the Offices of all or any of such Officers and Clerks shall be abolished upon the Persons who may hold such Offices respectively at the Time of the making of such Order ceasing to hold the same, and to make such Order for the Regulation of the Business to be transacted in the said Register Office upon such Consolidation as the said Commissioners may see fit; and the Officers to whom any Duties of the said Office established under the said Act of the Seventh and Eighth Years of Her Majesty shall be transferred under such Order shall have as full Powers and Jurisdiction for all official Purposes, and be subject to the like Liabilities in respect of such Duties and the Performance thereof, as the Officers whose Duties shall be so transferred enjoyed or were subject to before such Consolidation; and all Books belonging to the said Office established under the said Act of the Seventh and Eighth Years of Her Majesty shall, on such Day as shall be mentioned in any Order of the said Commissioners, be deposited in the said Register Office, subject to the like Right of Access thereto, and upon the like Payment, as if the same had remained in the Office from which the same shall be removed.

Interpretation of Terms.

LXIV. And be it enacted, That in the Construction of this Act the following Words and Expressions shall have the Meanings hereby assigned to them, unless such Meanings be repugnant to or inconsistent with the Context; (that is to say,) Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number; Words importing the Masculine Gender shall include Females; the Word "Person," and Words applying to any Person or Individual, shall apply to and include Corporations, whether aggregate or sole; the Word "Lands" shall extend to all Manors, Messuages, Lands, Advowsons, Rectories, Tithes, Rents, and other Hereditaments whatsoever, whether corporeal or incorporeal, and also to any Estate or Interest in any such Manors, Messuages, Lands, Advowsons, Rectories, Tithes, Rents, or other Hereditaments, whether the same be a Freehold or a Chattel Interest, and whether legal or equitable; the Word "Assurance" shall extend to a Contract; the Word "Will" shall extend to a Codicil, and to an Appointment by Will or by Writing in the Nature of a Will in exercise of a Power; the Word "Person" shall extend to a Body Corporate as well as an Individual; the Word "Title" shall extend to a Power or Right to convey or otherwise affect Lands; the Word "Grantor" shall apply to any Person by whom Lands shall be conveyed, appointed, charged, or otherwise affected; and every Person claiming derivatively under any Assurance shall be considered as claiming under the same; and the Word "Addition" where the Addition of any Person whose Name is required by this Act to be entered in any Index to be kept at the said Register Office is hereby directed to be entered with such Name shall mean the Description as to Residence, Title, Rank, Profession, or Occupation.

Act may be amended, &c.

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

CAP. LXXIII.

An Act to amend the Law relating to Proceedings by Process of Attachment of Goods in the Borough and other Courts of Record in *Ireland*.

[14th *August* 1850.]

3 & 4 Vict. c. 108.

'WHEREAS by an Act of the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for the Regulation of Muncipal Corporations in* Ireland, it was amongst other things enacted that in all Cases of Debt or liquidated Damages, in which the Plaintiff should be desirous of proceeding in the Court of Record of any Borough, by Attachment of Goods, the Plaintiff, or One of the Plaintiffs, or some Person able to depose to the Facts of his own Knowledge, should first make an Affidavit, before the Recorder or the Mayor of such Borough, of the Cause of Action in manner therein provided, and that thereupon it should be lawful for such Recorder or Mayor to issue an Attachment, to be directed to the proper Officer of the Court, to attach the Goods of the Defendant within the Borough; and thereupon such Officer is by the said Act authorized

'and required to seize such Goods and to detain the same until the Defendant shall have 'given Special Bail to pay such Sum of Money as may be adjudged to the Plaintiff in that 'Suit: And whereas it is expedient to amend the Law relating to Proceedings by Attach-'ment of Goods to compel Appearance in the Borough and other Courts of Record in '*Ireland*:' 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 from and after the Commencement of this Act so much of said Act as authorizes and requires the Officer of any such Borough Court to seize the Goods of a Defendant, and to detain the same until the Defendant shall have given Special Bail to pay such Sum of Money as may be adjudged to the Plaintiff in the Suit, shall be and the same is hereby repealed.

So much of recited Act as regulates the special Bail to be given in Attachments out of Borough Courts against Goods, repealed.

