LII. And be it enacted, That upon any Petition being presented under this Act to the Lord Chancellor, intrusted as aforesaid, concerning a Person of unsound Mind, it shall be lawful for the said Lord Chancellor, should he so think fit, to direct that a Commission in the Nature of a Writ De lunatico inquirendo shall issue concerning such Person, and to postpone making any Order upon such Petition until a Return shall have been made to such Commission. Commission concerning Person of unsound Mind.

LIII. And be it enacted, That upon any Petition under this Act being presented to the Lord Chancellor, intrusted as aforesaid, or to the Court of Chancery, it shall be lawful for the said Lord Chancellor or the said Court of Chancery to postpone making any Order upon such Petition until the Right of the Petitioner or Petitioners shall have been declared in a Suit duly instituted for that Purpose. Suit may be directed.

LIV. And be it enacted, That the Powers and Authorities given by this Act to the Court of Chancery in *England* shall extend to all Lands and Personal Estate within the Dominions, Plantations, and Colonies belonging to Her Majesty (except *Scotland*). Powers of Court of Chancery to extend to the Colonies.

LV. And be it enacted, That the Powers and Authorities given by this Act to the Court of Chancery in *England* shall and may be exercised in like Manner and are hereby given and extended to the Court of Chancery in *Ireland* with respect to all Lands and Personal Estate in *Ireland*. Powers given to Court of Chancery may be exercised in Ireland.

LVI. And be it enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall extend to all Lands and Personal Estate within any of the Dominions, Plantations, and Colonies belonging to Her Majesty (except *Scotland* and *Ireland*). Powers of Lord Chancellor in Lunacy to extend to the Colonies.

LVII. And be it enacted, That the Powers and Authorities given by this Act to the Lord Chancellor of *Great Britain*, intrusted as aforesaid, shall and may be exercised in like Manner by and are hereby given to the Lord Chancellor of *Ireland*, intrusted as aforesaid, with respect to all Lands and Personal Estate in *Ireland*. Powers of Lord Chancellor in Lunacy may be used by Lord Chancellor of Ireland.

LVIII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and in legal Proceedings, it shall be sufficient to use the Expression "The Trustee Act, 1850." Short Title.

LIX. And be it enacted, That this Act shall come into operation on the First Day of *November* One thousand eight hundred and fifty. Commencement of Act.

LX. 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. LXI.

An Act to extend the Act for the more easy Recovery of Small Debts and Demands in *England*, and to amend the same. [14th *August* 1850.]

'WHEREAS by an Act passed in the Tenth Year of the Reign of Her present Majesty, intituled *An Act for the more easy Recovery of Small Debts and Demands in* England, Jurisdiction is given to the Courts holden under the said Act for the Recovery of certain Debts, Damages, and Demands therein mentioned not exceeding Twenty Pounds: And whereas it is expedient to extend the Provisions of the said Act, and also of a certain other Act passed in the Thirteenth Year of the Reign of Her said Majesty, intituled *An Act to amend the Act for the more easy Recovery of Small Debts and Demands in* England, *and to abolish certain Inferior Courts of Record*, to Debts, Damages, and Demands not exceeding the Sum of Fifty Pounds, and to alter and amend the said first-mentioned Act in manner 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 9 & 10 Vict. c. 95. 12 & 13 Vict. c. 101.

Extension of Jurisdiction.

Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Jurisdiction of the several Courts holden or to be holden under the said Act of the Tenth Year of Her Majesty shall extend to the Recovery of any Debt, Damage, or Demand not exceeding the Sum of Fifty Pounds, and to all Actions in respect thereof (save and except the several Actions specified in the Proviso in Section Fifty-eight of the same Act); and that the several Powers and Provisions of the said several Acts of the Tenth and Thirteenth Years of Her Majesty, and all Rules, Orders, and Regulations which have been or may be made in pursuance of the said Acts or either of them, shall extend to all Debts, Damages, and Demands which may be sued for in the said Courts or any of them not exceeding the Sum of Fifty Pounds, and to all Proceedings and Judgments for the Recovery of the same, or otherwise in relation thereto respectively, as fully and effectually, to all Intents and Purposes, as the same respectively are now or may be applicable to Debts, Damages, and Demands within the present Jurisdiction of the said Courts.

