Excellent Majesty, by any Proclamation inserted in the *London Gazette*, or for either of the Houses of Parliament by any Resolution passed at any Time within Three Months next after such Rules, Orders, and Regulations shall have been laid before Parliament, to suspend the whole or any Part of such Rules, Orders, or Regulations, and in such Case the whole, or such Part thereof as shall be so suspended, shall not be binding and obligatory on the said Courts, or on any other Court of Common Law or Court of Error. cared suspended by Proclamation or Resolution.

CAP. XVII.

An Act to amend an Act of the last Session of Parliament for granting Relief against Defects in Leases made under Powers of Leasing. [31st *May* 1850.]

'WHEREAS an Act was passed in the last Session of Parliament, "for granting Relief "against Defects in Leases made under Powers of Leasing in certain Cases;" and 'by another Act of the same Session the Operation of the said first-recited Act was 'suspended until the First Day of *June* One thousand eight hundred and fifty: And 'whereas it is expedient that the said first-recited Act should be amended:' 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 so much of the said first-recited Act as enacts that the Acceptance of Rent under any such invalid Lease as therein mentioned shall, as against the Person accepting the same, be deemed a Confirmation of such Lease, shall be repealed. 12 & 13 Vict. c. 26. 12 & 13 Vict. c. 110. 12 & 13 Vict. c. 26. § 3. repealed.

II. And be it enacted, That where, upon or before the Acceptance of Rent under any such invalid Lease, as in the said first-recited Act mentioned, any Receipt, Memorandum, or Note in Writing, confirming such Lease, is signed by the Person accepting such Rent, or some other Person by him thereunto lawfully authorized, such Acceptance shall, as against the Person so accepting such Rent, be deemed a Confirmation of such Lease. Where Note in Writing showing Intent to confirm, Acceptance of Rent deemed a Confirmation.

III. And be it enacted, That where during the Continuance of the Possession taken under any such invalid Lease, as in the said first-recited Act mentioned, the Person for the Time being entitled (subject to such Possession as aforesaid) to the Hereditaments comprised in such Lease, or to the Possession or the Receipt of the Rents and Profits thereof, is able to confirm such Lease without Variation, the Lessee, his Heirs, Executors, or Administrators, (as the Case may require,) or any Person who would have been bound by the Lease if the same had been valid, shall, upon the Request of the Person so able to confirm the same, be bound to accept a Confirmation accordingly; and such Confirmation may be by Memorandum or Note in Writing, signed by the Persons confirming and accepting respectively, or by some other Persons by them respectively thereunto lawfully authorized; and after Confirmation and Acceptance of Confirmation such Lease shall be valid, and shall be deemed to have had from the granting thereof the same Effect as if the same had been originally valid. Where Reversioner is able and willing to confirm, Lessee to accept Confirmation.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament. Act may be amended, &c.

CAP. XVIII.

An Act for the Regulation of Process and Practice in the Superior Courts of Common Law in Ireland. [31st *May* 1850.]

'WHEREAS the Process now in use for the Commencement of Personal Actions 'in Her Majesty's Superior Courts of Common Law in *Ireland* is, by reason of 'its Variety, Multiplicity, and Fiction, inconvenient and objectionable, and it is expedient 'for the better Administration of Justice to establish Uniformity of Process and Practice in 'the said Courts:' 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

Process for Commencement of Personal Actions shall be according to Form in Schedule, and be called Writ of Summons.

present Parliament assembled, and by the Authority of the same, That from and after the last Day of *Trinity* Term next after the passing of this Act the Process for Commencement of all such Actions, except Actions of Replevin and Ejectment, whether the Action be brought by or against any Person entitled to the Privilege of Peerage or of Parliament, or of the Court wherein such Action shall be brought, or of any other Court, as Attorney thereof, or otherwise, or to any other Privilege, or by or against any Corporation or incorporated Body or Company, or by or against any other Person, shall be according to the Form contained in the Schedule to this Act annexed marked No. 1., and which shall be called a Writ of Summons, and shall bear Date of the Day on which it shall be issued, and be tested by the Common Seal of the said Superior Courts, to be provided as herein-after mentioned, and to be thereunto set by the Clerk of the Writs, Appearances, and Seal, who shall not be required to sign such Writ, but shall enter the Particulars thereof in the Book to be kept for that Purpose, at the Time of sealing thereof.

Residence and Description of Parties to be mentioned in Writ.

Writ may be served anywhere, and remain in force Four Months.

II. And be it enacted, That in every such Writ and Copy thereof the Place of Residence of the Party Plaintiff and the Place of Residence, or supposed Residence, or last known Residence, of the Party Defendant, and the usual Designation or Description of such Parties respectively, or such Designation or Description as the Plaintiff or his Attorney may be able to give, shall be mentioned; and every such Writ may be sued out at any Time notwithstanding any Privilege, and may be served personally in any Place in which the Defendant or Defendants may be found, within the Jurisdiction of the Court, and the Person serving the same shall and is hereby required to endorse on the Writ the Place and the Day of the Month and Year of the Service thereof; and every such Writ shall remain in force for Four Calendar Months from the Day of the Date thereof, including the Day of such Date, and no longer.

No Writ of Summons to be invalid on account of verbal or technical Error or Omission.

III. And be it enacted, That no Writ of Summons issued under the Authority of this Act shall be treated or considered as invalid on account of any verbal or technical Error or Omission in the same; and it shall be lawful for the said Superior Courts of Law respectively, or any Judge or Baron thereof, to decide and determine what is a verbal or technical Error or Omission in any such Writ, and to amend or authorize the Amendment thereof; but all Errors or Omissions which have not a manifest Tendency to mislead the opposite Party shall in all Cases be deemed merely verbal or technical.

Act not to affect 3 & 4 Vict. c. 105.

IV. Provided always, and be it enacted, That nothing in this Act shall interfere with or affect such of the Provisions of an Act of the Fourth Year of Her Majesty, intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for the further Amendment of the Law and the better Administration of Justice in* Ireland, as relate to Arrest on Mesne Process in certain Cases.

Mode of Appearance.

V. And be it enacted, That the Mode of Appearance to every such Writ or under the Authority of this Act shall be by delivering to the proper Officer, at the Writ and Appearance Office herein-after mentioned at the Four Courts in Dublin, a Requisition or Docket according to the Form in the said Schedule marked No. 2., such Requisition or Docket to be dated on the Day of the Delivery thereof, and to be entered by the Officer in the Appearance Book, and filed and kept by him.

Days for appearing to run in Vacation as well as in Term.

