ANNO SEPTIMO

GEORGII IV. REGIS.

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C A P. XXXVI.

An Act to regulate the Service of the Process of the several Courts for the Recovery of Small Debts by Civil Bill in *Ireland*. [5th *May* 1826.]

WHEREAS it is expedient to make Regulations for the Service of Process issued on Civil Bills under and by virtue of an Act made in the Parliament of *Ireland* in the Thirty-sixth Year of the Reign of His late Majesty King *George* the Third, for the better and more convenient Administration of Justice, and for the Recovery of Small Debts in a summary Way at the Sessions of the Peace in the several Counties in *Ireland*, and of the several Acts in force in *Ireland* for the amending of the said Act; be it therefore 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 at the several Sessions of the Peace in and for the several Counties in *Ireland* which shall be holden in the Month of *October* next after the passing of this Act, each and every of the Assistant Barristers appointed, under the Authority of the said recited Act (or of any Act for amending the same), to be Assistants to the Justices at every such Sessions, shall, by Warrant or Warrants under the Hand and Seal of each such Assistant Barrister respectively, nominate and appoint such Number of fit and proper Persons, being Householders, residing in the principal Market Towns within the said Counties, to be Officers for the Service of Civil Bill Processes within such County or Division thereof as shall be specified and set forth in any

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Assistant Barristers to appoint Officers to serve Civil Bill Processes in the several Counties.

such

such Warrant respectively; and it shall be lawful for each and every such Officer so nominated and appointed, and he and they is and are hereby authorized and required, to serve such Process accordingly, within such County or Division thereof as aforesaid; and from and after the Appointment of any such Officers respectively, it shall not be lawful for any Person whomsoever, other than One of such Officers as shall be appointed and authorized under the Authority and according to the Directions of this Act, to serve any such Process; and that any Service or pretended Service of any Process by any Person or Persons not appointed and authorized under this Act, shall be wholly null and void to all Intents and Purposes whatsoever, any Act or Acts of Parliament, or any Law, Usage, or Custom, to the contrary in anywise notwithstanding.

After such Appointments no other Persons shall serve any such Process.

Service by unauthorized Persons declared void.

Names and Places of Abode of Officers shall be published in County Newspapers.

II. And be it further enacted, That the Names and Places of Abode of each and every Officer who shall be appointed by any such Assistant Barrister to serve such Process as aforesaid, shall be from Time to Time published in some One or more public Newspaper or Newspapers circulated in the County, and shall be otherwise promulgated and made known in such Manner and at such Times as to such Assistant Barrister shall seem fitting and expedient.

Annual Salary to Officers to be paid by Collector of Excise, on Certificate of Assistant Barrister.

III. And be it further enacted, That every Officer who shall be appointed by any Assistant Barrister for the serving of Process shall be entitled to and shall receive a Salary of Ten Pounds a Year, to be paid quarterly, upon a Certificate signed by such Assistant Barrister, specifying the Amount of such Payment, and stating that such Officer has duly performed the Duty of his Office to the Satisfaction of the Magistrates and of such Assistant Barrister during the preceding Quarter, or during such Period thereof as such Person shall have so served; and upon the Production of such Certificate to the Collector of Excise for any District within which the Sessions shall be holden, or within which such Officer shall reside, it shall be lawful for such Collector of Excise to pay to such Officer the Amount of the Payment mentioned in such Certificate; and all Monies so paid shall be allowed to the Collector of Excise in his Account, upon Production of such Certificate, indorsed by the Officer to whom such Money shall be payable.

Officers may receive certain Fees in addition to their Salaries for Service of Process.

IV. And be it further enacted, That it shall be lawful for any Officer who shall be appointed by such Assistant Barrister for the serving of Process, in addition to the Salary made payable under this Act, to receive a Fee of Sixpence for the Service of every Process which he shall be required to serve; and which said Sum of Sixpence shall be paid to such Officer on the Delivery of such Process to him for the Purpose of being served by him.

Officers may be removed, and others appointed, whose Names shall be published.

V. And be it further enacted, That each and every Officer who shall be appointed under the Authority of this Act for the Service of Process shall be removable, and shall and may be removed, at the Will and Pleasure of the Assistant Barrister of the County for the Time being, and that any other Person or Persons may be appointed by such Assistant Barrister, or with his Consent, in manner directed

by this Act, in the Room of any Officer so removed; and the Names of each and every Person so removed, as also the Names and Places of Abode of each and every Person appointed in the Room and Stead of any Officer so removed, shall be published in like Manner as by this Act is required with respect to the original Appointment of any such Officer respectively.

Book to be kept by Officers for entering Particulars of Service of Process.

VI. And be it further enacted, That a Book or Books shall be kept by every Officer who shall be appointed under this Act for the Service of Process, in such Form as shall be directed or approved by the Assistant Barrister, in which shall be entered the Names of the Plaintiff and Defendant by or against whom any Process shall be issued, the Cause of Action, the Nature of such Process, the Day on which such Process shall be received to be served, the Day on which such Process shall be served or executed, the Place where, and the Name and Description of the Person on or with whom such Process shall be served or left; and in case any such Process shall not have been duly served or left, then the Cause of such Service not having taken place shall be stated; and each and every Officer so appointed by any Assistant Barrister for the Service of such Process shall attend, and produce such Book to the Assistant Barrister, at each and every Sessions of the Peace, or shall cause such Book to be produced to such Barrister, in case the personal Attendance of such Officer shall be dispensed with by such Barrister, upon a sufficient Excuse for Non-attendance.

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