This Act to be construed with 9 & 10 Vict. c. 95. and 12 & 13 Vict. c. 101.

II. And be it enacted, That this Act and the said recited Acts of the Tenth and Thirteenth Years of Her Majesty shall be read and construed as One Act, as if the several Provisions in the said recited Acts contained, not inconsistent with the Provisions of this Act, were repeated and re-enacted in this Act.

Deputy Judge not to practise in District whilst he acts as Deputy.

Clerks, &c. to reside in District.

III. And be it enacted, That no Deputy Judge of any such County Court, save and except the *Westminster* County Court of *Middlesex*, shall, during the Time he acts or shall be entitled to act as such Deputy, practise as a Barrister in any Court within the District for which he acts or shall be entitled to act as such Deputy; and that every Clerk and Assistant Clerk appointed after the passing of this Act to any of such Courts shall reside within the District of the Court or Courts for which he shall have been appointed.

Power to remove Clerks, High Bailiffs, or Assistant Clerks.

IV. And be it enacted, That so much of the said Act of the Tenth Year of Her Majesty as relates to the Removal of Clerks or High Bailiffs of the Courts holden under the said Act shall be repealed; and it shall be lawful for the Lord Chancellor, or, where the whole of the District of the Court or Courts for which the Clerk or High Bailiff shall have been appointed is within the Duchy of *Lancaster*, for the Chancellor of the Duchy of *Lancaster*, when such Lord Chancellor or Chancellor of the Duchy shall in his Discretion think fit, to remove the Clerk, High Bailiff, or any Assistant Clerk of any such Court or Courts from his Office, and from Time to Time to make such Order as to the Attendance of any Clerk, Deputy Clerk, or Assistant Clerk, during the Sitting of the Court or otherwise, as he shall think fit: Provided always, that nothing herein contained shall affect the Tenure of Office of any Person who before the passing of the said Act held an Office in any of the Courts mentioned in the Schedule (A.) annexed to the said Act.

Fees to be taken according to Schedule.

V. And be it enacted, That there shall be payable on every Proceeding in the Courts holden under the said Act of the Tenth Year of Her Majesty, to the Judges, Clerks, and High Bailiffs of the several Courts, in every Case where the Sum sought to be recovered shall exceed Twenty Pounds, such Fees as are set down in the Schedule marked D. to the said Act of the Tenth Year of Her Majesty annexed as Fees payable upon Demands exceeding the Sum of Ten Pounds; and the Fees on every Proceeding shall be paid in the first instance by the Plaintiff or Party on whose Behalf such Proceeding is to be had on or before such Proceeding, and in default Payment thereof shall be enforced by Order of the Judge by such Ways and Means as any Debt or Damage ordered to be paid by the Court can be recovered; and the Fees upon Executions shall be paid into Court at the Time of the Issue of the Warrant of Execution, and shall be paid by the Clerk of the Court to the Bailiff upon the Return of the Warrant of Execution, and not before: Provided always, that it shall be lawful for One of Her Majesty's Principal Secretaries of State, with the Consent of the Commissioners of Her Majesty's Treasury, from Time to Time to regulate or vary, lessen or increase, the Fees payable under this Act or the said recited Acts, or either of them, in such Manner as to him shall seem fit: Provided also, that all Sums payable in the Name of Fees to such Officers of the Court as shall be paid by Salaries shall be paid from Time to Time to the Treasurer of the Court, and shall be applied by such Treasurer in the Manner provided by the said Act of the Tenth Year of Her Majesty.

Power to Secretary of State, with Consent of the Treasury, to alter Fees.

VI. And

Fees to be taken by Barristers and Attornies.