Provision as to Holidays.

VI. And be it enacted, That the Days for appearing to all such Writs of Summons shall run in all Cases as well in Vacation as in Term Time; and if the last of the Eight Days after the Service of any such Writ of Summons, inclusive of the Day of Service, shall in any Case happen to fall on any of the Days hereby appointed to be observed and kept as Holidays, in such Case the following Day, or, when there shall be consecutive Holidays, the Day following the last of such Holidays, shall be considered as the last of such Eight Days; and if any such Writ shall be served on any Day between the First Day of *August* and the Twentieth Day of *October* in any Year, an Appearance may be entered by the Defendant, or by the Plaintiff for the Defendant, in the usual Way, but no Declaration or Pleading after Declaration shall be filed or Rule entered thereon between the said First Day of *August* and Twentieth Day of *October*.

VII. And

VII. And be it enacted, That if any Defendant in any such Writ, being personally served therewith, shall not appear in due Time after Service thereof according to the Exigency thereof, in such Case it shall and may be lawful for the Plaintiff or Plaintiffs, upon Affidavit being duly made before the proper Officer, and filed in the Writ and Appearance Office, of the personal Service of such Writ at the Place and on the Day endorsed thereon, to enter an Appearance for such Defendant within such Time as may be directed and limited by any General Order of the Judges to be made as herein-after provided, and to proceed thereon as if such Defendant had entered his or her Appearance, any Law or Usage to the contrary notwithstanding.

In default of Appearance, on personal Service being proved, Plaintiff may enter Appearance.

VIII. And be it enacted, That every such Writ of Summons issued against a Corporation aggregate may be served personally upon the Mayor or other head Officer, or on the Town Clerk, Clerk, Treasurer, or Secretary of such Corporation; and every such Writ issued against the Inhabitants of a Barony, Half Barony, or other like District may be served personally on the acting High Constable thereof, or any One of the acting High Constables thereof; and every such Writ issued against the Inhabitants of any County or any City or Town, or the Inhabitants of any Franchise, Liberty, City, Town, or Place, not being Part of a Barony or other like District, may be served personally on some Peace Officer or other known and responsible Officer thereof; and every such Writ issued against any other incorporated Body having a known and responsible Officer or Agent may be served personally on such Officer or Agent; and if any such Defendants shall not appear according to the Exigency of such Writ in due Time after such Service thereof as herein authorized, in such Case, upon Affidavit, made as herein-before provided, of such personal Service of such Writ, and of the Publication of the Notice herein-after provided, it shall and may be lawful for the Plaintiff to enter an Appearance for such Defendants, and to proceed thereon as if such Defendants had entered their Appearance, any Law or Usage to the contrary notwithstanding: Provided always, that in all such Cases a sufficient Notice of the issuing of the Writ shall be given in the *Dublin Gazette*, and in One of the local Newspapers of the County, City, or District in which the Defendant or Defendants, or the Officer or Agent to be served, shall reside; the Days for Appearance to run in such Cases from the Day of the Publication of such Notice in Gazette or Newspaper, whichever shall be the latest.

Mode of Service in Cases against Corporations, &c.

IX. And be it enacted, That in case it shall be made appear by Affidavit to the Satisfaction of the Court in which the Appearance to the Process should be made, or in Vacation of any Judge of either of the said Courts, that any Defendant has not been personally served with any Writ of Summons, and has not according to the Exigency thereof appeared to the Action, and that due and proper Means were used to serve such Writ, or that such Defendant resides out of the Jurisdiction of the Court, and can be properly served through or upon any Agent or Representative or any Manager of the Real or Personal Estate of such Defendant within such Jurisdiction, or has removed to avoid Service, or on any other good and sufficient Grounds, it shall be lawful for such Court or Judge to authorize such Substitution of Service through the Post Office, or in such Manner, and with such Extension of Time for Service and Appearance, as to them or him shall seem fit; and upon due Proof of such substituted Service by Affidavit it shall and may be lawful for the Plaintiff, in default of Appearance by such Defendant in due Time, to enter an Appearance for such Defendant, and to proceed thereon as if such Defendant had entered his, her, or their Appearance, any Usage or Law to the contrary notwithstanding.

Courts may direct Substitution of Service.

X. And be it enacted, That from and after the First Day of *January* One thousand eight hundred and fifty-one this Act shall extend to and include all Actions of Replevin and Ejectment in the Superior Courts of Common Law, and that the Commencement of all such Actions shall be by such Writ of Summons as herein-before set forth, and that all the Powers, Provisions, Regulations, and Directions herein contained with reference to Service, Substitution of Service, the Mode of Appearance, and Means of compelling Appearance, shall be and be deemed and construed as applicable to such Actions of Replevin and Ejectment, any Law or Usage to the contrary notwithstanding, subject however to the further Provisions herein-after contained.

This Act shall extend to Actions of Replevin and Ejectment.

Action of Replevin to be commenced by Writ of Summons.

Particulars to be stated in Writ.

Service of Writ.

XI. And be it enacted, That from and after the said First Day of *January* One thousand eight hundred and fifty-one, where any Party whose Goods or Chattels have been distrained shall dispute the Validity of such Distress, and shall be desirous of proceeding by Replevin in any of the said Superior Courts, such Party shall commence any Action for the Recovery of the Goods or Chattels so distrained by a Writ of Summons, such as herein-before provided, which Writ of Summons shall, in addition to any Particulars herein-before required, state the Particulars of the Property distrained, and the Place where such Distress shall have been made, and which Writ shall and may be served by delivering a Copy or Copies thereof to the Defendant or Defendants, or to any Agent or other Person acting for him or them in making such Distress, or in keeping the Goods and Chattels so distrained; and the said Superior Courts of Common Law, and each of them, are and is hereby authorized and empowered and declared to have Authority, Power, and competent Jurisdiction to entertain and determine such Suits.

Plaintiff in such Action may sue out of the same Court a Writ of Replevin.

Form of Writ to be settled by Judges.

Sheriff, upon Security being given, to execute and return Writ within Eight Days.

Value of Property to be ascertained as heretofore; and Bail Bond to be assignable.

