Loans and Monies levied by Grand Jury Presentments.

City, or County of a Town, or other District in *Ireland*, for the Purposes of this Act, it shall be lawful for the said Commissioners to authorize and direct the Public Works Loan Commissioners to forbear to require or enforce Payment of any Instalment which may become payable from any such Union in respect of any Loan made by such Public Works Loan Commissioners, as herein-before mentioned; and where, in respect of any such Debts or Liabilities, Money is under the Acts herein-before recited or any of them to be raised in such County, Barony, Half Barony, County of a City, County of a Town, or other District, by Grand Jury Presentment, or under the Warrant or Warrants of the Treasurer of the County, County of a City, or County of a Town, or the Finance Committee, it shall be lawful for the Commissioners of Her Majesty's Treasury, by Order directed to the Treasurer of the County, County of a City, or County of a Town in which or in any District within which such Money is to be raised, or, in the Case of the County of *Dublin*, by Order addressed to the Finance Committee of such County, to authorize such Grand Jury and Treasurer or Finance Committee, as the Case may be, to suspend the raising and levying of any Monies which should be raised and levied in respect of such Debts and Liabilities as aforesaid by Grand Jury Presentment at, or by Warrant of such Treasurer or Finance Committee after, the Spring Assizes or Presenting Term of the Year One thousand eight hundred and fifty, or any subsequent Assizes or Presenting Term; and where any such Order shall be so directed by the said Commissioners of Her Majesty's Treasury to such Treasurer or Finance Committee of any County, County of a City, or County of a Town, no Grand Jury Presentment shall, after the Receipt of such Order, be made in relation to the Monies in such Order mentioned, nor shall such Treasurer or Finance Committee insert in his or their Warrant or Warrants any such Monies, or issue any separate Warrant or Warrants for the same, whether any Presentment shall or shall not have been made in relation thereto; and in case before the passing of this Act, or before the Receipt of such Order of the Commissioners of Her Majesty's Treasury, any separate Warrant of such Treasurer or Finance Committee for any such Monies, or any Warrant of such Treasurer or Finance Committee including such Monies, shall have been issued after the Spring Assizes or Presenting Term of the Year One thousand eight hundred and fifty, such Treasurer or Finance Committee shall issue to the respective High Constables and Collectors of Grand Jury Cess whom it may concern Orders, as the Case may require, revoking such separate Warrant, or directing such High Constables or Collectors respectively to abate and abstain from collecting such Part of the Sum for which any Warrant may have been so issued as may have been inserted therein in respect of the Monies mentioned in the said Order of the Commissioners of Her Majesty's Treasury, specifying, as to the respective Townlands and Districts, the respective Amounts of the Abatement to be made, and such High Constables and Collectors shall proceed in accordance with such Orders: Provided always, that all Instalments of any Workhouse Loan, and all Monies of which the Recovery, levying, and raising respectively shall be suspended as aforesaid, and all Arrears (if any) in respect of the same Debts and Liabilities, shall be included in the Account to be taken as aforesaid of the Debts and Liabilities of the County, County of a City, County of a Town, Barony, Half Barony, Union, Electoral Division, or other District in which the same would have been levied and raised if this Act had not been passed.

Act may be amended, &c.

IX. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

CAP. XV.

An Act to authorize the Establishment of Courts of Appeal for certain of Her Majesty's *West India* Colonies. [31st *May* 1850.]

'WHEREAS the Councils and Assemblies of Her Majesty's Colonies of *Antigua*, *Saint Christopher*, and *Dominica* are desirous to provide an Appeal from the Judgments and Sentences of certain of the Courts of such Islands respectively to a Court to be holden in One of such Islands: And whereas it is expedient that Provision be made for the Establishment of Courts of Appeal as well for the said Islands as for others of Her