VI. And be it enacted, That the Fees to be taken by Barristers at Law and Attornies practising in the said Courts, in Cases brought within the Jurisdiction given by this Act, shall be as follows; an Attorney shall be entitled to have or recover a Sum not exceeding One Pound Ten Shillings for his Fees and Costs, where the Debt, Damage, or Demand claimed in any Plaint in Covenant, Debt, Detinue, or Assumpsit shall not exceed Thirty-five Pounds, or Two Pounds in any other Case, within the Jurisdiction given by this Act; and in no Case shall any Fee exceeding Two Pounds Four Shillings and Sixpence be allowed for employing a Barrister as Counsel in the Cause; and the Expense of employing a Barrister or an Attorney, either by Plaintiff or Defendant, shall not be allowed on Taxation of Costs, unless by Order of the Judge; and the Judges of the said Courts respectively shall from Time to Time determine in what Cases such Expenses shall be so allowed.

Power of paying Judges, Clerks, and High Bailiffs by Salary instead of Fees given to the Lords of the Treasury and the Secretary of State.

VII. And be it enacted, That so much of the said Act of the Tenth Year of Her Majesty as enacts that it shall be lawful for Her Majesty, with the Advice of Her Privy Council, to order that the Judges, Clerks, Bailiffs, and Officers of the Courts holden under that Act, or any of them, shall be paid by Salaries instead of Fees, or in any Manner other than is provided by that Act, shall be repealed; and that it shall be lawful for the Commissioners of Her Majesty's Treasury, with the Consent of One of Her Majesty's Principal Secretaries of State, from Time to Time to order that the Judges, Clerks, Bailiffs, and Officers of the said Courts, or any of them, shall be paid by Salaries instead of Fees, or in any Manner other than is provided by the said Act.

Confession of Debts or Parts of Debts, &c., and Judgment thereupon.

VIII. And be it enacted, That any Person against whom a Plaint shall be entered in any County Court may, if he think fit, whether he be summoned upon such Plaint or not, in the Presence of the Clerk or Assistant Clerk of the Court in which such Plaint shall have been entered, or One of their Clerks respectively, or in the Presence of an Attorney of One of the Superior Courts, sign a Statement confessing and admitting the Amount of the Debt or Demand or Part of the Amount of the Debt or Demand for which such Plaint shall have been entered, and such Clerk or Assistant Clerk shall, as soon as conveniently may be after receiving such Statement, send Notice thereof to the Plaintiff, by the Post or by causing the same to be delivered at his usual Place of Abode or Business, and thereupon it shall not be necessary for the said Plaintiff to prove the Debt or Demand so confessed and admitted as aforesaid, but the Judge of such Court, at the next Sitting of such Court, whether the Parties or either of them attend such Court or not, shall, upon Proof by Affidavit of the Signature of the Party, if such Statement were not made in the Presence of the Clerk or Assistant Clerk, proceed to give Judgment for the Debt or Demand so confessed and admitted, in the same Manner, and subject to the same Conditions, as if he had tried the Cause, and given Judgment thereupon, under the Provisions of the said first-recited Act.

Agreement as to the Amount of Debt, &c., and Conditions of Payment.

IX. And be it enacted, That if the Person against whom a Plaint shall be entered in any County Court can agree with the Person on whose Behalf such Plaint shall have been entered upon the Amount of the Debt or Demand in respect of which such Plaint shall have been entered, and upon the Terms and Conditions upon which the same shall be paid or satisfied, it shall be lawful for such Persons respectively, in the Presence of the Clerk or Assistant Clerk of the Court in which such Plaint shall have been entered, or One of their Clerks respectively, or in the Presence of an Attorney of One of the Superior Courts, to sign a Statement of the Amount of the Debt or Demand so agreed upon between such Persons respectively, and of the Terms and Conditions upon which the same shall be paid or satisfied, such Clerk or Assistant Clerk shall receive such Statement, and shall thereupon, upon Proof by Affidavit of the Signature of the Party, if such Statement were not made in the Presence of the Clerk or Assistant Clerk, enter up Judgment for the Plaintiff for the Amount of the Debt or Demand so agreed on, and upon the Terms and Conditions mentioned in such Statement; and such Judgment shall to all Intents and Purposes be the same, and have the same Effect, and shall be enforced and enforceable in the same Manner, as if it had been a Judgment of the Judge of the said Court.