XII. And be it enacted, That when any such Action shall have been so commenced, it shall be lawful for the Plaintiff therein to sue out of the Court in which such Action shall be instituted a Writ, to be called a Writ of Replevin, directed to the Sheriff of the County in which such Goods and Chattels shall be under Distress, requiring him to replevy the said Goods and Chattels; and the said Superior Courts of Common Law, and each of them, are and is hereby authorized to issue such Writ of Replevin, which shall be in such Form as the Judges shall order and direct, by a General Order to be made as herein-after required for the Regulation of the Practice of the said Courts, and shall be instead of and have the same Force and Effect as any Writs for such Purpose heretofore in use; and the said Sheriff shall and he is hereby required, upon good Security (by the Bond of the Plaintiff and Two responsible Persons as Sureties conditioned as usual in such Cases) being given to him in double the Amount of the Value of the Property distrained, to execute such Writ, and to return the said Writ, with a correct and proper Statement endorsed thereon of the Manner in which the same shall have been executed, or the Cause why the same has not been executed, to the Court out of which the same shall have issued, within Eight Days, exclusive of any Days hereby appointed to be observed and kept as Holidays, next after such Writ shall have been delivered to him: Provided always, that the Value of the Property so distrained shall be ascertained by the said Sheriff in like Manner as the Value of Goods distrained is now ascertained by Law by the Sheriff in taking Security in Replevins; and that the said Bonds shall be assignable by the Sheriff under like Circumstances and in like Manner, and shall be available to the Assignee thereof, as by Law now authorized and directed with reference to Bail Bonds in Replevin, subject however to such Regulations as the Judges shall as aforesaid order and direct.

Provision for Removal of Replevin Suits from Inferior to Superior Courts.

XIII. And be it enacted, That where Proceedings in Replevin shall have been instituted in any Court of inferior Jurisdiction, it shall be lawful for either Party to remove the same into one of the said Superior Courts of Common Law as heretofore: Provided always, that the Writs for the Removal of any such Proceedings shall issue out of the Consolidated Writ Office of the said Superior Courts of Common Law, instead of the Writ Office of the Court of Chancery; and the said Superior Courts of Common Law and each of them are and is hereby authorized and empowered and declared to have Authority, Power, and competent Jurisdiction to issue Writs for such Purpose, and to entertain and determine the Suits so removed, and to enforce Obedience to all Writs by this Act authorized, as fully as in the Case of any other Writs now issued by the said Courts.

Writs to be in such Form as Judges shall direct.

XIV. And be it enacted, That the Writs for such Removal of Proceedings in Replevin shall be according to such Form as the Judges of the said Superior Courts of Common Law shall, by any General Order to be made as herein-after provided, direct, and shall be instead of and have the same Force and Effect as any Writs for such Purpose heretofore in use, and shall, by the Clerk of the Writs, at the Time of sealing thereof, be assigned, entered, and issued in Rotation for the said Courts, that is to say, the First for the Queen's Bench, the Second for the Common Pleas, and the Third for the Exchequer, and so on in continuous Rotation for the several Courts, so as to produce and keep up an equal Distribution of such Writs; and all subsequent Proceedings in any Suit so removed shall be had and taken in the

the Court to which the said Writ shall be in the course of Rotation allotted, and shall be the Business of the said Court and the Offices thereof.

Action of Ejectment shall be commenced by Writ of Summons.

XV. And be it enacted, That from and after the First Day of *January* One thousand eight hundred and fifty-one, where any Party shall claim Possession of any Lands, Tenements, or Hereditaments, and shall be desirous of proceeding by Ejectment for the Recovery of the same in any of the said Superior Courts, such Party shall commence any Action for such Purpose by a Writ of Summons, such as herein-before provided, which Writ of Summons shall be directed to the immediate Tenant, or any One Tenant in possession, as Defendant, with the Addition of the Words "and all Persons concerned," and shall, in addition to any Particulars herein-before required, contain the Description of the Property sought to be recovered, and the County, Barony, or Parish in which the same is situated, and which Writ shall and may be served in like Manner and upon such Persons as now required for the Service of Ejectments, or as the Judges shall by any General Order made as aforesaid direct.

Particulars to be stated in Writ.

Service of Writ.

Proceedings after Appearance in Replevin and Ejectment.

Judges to make Regulations as to Declarations and Proceedings in Ejectment.

XVI. And be it enacted, That after Appearance in any Action of Replevin and Ejectment the Proceedings shall be, as nearly as may be, the same as in any Personal Action; and the Judges are hereby empowered and required, by any General Order to be made as herein provided, to order and direct what shall be the Form and Substance of any Declaration in Ejectment, and to dispense with and discontinue the Use of the Declaration now used in such Actions, and to dispense with and discontinue the Use of feigned Names and other Fictions in the Declaration, and to make such other Regulations with respect to Proceedings in Ejectment and Judgment thereon and the Costs thereof, as to them shall seem meet; and any General Order so made shall have the Force and Effect of Law, any Law or Usage to the contrary in anywise notwithstanding: Provided always, that the Signature of the Attorney for the Plaintiff, with his registered Residence in *Dublin*, shall be sufficient to every such Declaration after the First Day of *January* One thousand eight hundred and fifty-one, and it shall not be necessary that the Name of a Barrister shall be affixed thereto, nor shall the Expense of obtaining such Signature be allowed against the Defendant in such Action.

Proceedings where Defendant does not appear.

XVII. And be it enacted, That if any Defendant in any such Action of Ejectment shall not appear in due Time according to the Exigency of the Writ of Summons, upon due Service thereof, it shall be lawful for the Plaintiff to enter an Appearance for such Defendant according to the Course herein provided with reference to Personal Actions generally; and if there shall be several Defendants in any such Action who shall not appear as aforesaid, the Plaintiff shall not enter several Appearances for them, but it shall be lawful for him to enter One Appearance, including all such defaulting Defendants, and which Appearance shall be deemed to be an Appearance for all the said Defendants, severally as well as jointly; and the Plaintiff shall not file several Declarations against such Defendants so defaulting, but shall file One Declaration, which shall be applicable to all such Defendants jointly and severally, as well as to all Defendants who shall have appeared, and if he obtain Judgment thereon such Judgment shall have the Force and Effect of a Judgment in like Cases against each Defendant severally; and after the filing of the Plaintiff's Declaration it shall be lawful for every Defendant who shall have appeared in any such Action, in pleading to such Declaration, to take Defence for all the Lands and Premises in such Declaration mentioned, or any Part thereof, which Defence shall have the same Effect as Defences in Ejectment now have according to the present Practice of the Courts, subject to such Regulations as the Judges, by any General Order made as herein-after provided, shall direct.

Judges to settle upon and approve of a simple Form of Declaration to be hereafter used in all Actions.