Majesty's

'Majesty's Colonies in the *West Indies* herein-after mentioned, where the local Legislatures 'may desire the Establishment thereof; but effectual Provision cannot be made for that 'Purpose without the Authority of Parliament:' Be it therefore 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, That in case it appear to Her Majesty that by any Act or Acts already passed or hereafter to be passed by the Legislatures of the Colonies of *Antigua*, *Saint Christopher*, and *Dominica*, or of the other Colonies now comprised in the Commission of the Governor of *Antigua*, or by any of such Legislatures, and confirmed by Her Majesty with the Advice of Her Privy Council, due Provision has been made for the Establishment and Maintenance of such Court of Appeal as herein-after mentioned, and for defining the Jurisdiction of such Court in relation to the Colony or Colonies for which such Act or Acts may be passed, it shall be lawful for Her Majesty, by any Order to be by Her made with the Advice of Her Privy Council, to erect and establish for and in relation to the Colony or Colonies for which such Act or Acts may be passed a Court of Appeal, to consist of such Judge or Judges and to have such ministerial or other Officers thereof as by such Act or Acts may be provided; and such Court shall hold its Sittings in such Place or Places within the said Colonies or any of them, and at such Times, and shall have such Jurisdiction for the hearing and determining of such Appeals from Judgments, Decrees, Orders, and Rules, and other Determinations of all or any of the Courts of such Colony or Colonies, as by such Act or Acts may be provided.

Her Majesty may establish a Court of Appeal for any of the Islands comprised in the Commission of the Governor of Antigua, on due Provision being made for the Establishment and Maintenance of such Courts.

II. And be it enacted, That in case it appear to Her Majesty that by any Act or Acts to be passed by the Legislatures of the Colonies now comprised in the Commission of the Governor of *Barbadoes*, or any of such Legislatures, and confirmed by Her Majesty with the Advice of Her Privy Council, due Provision has been made for the Establishment and Maintenance of such Court of Appeal as herein-after mentioned, and for defining the Jurisdiction of such Court in relation to the Colony or Colonies for which such Act or Acts may be passed, it shall be lawful for Her Majesty, by any Order to be by Her made with the Advice of Her Privy Council, to erect and establish for and in relation to the Colony or Colonies for which such Act or Acts may be passed a Court of Appeal, to consist of such Judge or Judges and to have such ministerial or other Officers thereof as by such Act or Acts may be provided; and such Court shall hold its Sittings in such Place or Places within the said Colonies or any of them, and at such Times, and shall have such Jurisdiction for the hearing and determining of such Appeals from Judgments, Decrees, Orders, and Rules, and other Determinations of all or any of the Courts of such Colony or Colonies, as by such Act or Acts may be provided.

Her Majesty may establish a Court of Appeal for all or any of the Islands comprised in the Commission of the Governor of Barbadoes.

III. And be it enacted, That in case, by reason of due Provision for the Purposes herein-before mentioned not having been made by such Acts as aforesaid in relation to all the Colonies now comprised in the Commission of the Governor of *Antigua*, or in relation to all the Colonies now comprised in the Commission of the Governor of *Barbadoes*, a Court of Appeal shall have been established by such Order as aforesaid for some only of the Colonies comprised in either of the said Governments, and due Provision shall be afterwards made by Act or Acts to be passed by the Legislature or Legislatures of any other or others of the said Colonies now comprised in the same Commission, and confirmed by Her *Majesty* as aforesaid, for giving to such Court Jurisdiction in relation to such Colony or Colonies or any of them, and for defining such Jurisdiction, and for contributing to the Maintenance of such Court, it shall be lawful for Her Majesty, by Order made with such Advice as aforesaid, to extend the Jurisdiction of such Court in relation to the Colony or Colonies in which such Act or Acts may be passed accordingly.

Jurisdiction of Court may be extended over the Islands not originally subject to it.

IV. And be it enacted, That the Jurisdiction and Authority expressed to be given to any Court of Appeal to be established under this Act in relation to any of the said Colonies by any Act or Acts passed by the Legislature of such Colony, and confirmed by Her Majesty as aforesaid, and all Jurisdiction and Authorities given to such Court by any such Order in Council as aforesaid in relation to such Colony, in accordance with any such Act or Acts as aforesaid, may, notwithstanding the Establishment of such Court, or the holding of the Sittings thereof, beyond the local Limits of such respective Colony, be exercised as fully and effectually,

Jurisdiction may be exercised under Acts of Colonial Legislature by the Courts when sitting beyond the Limits of a Colony.

effectually, and the Provisions of such Acts and Orders in Council in relation thereto shall have the same Force and Effect, as if the same had been given and enacted by Parliament.