If Plaintiff or his Attorney do not appear on

X. And be it enacted, That in every Case where the Plaintiff shall not appear, either by himself or his Attorney, upon the Day of the Return of any Summons for Hearing, or at any

Day of Hearing, Costs may be awarded to Defendant for his Trouble and Attendance.

any Continuation or Adjournment of the said Hearing, and the Defendant shall appear either by himself or his Attorney upon such Day of Hearing, Continuation, or Adjournment, it shall be lawful for the Judge to award to the Defendant or to his Attorney, by way of Costs of his Attendance and Satisfaction for his Trouble, such Sum as the Judge in his Discretion shall think fit; and the Sum so awarded shall be recoverable from the Plaintiff by such Ways and Means as any Debt or Damage ordered to be paid by the same Court can be recovered.

Plaintiffs recovering in the Superior Courts Sums not exceeding 20*l.* in Actions of Contract, or 5*l.* in Actions of Tort, over which the County Court has Jurisdiction, to have no Costs.

XI. And be it enacted, That if in any Action commenced after the passing of this Act in any of Her Majesty's Superior Courts of Record, in Covenant, Debt, Detinue, or Assumpsit, not being an Action for Breach of Promise of Marriage, the Plaintiff shall recover a Sum not exceeding Twenty Pounds, or if, in any Action commenced after the passing of this Act in any of Her Majesty's Superior Courts of Record, in Trespass, Trover, or Case, not being an Action for malicious Prosecution, or for Libel, or for Slander, or for Criminal Conversation, or for Seduction, the Plaintiff shall recover a Sum not exceeding Five Pounds, the Plaintiff shall have Judgment to recover such Sum only, and no Costs, except in the Cases herein-after provided, and except in the Case of a Judgment by Default; and it shall not be necessary to enter any Suggestion on the Record to deprive such Plaintiff of Costs, nor shall any such Plaintiff be entitled to Costs by reason of any Privilege as Attorney or Officer of such Court or otherwise.

Judge at the Trial may certify, to entitle the Plaintiff to Costs.

XII. Provided always, and be it enacted, That if the Plaintiff shall in any such Action as aforesaid recover a Sum less than the Sum in that Behalf herein-before mentioned, by Verdict, and the Judge or other presiding Officer before whom such Verdict shall be obtained shall certify on the Back of the Record that it appeared to him at the Trial that the Cause of Action was one for which a Plaint could not have been entered in any such County Court as aforesaid, or that it appeared to him at the Trial that there was a sufficient Reason for bringing the said Action in the Court in which the said Action was brought, the Plaintiff in such Case shall have the same Judgment to recover his Costs that he would have had if this Act had not been passed.

If the Court, or a Judge at Chambers, make an Order, the Plaintiff to have Costs.

XIII. Provided also, and be it enacted, That if in any such Action, whether there be a Verdict in such Action or not, the Plaintiff shall make it appear to the Satisfaction of the Court in which such Action was brought, or to the Satisfaction of a Judge at Chambers upon Summons, that the said Action was brought for a Cause in which concurrent Jurisdiction is given to the Superior Courts by the Hundred and twenty-eighth Section of the said recited Act of the Tenth Year of Her Majesty, or for which no Plaint could have been entered in any such County Court, or that the said Cause was removed from a County Court by Certiorari, then and in any of such Cases the Court in which the said Action is brought, or the said Judge at Chambers, may thereupon, by Rule or Order, direct that the Plaintiff shall recover his Costs, and thereupon the Plaintiff shall have the same Judgment to recover his Costs that he would have had if this Act had not been passed.

Parties aggrieved may appeal.

XIV. And be it enacted, That if either Party in any Cause of the Amount to which Jurisdiction is given to the County Courts by this Act shall be dissatisfied with the Determination or Direction of the said Court in Point of Law, or upon the Admission or Rejection of any Evidence, such Party may appeal from the same to any of the Superior Courts of Common Law at *Westminster*, Two or more of the Puisne Judges whereof shall sit out of Term as a Court of Appeal for that Purpose, provided that such Party shall, within Ten Days after such Determination or Direction, give Notice of such Appeal to the other Party, or his Attorney, and also give Security, to be approved by the Clerk of the Court, for the Costs of the Appeal, whatever be the Event of the Appeal, and for the Amount of the Judgment, if he be the Defendant and the Appeal be dismissed; provided nevertheless, that such Security, so far as regards the Amount of the Judgment, shall not be required in any Case where the Judge of the County Court shall have ordered the Party appealing to pay the Amount of such Judgment into the Hands of the Clerk of the County Court in which such Action shall have been tried, and the same shall have been paid accordingly; and the said Court of Appeal may either order a new Trial on such Terms as it thinks fit, or may order Judgment to be entered for either Party, as the Case may be, and may make such Order