XVIII. And be it enacted, That the said Judges shall and they are hereby required, in manner aforesaid, to settle upon and approve of a plain and simple Form of Declaration to be hereafter used in all Actions at Law which may hereafter be brought or maintained upon any Bill of Exchange, Promissory Note, or for Money had or received by or paid for the Use of any Person, or for Goods sold and delivered, which Form, and no other, (unless the Court in which such Action is brought shall, on Motion, make an Order to the contrary,) shall be filed, used, or adopted in all such and the like Actions; and in all such Actions the Name of the Plaintiff and his Residence shall be signed thereto if he shall sue in Person, but otherwise the Name and registered Residence of his Attorney; and no Fee to Counsel shall be

be allowed on any such Declaration, nor shall any Signature of a Barrister be necessary thereto.

Costs in Cases of Judgment by Default.

XIX. And be it enacted, That in all Cases when Judgment shall be permitted by the Defendant to go by Default, or where such Defendant shall, within the Period limited by the Practice of the Court, file a Plea of Confession in such Action, no Taxation of Costs on the Part of the Plaintiff shall take place therein, but the Officer of the Court in which Judgment shall be signed shall and he is hereby required, in case the Writ of Summons shall have been served in *Dublin*, to add to such Judgment the Sum of Five Pounds as and for the Plaintiff's Costs, but if the Writ of Summons shall have been served elsewhere in *Ireland*, then the Sum of Six Pounds shall be added for such Costs of the Plaintiff to such Judgment: Provided always, that this Provision shall not extend or be applicable to any Case where by reason of the Defendant being resident out of the Jurisdiction of the Court the Substitution of the Service of the Writ of Summons shall have been rendered necessary.

Writs of every Description may be tested and returnable in Vacation as well as in Term;

XX. And be it enacted, That every Writ of any Description whatsoever to be hereafter issued out of the said Superior Courts of Common Law shall or may be issued and tested or made returnable on any Day, not being one of the Days hereby appointed as Holidays, whether such Day shall be in Term Time or Vacation; and every such Writ so issued, tested, or returnable shall be of the like Validity, Force, and Effect as if the Day of the issuing, testing, or Return of such Writ were actually a Day in Term, any Law or Usage to the contrary notwithstanding: Provided always, that nothing herein contained shall apply or be construed to alter or affect the Process and Practice of the Revenue Side of the Court of Exchequer.

and Writs of Execution may be directed to Sheriff of any County without regard to Venue in Pleadings.

XXI. 'And whereas, according to the present Practice in the said Courts, Writs of 'Execution must in certain Cases in the first instance be directed to the Sheriff of the 'County or County of the City laid or mentioned in the Venue in the Pleadings, and no 'such Writ of Execution can issue to any other County until a Return shall have been had 'on such first Writ, and such Practice retards the due Administration of Justice:' Be it therefore enacted, That from and after the passing of this Act any Writ of Execution, except a Writ of Habere facias possessionem or other Writ of Possession, in any of the said Courts, may issue and be directed in the first instance to the Sheriff of any County or County of a City or other Shrievalty, as the Parties suing out the same may think fit, without regard to the Venue in the Pleadings laid or mentioned, and without any Recital of a previous Writ, any Law or Usage to the contrary notwithstanding.

Rules shall issue and run in Vacation as well as in Term Time.

XXII. And be it enacted, That every Rule or Order, other than Rule on Postea, in or of the said Superior Courts of Common Law or either of them, which according to any present Practice or Usage of the said Courts can or ought only to be made, entered, or issued in Term Time or as in Term Time, or as or on any or some particular Day in Term Time, shall and may be made, entered, or issued on or as of any Day, except the Days hereby appointed to be observed and kept as Holidays, whether such Day shall be in Term Time or Vacation; and the Days limited for Compliance with such Rules or Orders shall, with the Exception of the Days hereby appointed to be observed and kept as Holidays, and of the Days between the First Day of *August* and Twentieth Day of *October*, run in Vacation as well as in Term Time; and all such Rules and Orders shall be of the like Validity, Force, and Effect, and all subsequent Proceedings may be had thereon, as if the Days of making, issuing, and running thereof were actually Days in Term.

Holidays.

XXIII. And be it enacted, That the following, and none other, shall be observed and kept as Holidays in the Offices of the said Courts, and in the Office of Registrar of Judgments; that is to say, *Sunday*, *Christmas Day*, and the Three Days following that Day, *Good Friday*, *Easter Eve*, *Monday* and *Tuesday* in *Easter* Week, *Whit Monday* and *Whit Tuesday*, any Day appointed for a Public Fast or Thanksgiving, and, when they do not occur in Term Time, the Day appointed to be kept as the Birthday and the Day of the Accession of Her Majesty the Queen and Her Successors; and the Days between *Thursday* next before and *Wednesday* next after *Easter* shall not be reckoned or included in any Rules or Notices or other Proceedings, except Notices of Trial and Notices of Inquiry in any of the said Courts.

XXIV. And

XXIV. And be it enacted, That from and after the passing of this Act it shall be lawful for the said Courts, at their Discretion, to hold Sittings in Banco in Time of Vacation for the Purpose of disposing of Business therein pending and undecided in such Courts respectively; and that such Sittings in Vacation may be holden by virtue of a Rule or Order of the said Courts respectively to be made in or out of Term, whereof a Week's Notice (in such Form as the said Courts respectively shall direct) shall be published in the *Dublin Gazette*, and affixed in some conspicuous Place at the Entrance of such Court respectively making such Order; and that all Judgments to be pronounced at such Sittings in Banco, and all Rules and Orders in respect thereof to be made by virtue of this Act, shall have the same Effect to all Intents and Purposes as if they had been pronounced or made in Term Time.

Courts may hold Sittings in Vacation.

Such Sitting to be holden by Order published with Week's Notice.

Judgments and Orders to have same Effect as if made in Term.

XXV. And be it enacted, That it shall and may be lawful for the said Judges and they are hereby required to cause a Revision to be made and continued from Term to Term of the Practice and Pleading of the said Courts, and on or before the First Day of *January* next following the passing of this Act to make such General Orders as to them shall seem fit, so that thenceforth there shall be Uniformity of Practice and Pleading in the said Courts and the Offices thereof; and any Code of Practice and Pleading consistent with the Provisions of this Act which shall be agreed upon and adopted by the said Judges or any Seven or more of them, of whom Two shall be Chief Judges, and notified by General Order under their Hands, shall thenceforth be the uniform Practice and Pleading to be observed in each of the said Courts and the Offices thereof, any Law or Usage to the contrary notwithstanding: Provided always, that it shall be lawful for the said Judges or any Seven or more of them, of whom Two shall be Chief Judges, from Time to Time and at all Times in like Manner to vary, alter, and amend the said Code of Practice and Pleading as to them shall seem fit.