Jurisdiction may be varied by Acts of Colonial Legislature.

V. Provided always, and be it enacted, That it shall be lawful for the respective Legislatures of the several Colonies in relation to which any Court of Appeal established under this Act may have Jurisdiction, from Time to Time, by any Act or Acts confirmed by Her Majesty as aforesaid, to extend, restrict, or vary, in relation to such respective Colony and the Courts thereof, the Jurisdiction of such Court of Appeal.

Appeal to Her Majesty in Council.

VI. And be it enacted, That it shall and may be lawful for Her Majesty, by any such Order or Orders of Her Majesty in Council as aforesaid, or by any other Order or Orders in Council to be made in that Behalf, to allow any Person or Persons feeling aggrieved by any Judgment, Decree, Order, or Sentence of the said Courts of Appeal respectively to appeal therefrom to Her Majesty in Council, in such Manner, within such Time, and under and subject to such Rules, Regulations, and Limitations as Her Majesty by such Order or Orders in Council respectively shall appoint and prescribe.

6 & 7 W. 4. c. 17. not to be affected.

VII. And be it enacted, That nothing in this Act shall be construed to interfere with or prevent the Operation of an Act passed in the Sixth Year of King *William* the Fourth, intituled *An Act to make Provision for the better Administration of Justice in certain of His Majesty's* West India *Colonies*.

Act may be amended, &c.

VIII. And be it enacted, That this Act may be amended or repealed in this present Session of Parliament.

CAP. XVI.

An Act to enable the Judges of the Courts of Common Law at *Westminster* to alter the Forms of Pleading. [31st *May* 1850.]

5 & 4 W. 4. c. 42. 1 & 2 Vict. c. 100.

'WHEREAS by an Act of the Fourth Year of King *William* the Fourth, and an Act of the Second Year of Her Majesty, Powers were given to the Judges of the Superior Courts of Common Law at *Westminster* to make (within Periods which have expired) Alterations in the Forms of Pleading: And whereas it is desirable that Powers should be given to the said Judges, within such Time and under such Limitations as herein-after expressed, to make such further Alterations in Pleadings as they may deem expedient, and such other Alterations as herein-after mentioned:' Be it therefore 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, That the Judges of the said Superior Courts, or any Eight or more of them, of whom the Chiefs of each of the said Courts shall be Three, shall and may, by any Rule or Order to be from Time to Time by them made in Term or Vacation, at any Time within Five Years after the passing of this Act, make such Alterations in the Mode of pleading in the said Courts, and in the Mode of entering and transcribing Pleadings, Judgments, and other Proceedings in Actions at Law, and in the Time and Manner of objecting to Errors in Pleadings and other Proceedings, and in the Mode of verifying Pleas and obtaining final Judgment without Trial in certain Cases, and such Regulations as to the Payment of Costs, and otherwise for carrying into effect the said Alterations, as to them may seem expedient; and all such Rules, Orders, or Regulations shall be laid before both Houses of Parliament, if Parliament be then sitting, immediately upon the making of the same, or if Parliament be not sitting, then within Five Days after the next Meeting thereof; and no such Rule, Order, or Regulation shall have Effect until Three Months after the same shall have been so laid before both Houses of Parliament; and any Rule, Order, or Regulation so made shall, from and after such Time aforesaid, be binding and obligatory on the said Courts and all other Courts of Common Law, and on all Courts of Error into which the Judgments of the said Courts or any of them shall be carried by any Writ of Error, and be of the like Force and Effect as if the Provisions contained therein had been expressly enacted by Parliament; Provided always, that it shall be lawful for the Queen's most Excellent

Judges of the Superior Courts may make Rules or Orders for altering the Mode of pleading, &c. in Actions at Law.

Such Rules or Orders not to be valid until Three Months after being laid before Parliament;

and may previously be de-