Order with respect to the Costs of the said Appeal as such Court may think proper; and such Orders shall be final.

Appeal to be in the Form of a Case agreed on by both Parties, but if they disagree Judge to settle and sign it.

XV. And be it enacted, That such Appeal shall be in the Form of a Case agreed on by both Parties, or their Attornies, and if they cannot agree the Judge of the County Court, upon being applied to by them or their Attornies, shall settle the Case and sign it; and such Case shall be transmitted by the Appellant to the Rule Department of the Master's Office of the Court in which the Appeal is to be brought.

No Certiorari, &c. to be allowed.

XVI. And be it enacted, That no Judgment, Order, or Determination given or made by any Judge of a County Court, nor any Cause or Matter brought before him or pending in his Court, shall be removed by Appeal, Motion, Writ of Error, Certiorari, or otherwise into any other Court whatever, save and except in the Manner and according to the Provisions herein-before mentioned.

In certain Cases, on Agreement of the Parties, Court shall have Power to try Causes although the Matters be beyond its Jurisdiction.

XVII. And be it enacted, That if both Parties shall agree, by a Memorandum signed by them or by their Attornies, that the County Court shall have Power to try any of the Actions herein-before respectively mentioned in which the Sum sought to be recovered shall exceed the Sum of Five Pounds by the said recited Act or Fifty Pounds by this Act limited in the Case of such Actions respectively, or any Action in which the Title to Land, whether of Freehold, Copyhold, Leasehold, or other Tenure, or to any Tithe, Toll, Market, Fair, or other Franchise, shall be in question, then and in such Case the said Court shall have Jurisdiction and Power to try such Action: Provided always, that the said Parties or their Attornies shall state in their said Memorandum of Agreement, that they know such Cause of Action to be above the said Sums respectively, or that they know such Title to come in question in such Action, and provided that such Memorandum shall be filed with the Clerk of the said Court at the Time of filing the Demand of the Plaintiff: Provided also, that all local Actions to be tried before any County Court with the Consent of the Parties shall be brought and tried in that Jurisdiction only in which the Lands, Tenements, or Hereditaments or some Part thereof are situate are in respect whereof such Actions shall be brought.

No Second Suit in Second Court for the same Cause.

Treble Costs.

XVIII. And be it enacted, That if any Party shall sue another in any County Court for any Debt or other Cause of Action for which he hath already sued him, and obtained Judgment, in any other Court, the Proof of such former Suit having been brought and Judgment obtained may be given, and the Party so suing shall not be entitled to recover in such Second Suit, and shall be adjudged to pay Three Times the Costs of such Second Suit to the opposite Party.

No Action to be brought against Bailiff, &c. acting under Order of the Court without Notice; and Clerk of the Court to be made Defendant in the Suit.

