eight hundred and

Signed on Behalf of the Plaintiff,

Attorney.

To the Defendant, }

D.

FORM of a CIVIL BILL to be uſed where a Year's Rent is in Arrear.

County of
Diviſion of } BY the Aſſiſtant Barriſter at the Quarter Seſſions of the Peace for the ſaid Diviſion of ſaid County:

Plaintiff
Defendants } WHEREAS One of the Defendants, holds all that and thoſe in the Pariſh of and Barony of and in the Diviſion of aforeſaid, in the ſaid County, as Tenant to the Plaintiff, under a Demiſe thereof made the Day of in the Year of our Lord One thouſand hundred and for the Term of which is not yet expired, at the yearly Rent of payable in equal Gales, on every during the ſaid Term: And whereas the Sum of for Rent of the ſaid Premiſes, ending on the Day of laſt paſt, became and was due by the ſaid Defendant to the ſaid Plaintiff, and thereof, being One full Year's Rent ſtill remains due thereon: And whereas the ſeveral other Defendants reſpectively are in actual Poſſeſſion of the Premiſes, or have reſpectively Intereſts therein under Deeds and Inſtruments duly regiſtered, and creating ſuch Intereſts reſpectively, and no other Perſon, ſave the Defendants or ſome of them, is in ſuch Poſſeſſion, or appear to have any ſuch Intereſt:
The Defendants therefore, and all Perſons having or claiming any Intereſt in the ſaid Premiſes, are hereby required perſonally to be and appear before the ſaid Aſſiſtant Barriſter, at in the Diviſion of aforeſaid, in the ſaid County, on the Day of next, at a Quarter Seſſions to be then and there holden for the ſaid Diviſion of ſaid County, to anſwer the Plaintiff's Bill brought by him for Recovery of the Poſſeſſion of the Premiſes, by reaſon of the Matters aforeſaid, and by virtue of the Statutes in that Caſe made and provided; or in default thereof the ſaid Aſſiſtant Barriſter will proceed as to Juſtice ſhall appertain. Dated this Day of in the Year One thouſand eight hundred and

Signed on Behalf of the Plaintiff,

Attorney.

To the Defendant, }

E.

FORM of a DECREE where the Civil Bill is grounded on the Deſertion of the Premiſes.

County of
Diviſion of } BY the Aſſiſtant Barriſter of the Seſſions for the County of

Plaintiff
Defandants } IT appearing to the Court that the Plaintiff cauſed a Civil Bill to be filed againſt the Defendant, praying to be put into Poſſeſſion of ſituate, lying, and being in the Pariſh of and in the Barony of and County of containing or thereabouts, in the Poſſeſſion of the Defendant; which Civil Bill was brought purſuant to the Statute in ſuch Caſe made and provided, on the Ground that the Tenant had deſerted the ſaid Premiſes; and it appearing by the Certificate of and Eſquires, Two of His Majeſty's Juſtices of the Peace for ſaid County, that they had together gone to and viewed ſaid Premiſes, and that the ſame were deſerted and left unoccupied by the Defendant, and that there was not any Diſtreſs thereon ſufficient to countervail the Arrear of Rent then due thereout; upon due Proof thereof, and that Proceſs on ſaid Civil Bill, and alſo a Copy of ſaid Certificate was duly ſerved, requiring the Defendant to appear at theſe preſent Seſſions to anſwer ſaid Bill; and it appearing that £ being Years Rent of ſaid Premiſes, was juſtly due and owing by Defendant to Plaintiff, after all fair and juſt Allowances, and that ſaid Premiſes were deſerted and left unoccupied by the Defendant, and that there was not any Diſtreſs on the ſame to ſatisfy ſaid Rent: It is therefore ordered and decreed by the Court, That the Plaintiff be put into the Poſſeſſion of ſaid Premiſes, and the Sheriff of the County of is hereby commanded to put the Plaintiff into the Poſſeſſion thereof, purſuant to the Statute in ſaid Caſe made and provided; and it is further ordered and decreed by the Court, That the Plaintiff do recover from the Defendant Pounds Shillings and Pence, Coſts; and the ſeveral Sheriffs of the reſpective Counties within this Kingdom of *Ireland* are hereby commanded, notwithſtanding any Liberty within their Bailiwicks, to execute the ſame, and take in Execution the Body [*or*, Bodies, *or* Goods, *as the Caſe may be*] of the Defendant, to ſatisfy the ſaid Coſts. Dated at this Day of

Witneſs preſent, Aſſiſtant Barriſter for
Clerk Peace for the the ſaid County.
ſaid County.