Judges to establish Uniformity of Practice by a General Order.

Code to be agreed upon by Judges, and be the uniform Practice.

Proviso for Alteration or Amendment of Code.

XXVI. And be it enacted, That every Judge of the said Courts, to whatever Court he may belong, shall have full Power and competent Jurisdiction and shall be and he is hereby authorized to sit in *Dublin*, as well in Term as in Vacation, for the Trial of Issues in Fact arising in any of the said Courts, and to transact in Chamber or elsewhere such Business depending in any of the said Courts as relates to Matters over which the said Courts have a common Jurisdiction, and as may, according to the Course and Practice of the Courts, be transacted by a single Judge.

Every Judge of either Court may try Issues and make Orders in Chamber in Business depending in any of the Courts.

XXVII. And be it enacted, That from and after the First Day of *Hilary* Term next after the passing of this Act the Nisi Prius Courts of the said Superior Courts of Common Law sitting at *Dublin* shall be consolidated, and that thenceforth there shall be but One Common Court of Nisi Prius for the Trial at *Dublin* of Issues in Fact arising in either or any of the Courts, except as herein-after provided, and for the Hearing of Appeals from inferior Jurisdictions; which Court of Nisi Prius shall consist of One Judge or Baron of either of the said Superior Courts, to be chosen for that Purpose by the said Judges and Barons according to such Arrangement as they shall think proper, and in such Order of Rotation that each Court shall, by One of its Judges or Barons, take the Duty in turn by Terms.

Consolidated Court of Nisi Prius for the Trial of Issues arising in any Superior Courts.

XXVIII. And be it enacted, That such consolidated Nisi Prius Court shall sit continuously or by Adjournment, as Occasion may require, from the Second Day of each Term until the End thereof, or so much longer as may be necessary for the Completion of any Trial then in progress before the said Court, and that Notice of Trial may be served for any Day within the said Period, subject however to such Regulations as to the Class of Cases to be tried in the said Court, or otherwise, as the Judges may by any General Order make from Time to Time in that Behalf: Provided always, that nothing herein contained shall be construed to interfere with the Duty of the Chief Judge of each Court as now discharged of sitting after Term for the Trial of Issues at Nisi Prius, but that each of the said Chief Judges shall, notwithstanding the Sittings at Nisi Prius herein provided, sit after Term as heretofore for the Trial of any Issues at Nisi Prius arising in his Court, which shall be entered as heretofore for such after Sittings; and provided also, that if any Issue or Issues entered for Trial in the said consolidated Nisi Prius Court shall remain undisposed of at the Termination of the Sittings of the said Court for any Term, the same shall be transferred to and

Such Court to sit continuously.

and be deemed to have been entered for such after Sittings, and shall be taken up and disposed of respectively by the Chief Judge of the Court in which such Issues respectively shall have arisen, as if the same had been originally entered for such after Sittings.

Officers of consolidated Nisi Prius Court.

XXIX. And be it enacted, That the Duty of attending such consolidated Nisi Prius Court as Clerk of Nisi Prius shall be discharged by the Town Registrar of the Chief Justice or Chief Baron of the Court to which the Judge sitting at Nisi Prius shall belong; and if it shall happen that such Sitting at Nisi Prius shall not have terminated at any Time when the Chief Justice or Chief Baron shall require the Attendance of his said Registrar for the Purpose of such Nisi Prius Sittings in his own Court as aforesaid, then and in such Case it shall be lawful for the said Nisi Prius Judge to require the Attendance of any of the Assistants or Clerks belonging to his Court who can at such Time be spared from his Office Duties, to act as his temporary Clerk of Nisi Prius; and the Lords Chief Justices and Chief Baron, or any Two of them, shall appoint a fit and proper Person to act as Crier of the said Nisi Prius Court, who shall be paid such Salary as the Commissioners of Her Majesty's Treasury shall direct, the same to be charged and included in the quarterly Accounts of incidental Expenses of the said Courts respectively, in like Manner and Proportions as the Salary of the Court Keeper of the Nisi Prius Court, and other incidental Expenses common to the Three Courts, are now charged; and all Jurors, Witnesses, and other Persons who may have been summoned or required to attend or who ought to attend at or for the Trial of any Cause before the said Chief Justice or Chief Baron shall give their Attendance at or for the Trial thereof before such other Judge as shall be sitting for the Trial thereof by virtue of this Act: Provided always, that all Causes intended to be tried at any Sittings at Nisi Prius at *Dublin* shall be entered for Trial with the Registrar of the Chief Justice or Chief Baron of that Court in which the Cause shall be at issue, and all other Process and Proceedings for or relating to the Trials thereof shall be made and issued as heretofore, but nevertheless the Trial of every Cause which shall be tried by virtue of this Act shall be entered and made of Record as having been had and made before the Judge before whom such Cause shall happen to have been actually tried.

Appeals to be heard by consolidated Nisi Prius Court.

XXX. 'And whereas by certain Acts of Parliament now in force in *Ireland* Provision is 'made for enabling any Person who may think himself aggrieved by a Decree or Dismiss 'of the Recorder of *Dublin* upon any Civil Bill, or by a Decree, Dismiss, or Order of the 'Chairman of the County of *Dublin*, or by the Decree of any Seneschal or Steward of any 'Manor Court within the County of *Dublin*, to appeal from such Decree to the Chief 'Justice of Her Majesty's Court of Queen's Bench or Common Pleas, or to the Chief 'Baron of Her Majesty's Court of Exchequer in *Ireland*, or other Justice of Nisi Prius, at 'their respective Sittings at Nisi Prius for the City of *Dublin*:' Be it enacted, That from and after the Commencement of this Act all such Appeals shall be made to the said consolidated Nisi Prius Court herein-before constituted and authorized at the Sittings thereof which shall commence or be in progress next after the Expiration of Fourteen Days from the Day of making such Decree, Dismiss, or Order, and shall be received and determined by the said Court at any Time or Times of its Sittings which shall be appointed by the Judge of the said Court for that Purpose.

Unequal Distribution of Business to be remedied.

XXXI. 'And whereas much public Inconvenience arises from the unequal Distribution 'of Business amongst the said Superior Courts of Common Law, whereby one Court is often 'insufficiently employed while the others are unduly pressed, to the great Delay and Injury 'of Suitors and Detriment of Justice, and it is expedient to adopt Means to equalize the 'Business of the said Courts, so far as the same can be effected:' Be it therefore enacted,

Writ and Appearance and Seal Offices to be consolidated.