XIX. And be it enacted, That from and after the passing of this Act no Action shall be brought against any High Bailiff or Bailiff, or against any Person or Persons acting by the Order and in aid of any High Bailiff, for anything done in obedience to any Warrant under the Hand of the Clerk or Clerks of the said Court and the Seal of the said Court, until Demand hath been made or left at the Office of such High Bailiff by the Party or Parties intending to bring such Action, or by his, her, or their Attorney or Agent, in Writing, signed by the Party demanding the same, of the Perusal and Copy of such Warrant, and the same hath been refused or neglected by the Space of Six Days after such Demand; and in case after such Demand and Compliance therewith, by showing the said Warrant to and permitting a Copy to be taken thereof by the Party demanding the same, any Action shall be brought against such High Bailiff, Bailiff, or other Person or Persons acting in his Aid for any such Cause as aforesaid, without making the Clerk or Clerks of the said Court who signed or sealed the said Warrant Defendant or Defendants, that on producing or proving such Warrant at the Trial of such Action, the Jury shall give their Verdict for the Defendant or Defendants, notwithstanding any Defect of Jurisdiction or other Irregularity in the said Warrant; and if such Action be brought jointly against such Clerk or Clerks, and also against such High Bailiff or Bailiff, or Person or Persons acting in his or their Aid as aforesaid, then on Proof of such Warrant the Jury shall find for such High Bailiff or Bailiff, and for such Person or Persons so acting as aforesaid, notwithstanding such Defect or Irregularity as aforesaid; and if the Verdict shall be given against the said Clerk or Clerks, that in such Case the Plaintiff or Plaintiffs shall recover his, her, or their Costs against him

or

or them, to be taxed in such Manner by the proper Officer as to include such Costs as such Plaintiff or Plaintiffs are liable to pay to such Defendant or Defendants for whom such Verdict shall be found as aforesaid; and if any Action shall be brought the Defendant or Defendants shall and may plead the General Issue, and give the special Matter in Evidence at any Trial had thereupon.

So much of 9 & 10 Vict. c. 95. as requires a Landlord, where Rent is in arrear for Premises wherein Goods have been taken in Execution, to state in Writing the Terms of Holding, &c. repealed.

XX. 'And whereas by the said Act passed in the Tenth Year of Her present Majesty, 'intituled *An Act for the more easy Recovery of Small Debts and Demands in* England, it is 'enacted, that in Cases of Rent being in arrear in respect of Premises wherein Goods may 'have been taken in Execution under and by virtue of the said Act it should be lawful for 'the Landlord, by Writing to be delivered to the Bailiff or Officer making the Levy, which 'Writing should state the Terms of Holding and Rent payable for the same, to claim any 'Rent in arrear as therein mentioned: And whereas so much of the said Enactment as 'requires that the Claim of Rent to be made by Writing stating the Terms of Holding may 'lead to technical Objections and unnecessary Prolixity: And whereas also it is expedient 'to obviate certain Difficulties which have arisen as to the Landlord's Right to Priority of 'Payment upon the Construction of the said Enactment:' Be it therefore enacted, That so much of the said Act as requires that the said Writing and Claim should state the Terms of Holding shall be and is hereby repealed, and that it shall be a sufficient Notice of Claim, to entitle the Landlord to all the Benefit given to Landlords under the said Act, that such Writing and Claim shall state the Amount of the Rent claimed to be in arrear and unpaid, and the Time for and in respect of which such Rent is claimed to be due, in like Manner as is now required by Law in Cases of ordinary Distress for Rent, and no further or otherwise; and also that no Execution Creditor under the said Act or this Act shall be satisfied his Debt out of the Proceeds of such Execution and Distress, or Execution only where the Tenant shall replevy, until the Landlord who shall conform to the Provisions of the said Act as amended by this Act shall have been paid the Rent in arrear for the Periods in the said Act limited.

To entitle Landlord to Benefit under recited Act it shall be sufficient to state the Amount of Rent claimed, &c.

Recited Act as altered by this Act as to Claims of Landlords to extend to Goods taken in Execution.

XXI. And be it enacted, That the Enactments contained in the said Act, as altered and amended in this Act, relating to the Claims of Landlords for Rent in arrear where Goods on the Premises demised have been taken in Execution, shall apply and extend to Goods taken in Execution under the Authority of this Act, in as full and beneficial a Manner as if the same Enactments were re-enacted in the like Terms in this Act.

Judges may hear Applications for Writs of Prohibition either in Term or in Vacation.

XXII. And be it enacted, That it shall be lawful for any Judge of any of Her Majesty's Superior Courts of Common Law at *Westminster*, as well in Term Time as in Vacation, to hear and determine Applications for Writs of Prohibition directed to the Judges of the said County Courts, and to make such Rules or Orders for the issuing of such Writs as might have been made by the Court, and all such Rules or Orders so made by any such Judge shall have the same Force and Effect as Rules of Court for such Purposes now have, and such Writs shall be issued by virtue of such Rules or Orders as well in Term Time as in Vacation: Provided always, that any Rule or Order made by any such Judge, or any Writ issued by virtue thereof, may be discharged or varied or set aside by the Court, on Application made thereto by any Party dissatisfied with such Rule or Order.