Attorney for the Plaintiff.

FORM of the SHERIFF'S WARRANT on the above Decree, to a Special Bailiff of the Plaintiff's Nomination.

County of } I Authorize and empower
to wit. } and
or either of them, and their Aſſiſtants, Special Bailiffs, at the Plaintiff's Peril to execute the above Decree. Given under my Hand and Seal, this Day of

(Seal.) Sheriff for the ſaid County.

F.

FORM of a DECREE, where the Civil Bill is grounded on the over-holding of the Tenant.

County of } BY the Aſſiſtant Barriſter at the Seſſions for the
Diviſion of } County of

Plaintiff } IT appearing to the Court, that the Plaintiff cauſed
Defendants } a Civil Bill to be filed againſt the Defendant, praying to be put into the Poſſeſſion of
ſituate in the Pariſh of
and Barony of and
County of containing
or thereabouts, in the Poſſeſſion of the Defendant; which Civil Bill was brought purſuant to the Statute in ſuch Caſe made and provided, on the ground that the Tenant overheld the ſaid Premiſes; and it appearing to the Court, that Proceſs on ſaid Civil Bill was duly ſerved, requiring the Defendants and all others having or claiming to have Intereſt in the Premiſes, in ſaid Bill mentioned, requiring them to appear at theſe preſent Seſſions to anſwer ſaid Bill; and it appearing that ſaid Premiſes were held by Defendant from Plaintiff at the yearly Rent of and that Defendant's Intereſt determined on the Day of laſt, by a Notice to quit, heretofore ſerved on the Defendant, requiring him to deliver up the Poſſeſſion thereof to Plaintiff, on the ſaid Day of laſt [*or ſetting forth any other Mode of Determination, as the Caſe may be*] notwithſtanding which the Defendant refuſed to deliver up the Poſſeſſion thereof to Plaintiff though demanded: It is therefore ordered and decreed by the Court, That the Plaintiff be put into the Poſſeſſion thereof, purſuant to the Statute in that Caſe made and provided; and

it is further ordered and decreed by the Court, That the Plaintiff do recover from the Defendant
Pounds Shillings and Pence, Coſts; and the ſeveral Sheriffs of the reſpective Counties within this Kingdom of *Ireland* are hereby commanded, notwithſtanding any Liberty within their Bailiwicks, to execute the ſame, and take in Execution the Body [*or* Bodies, *or* Goods, *as the Caſe may be*] of the Defendant, to ſatisfy the ſaid Coſts. Dated at this Day of

Witneſs preſent, Aſſiſtant Barriſter for
Clerk Peace for the the ſaid County.
ſaid County.

Attorney for the Plaintiff.

FORM of the SHERIFF'S WARRANT on the above Decree, to a Special Bailiff of the Plaintiff's Nomination.

County of } I Authorize and empower
to wit. } and
or either of them, and their Aſſiſtants, Special Bailiffs, at the Plaintiff's Peril to execute the above Decree. Given under my Hand and Seal, this Day of

Sheriff for the ſaid County.

(Seal.)

G.

N° FORM of a DECREE where the Civil Bill is grounded on Non-payment of Rent.