That from and after the Commencement of this Act the several Writ and Appearance and Seal Offices of the Superior Courts of Queen's Bench, Common Pleas, and Pleas Exchequer in *Ireland* shall be consolidated, and there shall be for the said Three Courts but One Common Writ and Appearance and Seal Office for the Entry, Issue, and Sealing of Writs for all and each of the said Courts, and for the Transaction of such other Business as is now transacted at the Writ and Appearance and Seal Offices of such respective Courts, and which Office, and the Officers, Assistants, and Clerks therein, shall be deemed equally the Office, and Officers, Assistants, and Clerks, of each of the said Courts, as well for and in respect of

any Business or Proceedings which may have been commenced before and be in progress at the Time of the Commencement of this Act or of any Part thereof as for and in respect of any Business or Proceedings which may be commenced thereafter, and shall be subject to such Orders, Rules, and Regulations as the Lords Chief Justices of the said Courts of Queen's Bench and Common Pleas and Lord Chief Baron of the said Court of Exchequer, or any Two of them, shall from Time to Time or at any Time make for the Regulation and Conduct thereof.

Chief Justices to select Clerk of Writs and Assistants from amongst those now similarly employed;

XXXII. And be it enacted, That it shall and may be lawful for the Lords Chief Justices of the said Courts of Queen's Bench and Common Pleas, and the Lord Chief Baron of the said Court of Exchequer, and they are hereby required, as soon as conveniently may be after the passing of this Act, and in reasonable Time before the Commencement thereof, to select and appoint, from amongst the Officers, Assistants, and Clerks now employed in the Writ, Appearance, and Seal Offices of the said Three Courts, One of the said Officers now being Clerk of the Writs, Appearances, and Seal, to be the Clerk of the Writs, Appearances, and Seal in the said consolidated Office, and a sufficient Number of the said Assistants and Clerks to discharge the Duties of the said consolidated Office; and the Persons so selected and appointed by the said Chief Justices and Chief Baron shall have the same Powers and Authorities and discharge the like Duties in the said consolidated Office, except as herein-after provided, as were assigned to the Clerks of the Writs, Appearances, and Seal, and their Assistants and Clerks, in the respective Offices of the said Three Courts, under and by virtue of an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act to regulate and reduce the Expense of the Offices attached to the Superior Courts of Common Law in* Ireland *payable out of the Consolidated Fund*, and shall hold their Offices as therein provided, and shall be entitled to such Salaries respectively as the Commissioners of Her Majesty's Treasury shall assign; and such Salaries, when settled and directed by the said Commissioners of Her Majesty's Treasury, shall be payable to the said Persons respectively in like Manner and out of the same Fund as provided for Payment of Salaries by the said recited Act.

such Clerk of Writs and Assistants to have same Powers, &c. as under 7 & 8 Vict. c. 107.

Future Appointments to be made as herein directed.

XXXIII. And be it enacted, That when and so often as a Vacancy shall occur by the Death, Resignation, or Removal of the Clerk of the Writs to be appointed in pursuance of this Act, it shall and may be lawful for the Lord Lieutenant or other Chief Governor of *Ireland* for the Time being to nominate and appoint some fit or proper Person to fill such vacant Office; provided that the Person so appointed shall be qualified as by the said last-recited Act is directed and required; and when and so often as a Vacancy shall occur by the Death, Resignation, or Removal of any of the Assistants or Clerks in the said Office such Vacancy shall be filled up by the Appointment of such of the Assistants or Clerks then in the said Office holding Situations inferior to that which shall be vacant, as the Masters of the said Superior Courts, or any Two of them, shall select and appoint, with the Approval of the Lords Chief Justices and Chief Baron, or any Two of them; and that on all future Vacancies in the Junior Clerkship in the said Office the Masters of the said Superior Courts, or any Two of them, shall appoint some fit and proper Person to be such Junior Clerk.

Clerk of Writs not to take Affidavits or receive and file returned Writs.

XXXIV. Provided always, and be it enacted, That the said Clerk of the Writs shall not take Affidavits, or receive and file any returned Writs, and that all such Writs shall be received and filed by the Pleadings' Assistants respectively of the Courts into which the same shall be returnable.

Officers in Writ Offices not included in consolidated Office to cease to be such Officers, &c.

XXXV. And be it enacted, That every Officer, Assistant, and Clerk now employed in the said Writ and Appearance and Seal Offices of the said several Courts, and who shall not be so selected and appointed in the said consolidated Office, shall, from the Time of the said Consolidation, cease to be such Officer, Assistant, or Clerk as constituted by the said Act.

Office of Chief Crier of Court of Exchequer abolished, and One Crier only to be appointed.

XXXVI. And be it enacted, That from and after the Commencement of this Act the Office of Chief Crier of the said Court of Exchequer shall be and the same is hereby abolished, and there shall be but One Crier of the said Court, to be appointed and to hold his Office in like Manner as the Crier of each of the other Superior Courts of Common Law; and it shall not be lawful for any Crier of the said Court of Exchequer to ask,

demand, or receive any Fee or Fees in respect of Judgments, Appearances, or any other Proceedings at the Law Side of the said Court, but that such Fees shall utterly determine and cease to be payable; and that in lieu thereof such Crier shall in future be paid a Salary of One hundred and twenty Pounds yearly, as in the other Two Superior Courts of Common Law, which Salary shall be payable to such Crier in like Manner and out of the same Fund as herein-before provided for the Payment of Salaries: Provided always, that the said Crier shall account periodically, at such Times and in such Manner as the said Commissioners of the Treasury shall direct, for the Fees to be received by him in respect of Business at the Equity Side of the said Court, and shall pay over the Amount thereof at such Times and in such Manner as the said Commissioners of the Treasury shall direct, so that the same shall be carried to the Credit of the Consolidated Fund: Provided also, that the said Crier shall be entitled to receive such Salary in respect of the said Equity Business as the said Commissioners of the Treasury shall direct, the same to be payable out of the Consolidated Fund.

Crier to be paid in future by Salary, as in the other Courts.

Compensation to Persons affected by Act.