Before whom Affidavits may be sworn.

XXIII. And be it enacted, That all Affidavits to be used in the Courts holden under the said Act of the Tenth Year of Her Majesty shall and may be sworn before any Judge of the said Courts, or any Master Extraordinary in Chancery, or Commissioner for taking Affidavits in any of the Superior Courts of *Westminster*, or before a Magistrate of the County, City, Town, or Place where any such Affidavit may be sworn.

Town Halls, &c. to be used free of Rent-charge for Sittings of County Court.

XXIV. And be it enacted, That in every Town or Place where there shall be a Court holden under the Provisions of the said Act of the Tenth Year of Her Majesty, the Town Hall, Court House, or other public Building belonging to any County, City, Borough, or Town shall be used for the Purposes of holding the Courts under the said Act, without any Charge for Rent or other Payment, save and except the reasonable and necessary Charges for lighting, warming, and cleaning when such public Building is used for the Purpose of the Courts, and for all other Expenses necessarily incidental to the Use of the said

said Building for the Purposes of the Courts: Provided always, that the necessary Arrangements shall be made so that the Sittings of the said Courts shall not interfere with the Business of the County, City, Borough, or Town usually transacted in such Town Hall, Court House, or other public Building, or with any Purposes for which such Town Hall, Court House, or other public Building may be used by virtue of any Local Act in that Behalf: Provided also, that this Enactment shall not apply to any City, Borough, or Town in which a Building hath previously to the passing of this Act been erected for the Purposes of holding the Courts under the said Act and for the Business connected with such Courts, nor shall anything in this Act contained be held, deemed, or taken to prejudice, affect, or otherwise interfere with any Lease, Contract, Agreement, or Engagement already entered into for the leasing, Erection, hiring, or Occupation of any Building for the Purposes of holding such Courts therein and transacting therein the Business relating to such Courts.

XXV. 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. LXII.

An Act to alter and extend an Act passed in the Eleventh Year of King *George* the Fourth, for amending and consolidating the Laws relating to the Pay of the Royal Navy. [14th *August* 1850.]

'WHEREAS by an Act passed in the Eleventh Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to amend and consolidate the Laws relating to the Pay of the Royal Navy*, it is enacted, that all Months mentioned in the said Act shall be deemed to be Calendar Months, except only in the Computation of Wages and of the Time for which Officers shall be allowed to draw their Pay, which shall be cast and computed by the Lunar Month of Twenty-eight Days, according to the Custom of the Navy: And whereas it is deemed expedient that it should not be compulsory to compute such Wages by the Lunar Month of Twenty-eight Days, and is also deemed expedient otherwise to alter and extend the Provisions of the said Act:' 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, notwithstanding anything in the recited Act contained, or any Custom to the contrary, it shall be lawful to cast and compute Naval Pay and Wages by the Day or for such other Period of Time as the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral of the said United Kingdom, for the Time being, may at any Time or Times fix and determine. 11 G. 4. c. 20. Naval Pay and Wages may be computed by the Day or any other Period of Time.

II. And be it enacted, That, notwithstanding anything in the recited Act contained, it shall be lawful for Clerks who have passed their Examination for Paymasters and Pursers, under such Regulations, Limitations, and Restrictions as have now or may at any Time or Times hereafter be established by the said Lord High Admiral or the said Commissioners for the Time being, to draw a Bill of Exchange or a Set of Bills of the same Tenor and Date, upon the Accountant General of the Navy, for the net personal Pay which shall be due to them, at such Times, and for such Periods of Time, either at the Expiration of every Three Calendar Months or otherwise, as the said Lord High Admiral or the said Commissioners shall at any Time or Times appoint in that Behalf. Clerks who have passed Examination, &c. may draw Bills for personal Pay at Times to be appointed, notwithstanding anything in recited Act.

III. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament. Act may be amended, &c.