County of } BY the Aſſiſtant Barriſter at the Seſſions for the
Diviſion of } County of

Plaintiff } IT appearing to the Court that the Plaintiff cauſed
Defendant } a Civil Bill to be filed againſt the Defendant, praying to be put into the Poſſeſſion of
ſituate, lying, and being in the Pariſh of
and Barony of and
County of containing by Eſtimation
or thereabouts, in the Poſſeſſion of the Defendant, which Civil Bill was brought purſuant to the Statute in ſuch Caſe made and provided, on the Ground that a Year's Rent was in arrear and unpaid; and it appearing to the Court, that Proceſs on ſaid Civil Bill was duly ſerved

ſerved, requiring the Defendant and all others having or claiming to have Intereſt in the Premiſes in ſaid Bill mentioned, requiring them to appear at theſe preſent Seſſions to anſwer ſaid Bill; upon due Proof thereof, and that ſaid Premiſes were held by Defendant from Plaintiff, at the yearly Rent of and that the Defendant was indebted to the Plaintiff in the Sum of being for One whole Year's Rent and Arrear of Rent of ſaid Premiſes, due and ending the Day of laſt, after all juſt and fair Allowances. It is therefore ordered by the Court, That the Plaintiff be put into the Poſſeſſion of ſaid Premiſes, and the Sheriff of the County of is hereby commanded to put the Plaintiff into the Poſſeſſion thereof, purſuant to the Statute in ſuch Caſe made and provided; and it is further ordered and decreed by the Court, That the Plaintiff do recover from the Defendant Pounds Shillings and Pence, Coſts; and the ſeveral Sheriffs of the reſpective Counties within this Kingdom of *Ireland* are hereby commanded, notwithſtanding any Liberty within their Bailiwicks, to execute the ſame, and take in Execution the Body [*or*, Bodies, *or*, Goods, *as the Caſe may be*] of the Defendant, to ſatisfy the ſaid Coſts. Dated at this Day of

Witneſs preſent,

Clerk Peace for the ſaid County.

Aſſiſtant Barriſter for the ſaid County.

Attorney for the Plaintiff.

FORM of the SHERIFF'S WARRANT on the above Decree, to a Special Bailiff of the Plaintiff's Nomination.

County of to wit. } I Authorize and empower and

or either of them, and their Aſſiſtants, Special Bailiffs, at the Plaintiff's Peril to execute the above Decree. Given under my Hand and Seal, this Day of

Sheriff for the ſaid County.

(Seal.)

H.

MAGISTRATE'S CERTIFICATE.

County of } WE and
to wit. } Two of His
Majeſty's Juſtices of the Peace for ſaid County, having been called upon
by and at his Requeſt having
together gone to and viewed all that Part of the Lands of
ſituate, lying, and being in the Pariſh of
and Barony of and County of
in the Poſſeſſion of as Tenant thereof,
containing Acres Roods and Perches,
or thereabouts, on the Day of between the
Hours of Ten o'Clock in the Forenoon and Four o'Clock in the Afternoon of the ſaid Day, do certify, That the Premiſes aforeſaid then appeared to us to be deſerted and left unoccupied by the ſaid
and that there is not any Diſtreſs on the ſame ſufficient to countervail the Arrear of Rent, being One Half Year's Rent, aſcertained by the Affidavit of *A. B.* the Landlord thereof [*or*, the Bailiff of the Landlord thereof, *as the Caſe may be*] now due thereout, after all juſt and fair Allowances. Given under our Hands and Seals, this
Day of

To the Aſſiſtant Barriſter } (Seal.)
for the County of }
(Seal.)

Witneſs preſent,

I.

AFFIDAVIT of RENT to enable the Magiſtrates to grant the above Certificate.

County of } Landlord, [*or*,
to wit. } Bailiff to the Landlord, *as the Caſe may be*] of the
Lands and Tenements herein-after mentioned, maketh Oath, and ſaith,
That of in the County
of is juſtly and fairly indebted to
in the Sum of being for
a Year's Rent of his holding, [*deſcribing it as in Civil Bill,*] under
due and ending the
Day of laſt, after all juſt and fair Allowances:

And Deponent saith, That the said Sum, or any Part thereof, hath not been tendered or paid to
by the said or by any Person or Persons
on his Behalf.

Sworn before me, this
Day of

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1818.