XXXVII. And be it enacted, That every Person holding any Office or Employment in the said several Courts, who shall by the Operation of this Act be deprived of such Office or Employment, or any Emolument arising therefrom, shall be entitled to make a Claim for Compensation to the Commissioners of Her Majesty's Treasury within Six Calendar Months after the passing of this Act; and it shall be lawful for the said Commissioners, in such Manner as they shall think fit, to inquire what was the Nature of the Office or Employment, and what was the Tenure thereof, and what were the lawful Salary or Emoluments in respect of which such Compensation should be allowed, and the said Commissioners in each Case shall award such Compensations, if any, as they shall think just; and all such Compensations shall be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland:* Provided always, that if any Person ceasing under this Enactment to be continued or employed as aforesaid shall be appointed after the passing of this Act to any public Office or Employment, the Payment of the Compensation awarded to him under this Act, so long as he shall continue to receive the Salary or Emoluments of such Office or Employment, shall be suspended if the Amount of such Salary or Emoluments be greater than the Amount of such Compensation, or, if not, shall be diminished by the Amount of such Salary or Emoluments: Provided also, that an Account of all such Compensations shall, within Fourteen Days next after the same shall be so granted, be laid upon the Table of the House of Commons, if Parliament be then assembled, or if Parliament be not then assembled, then within Fourteen Days after the Meeting of the Parliament then next assembled.

Writs for Commencement of Actions to be issued in Rotation for the several Courts.

XXXVIII. And be it enacted, That from and after the said Consolidation of Offices all Writs for the Commencement of Personal Actions in the said Courts shall by the Clerk of the Writs be entered and issued in Rotation by Twenty-fives, that is to say, the First Twenty-five for the Queen's Bench, the Second Twenty-five for the Common Pleas, and the Third Twenty-five for the Exchequer, and so on in continuous Rotation of Twenty-fives for the several Courts, so as to produce and keep up an equal Distribution thereof; and all subsequent Proceedings in any Action so commenced shall be had and taken in the Court to which the said Writ shall be in the course of Rotation allotted, and shall be the Business of the said Court and the Offices thereof.

No Plea in Abatement on ground of Privilege valid.

XXXIX. Provided always, and be it enacted, That no Plea in Abatement on the ground of any Privilege possessed or claimed by any Defendant to be sued in any particular Court shall be valid in any such Action.

One Common Seal to be used for the Three Courts.

XL. And be it enacted, That it shall and may be lawful for the Judges of the said several Courts and they are hereby required to devise and adopt and cause to be prepared a fitting Seal, which shall be the Common Seal of the Three Courts, to be affixed to all Writs of either Court by the Clerk of the Writs, and which Seal shall be in lieu of and have the same Force and Effect as the respective Seals of the said Courts now in use.

All Pleadings, &c. to be of uniform Shape and Dimensions.

XLI. And be it enacted, That from and after the Commencement of this Act every Pleading to be filed in any of the Offices of the said Courts shall be engrossed or written on Vellum or Parchment of uniform Shape and Dimensions, with a certain Margin so as to admit

admit of their being filed and kept as herein-after directed; and that every Affidavit or other Proceeding usually written upon Paper, and to be filed in any of the said Offices, shall in like Manner be of uniform Shape and Dimensions, and with a like Margin for the like Purpose; and the said Judges or any Seven or more of them, of whom Two shall be Chief Judges, shall determine and by their Order direct what shall be the Shape and Dimensions and Pattern of such Vellum, Parchment, or Paper respectively, and to what Documents such Regulations shall apply; and the Officers of the said Courts shall not receive or file any Pleading, Affidavit, or Document which shall not be according to such Regulations, and engrossed or written fairly and legibly, and in fit Condition to be placed amongst the Records of the Court.

Judges to fix the Shape and Dimensions of Pleadings, &c.

XLII. And be it enacted, That the Officers whose Duty it shall be to file and keep such Pleadings, Affidavits, and Documents respectively shall file the same as they shall be received in compact Order, attaching them by Laces through the Margin to Portfolio Covers after the Manner of Books, so that the same shall be kept free from Injury and easily accessible; and that when it shall be required to make up any Judgment, the Attorney requiring the same shall deliver to the proper Officer a correct Summary or Recital of the Proceedings, briefly stating the several Pleadings and the Nature thereof, and which Summary shall be written fairly on Parchment, and signed by the Attorney; and thereupon the Officer shall take off from the Pleadings File the several Pleadings in the Cause in which such Judgment shall be required to be made up, and shall place them, together with the said Summary prefixed, in consecutive Order, in like Manner secured by Laces through the Margin, upon the File of Judgments, there to be kept as the permanent Records of the Court.

Officers to file Pleadings, &c. after the Manner of Books.

When Judgment to be made up Attorney to deliver to Officer a Summary of Pleadings; and Officer to put Pleadings together on Judgment File as the permanent Record.

XLIII. And be it enacted, That from and after the Commencement of this Act it shall not be necessary in enrolling Judgments in any of the said Courts to transcribe the whole Pleadings as heretofore upon the Roll, or to insert Continuances or Imparlances or any other Fictions now used for Form sake; and that it shall in all Cases of enrolling Judgments be sufficient to place on the Roll a correct Summary or Recital of the Proceedings according to Fact, such as herein-before directed, together with the Award of Judgment in proper Form, with a Reference to the original Pleadings on the Judgment File, whereby the same may be immediately found and inspected; and no Judgment so enrolled under the Authority of this Act shall be liable to be disturbed on the Ground of Error on account of any Omissions hereby authorized upon any Plea whatsoever, any Law or Usage to the contrary notwithstanding: Provided always, that if it shall be deemed necessary in any Case for the Prosecution of a Writ of Error, or for any other Purpose, it shall and may be lawful for the Court to order that the whole or any Part of the Pleadings shall be transcribed upon the Roll, and the same shall be transcribed by the proper Officer.

It shall not be necessary to transcribe the whole Pleadings on the Judgment Roll, or to insert Continuances, &c., but only a Summary, &c.

No Judgment to be disturbed on account of Omissions, &c.

Proviso for Cases of Writs Error, &c.

XLIV. And be it enacted, That from and after the Commencement of this Act, on the filing of any Pleading, Affidavit, Document, or Proceeding in any of the Offices of the said Courts or either of them, of which filing it shall be necessary to serve Notice, the Party filing the same shall cause to be served and delivered, together with the Notice thereof, a true Copy of such Pleading, Affidavit, Document, or Proceeding; and it shall not be necessary for either Party to take out or produce in Court or before any Judge or Baron in Chamber an attested Copy of any Pleading, Affidavit, Document, or Proceeding, a Copy of which shall have been delivered, unless it shall happen that the Trial, Hearing, or Motion upon which the Copy of such Pleading, Affidavit, Document, or Proceeding shall be read or used shall be had or made at Assizes, or at any Place where immediate Reference cannot be had to the original Pleading, Affidavit, Document, or Proceeding on the File, in the event of the Accuracy of the delivered Copy being disputed; and all Paper Books for the Judges on Law Arguments, and Transcripts of Records for the Court of Error, shall be prepared and written or engrossed by the Attornies or Parties requiring them, under such Regulations as the Judges shall make in that Behalf by any General Order as herein-before provided.

On filing any Pleading, Affidavit, &c., Copy must be delivered with the Notice, and, except in certain Cases, attested Copy shall not be necessary.

XLV. And be it enacted, That any Expenses which the said Judges shall certify (as now required with reference to incidental Expenses) to have been necessarily or properly incurred in giving effect to the Provisions of this Act shall be charged and paid in like Manner and as Part of the incidental Expenses of the said Courts.

Expenses certified as proper to be paid as Part of incidental Expenses.

XLVI. And

Commissioners for taking Affidavits in One Court shall be Commissioners for all the Law Courts;

XLVI. And be it enacted, That all Persons who shall at the Commencement of this Act have been duly appointed as Commissioners for taking Affidavits or Special Bail in and for any one of the said Superior Courts of Common Law shall be Commissioners for, and they are hereby authorized to take Affidavits or Special Bail in and for each of the said Courts; and the Administration of all Affidavits and all Bail Pieces taken by them or any of them by virtue hereof shall have the same Force and Effect to all Intents and Purposes as if the Commissioner administering or taking the same were duly appointed by Commission from each of the said Courts.

and hereafter shall be appointed by Court of Queen's Bench.

XLVII. And be it enacted, That from and after the Commencement of this Act no Commissioner for taking Affidavits or Special Bail for the said Courts shall be appointed except by the Court of Queen's Bench; and that each and every Person appointed by the said Court as Commissioner for taking Affidavits or Special Bail shall be, by virtue of the Commission issued by the Court of Queen's Bench, a Commissioner duly authorized to all Intents and Purposes for taking Affidavits or Special Bail in and for all the Superior Courts of Common Law, with all the Powers and Privileges now by Law belonging to, or hereafter to belong to, Commissioners appointed to take Affidavits in and for the said Courts or either of them.

As to Disqualification of Commissioners.

XLVIII. Provided always, and be it enacted, That any Person disqualified by the Order of either of the said Courts from acting as such Commissioner shall be thereupon disqualified from acting as such Commissioner for all the said Courts.

Commencement of Act.

XLIX. And be it enacted, That, save where herein otherwise provided, this Act shall commence and take effect on the last Day of *Trinity* Term next after the passing hereof.

Schedule to be Part of this Act.

L. And be it enacted, That the Schedule to this Act annexed, and all Directions and Matters therein contained, shall be deemed and taken to be Part of this Act.

Interpretation of Act.

LI. And be it enacted, That in the Construction of this Act the Words "Judge or Judges" shall be taken to mean also Baron or Barons; and that the Words "Recorder, Chairman, Seneschal, or Steward" shall be taken to include any Deputy of the said Recorder, Chairman, Seneschal, or Steward; and that wherever the Word "County" is used herein it shall be taken to extend to and include, where necessary or consistent, any County of a City or County of a Town, or City and County of any Place, as the Case may be; and that the Words "Party and Person" shall extend to and include any Corporation or other public Body; and that any Words importing the Singular Number or the Masculine Gender only shall be understood to include several Matters as well as one Matter, and several Persons as well as one Person, and Females as well as Males, and Bodies Corporate as well as Individuals, unless it be otherwise provided, or there be something in the Subject or Context repugnant to such Construction.

Act may be amended, &c.

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

SCHEDULE to which this Act refers.

No. 1.

Writ of Summons.

VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.

To *A. B.* of [*Residence and Description, as the Case may be*], greeting. We command you, that within Eight Days after the Service of this Writ on you, inclusive of the Day of such Service, you do cause an Appearance to be entered for you in Our Court of * at Dublin in an Action [*as the Case may be; if in Ejectment add the Words,* " of Trespass and Ejectment for Nonpayment of Rent," *or* " on Title," *as the Case may be,* " to recover Possession of " *describing the Lands and Premises,*] at the Suit of *C. D.* of [*Residence and Description, as the Case*

* The Name of the Court to be inserted by Clerk of the Writs at the Time of entering and sealing.

Case may be; in Ejectment add the Words, "and such other Person or Persons as may be necessary to support such Action"]; and take notice, that in default of your so doing the said *C. D.* may cause an Appearance to be entered for you, and proceed thereon to Judgment and Execution.

Witness the Seal of Our Superior Courts of Common Law hereunto set at Dublin, the Day of in the Year of Our Lord 18 .

Memorandum to be subscribed to the Writ before entering and sealing thereof.

Issued by *E.F.* of No. [*the registered Residence*] Dublin.

Attorney for the said *C.D.*

In Cases where the Plaintiff sues in Person the Form shall be varied and signed accordingly.

Memorandum to be endorsed on the Writ before Service thereof.

N.B.—This Writ is to be served within Four Calendar Months from the Date thereof, including the Day of such Date, and not afterwards. (*And if the Action be for liquidated Damages*) the Plaintiff claims £ for Debt and for Costs, and if the Amount thereof be paid to the Plaintiff or his Attorney within Eight Days from the Service hereof, further Proceedings will be stayed.

Memorandum to be endorsed on the Writ in Actions of Ejectment for Nonpayment of Rent before Service thereof.

THE Plaintiff claims £ being for Year's Rent up to the Day of 18 , the Times at which the same accrued due being as follows, that is to say, and if the Amount thereof be paid to the Plaintiff or Attorney, together with the Costs, before the Day of 18 , further Proceedings will be stayed.

Attorney for the Plaintiff.

Endorsement to be made on the Writ after Service thereof.

This Writ was served by me *X. Y.* on *A. B.* therein described, personally, at in the County of on the Day of 18 .

(Signed)

N.B.—This Endorsement to be varied as may be necessary in Cases of Corporations, &c., or of substituted Service.

No. 2.

Form for entering Appearance.

Court of

Docket of Appearance.

A. B. at the Suit of C. D. } The Defendant *A. B.* this Day appears to the Writ of Summons [*if in Ejectment or Replevin, to be so stated here*] in this Cause by Attorney for the said

Dated this Day of 1850.

No. Dublin.

N.B.—In Cases of Default the Words "pursuant to Statute" *to be inserted after the Word* "appears;" *and in Cases where the Defendant appears in Person the Form shall be varied and signed accordingly. In all Cases the Residence or registered Residence of the Defendant or Attorney appearing shall be stated in the Docket of Appearance.*