II. And be it enacted, That from and after the Commencement of this Act it shall not be lawful for any Person to proceed in any such Court of Record in *Ireland* by way of Attachment of Goods to compel Appearance, or by way of Foreign Attachment, where the Debt or Damages sought to be recovered in such Action, and sworn to be due, shall not exceed the Sum of Twenty Pounds.

No Foreign or other Attachment to issue unless Debt, &c. exceeds 20*l*.

III. And be it enacted, That from and after the Commencement of this Act, in all Cases of Debt or liquidated Damages where the Sum sought to be recovered and sworn to in such Action shall exceed the Sum of Twenty Pounds, and in which the Plaintiff shall be desirous of proceeding in any such Court of Record by Attachment of Goods, in addition to the Statements now by Law required to be made in the Affidavit to be sworn and filed by or on behalf of the Plaintiff or Plaintiffs before the issuing of any Writ of Attachment of Goods to compel Appearance, it shall be necessary to show by such Affidavit that there is probable Cause for believing that the Defendant is about to abscond or to quit *Ireland*, or to remove, conceal, assign, or otherwise dispose of his Goods or Chattels with Intent to defraud his Creditors.

What Plaintiff's Affidavit must state where Plaintiff desires to proceed by Attachment of Goods, &c.

IV. And be it enacted, That from and after the Commencement of this Act, in all Cases in which Goods shall be seized under or by virtue of any such Attachment, the same shall not be removed off the Defendant's Premises, if seized thereon, until the Expiration of such a Period of Time not exceeding Four Days as the said Defendant, by Notice in Writing to be delivered to the Bailiffs or other Persons who shall have seized the same, shall require; and it shall be sufficient, instead of giving Special Bail to pay such Sum of Money as may be adjudged to the Plaintiff as by the said recited Act or otherwise required, that Special Bail shall be given by the Defendant to pay all such Debt, Damages, Expenses, and Costs as shall be adjudged in that Cause to the Plaintiff against the Defendant, or to render the Body of the Defendant into the Custody of the Marshal of the Marshalsea of the Four Courts of the City of *Dublin*, in case the Action shall be pending in the Court of the Borough of *Dublin*, or other Prison as herein-after provided of the Court out of which such Attachment shall issue, as the Case may be.

In Cases in which Goods shall be seized by Attachment, Special Bail by Defendant to be sufficient.

V. And be it enacted, That in every Case in which the Goods of any Defendant shall be seized under any such Attachment, and the Defendant shall not give Special Bail in manner aforesaid within the Time now limited by Law for appearing to such Action or giving Special Bail, or according to the Course of the Court, it shall be lawful for the Plaintiff in such Action, upon filing a Certificate of the Marshal or other Officer of the Court having the Custody of the Goods so attached that the same are in his Custody for Want of Special Bail, to enter an Appearance or file Common Bail for the Defendant, and thereupon to serve on the Defendant Notice of such Appearance having been entered or Common Bail filed, by leaving with him or at his usual Place of Abode a Copy of such Notice, and such Service shall be verified on Oath in such Manner as the Court shall direct, and the Plaintiff may thereupon proceed to obtain Judgment, according to the Course of the Court, as if an Appearance had been duly entered by the Defendant.

In default of Special Bail Appearance may be entered for Defendant.

VI. Provided always, and be it enacted, That it shall be lawful for any Defendant to procure the Goods which shall have been seized under an Attachment, and before the Removal thereof, to be appraised, (the Appraisement to be made by such Person or Persons and

Power to Defendant to get Goods appraised, and give Bail to the

Amount of the Appraisement.

and in such Manner and within such Time as the Court shall by any General or Special Order direct,) and the Expenses of such Appraisement shall be defrayed in the first instance by the Defendant, but shall be Costs in the Cause, and abide the Event of the Suit; and in case the Goods seized shall amount in Value to less than the Sum for which the Attachment issued, it shall be sufficient for the Defendant to give Special Bail (in double the Amount of the appraised Value of the Goods) to pay all such Debt, Damages, Expenses, and Costs as shall be adjudged in such Cause to the Plaintiff against the Defendant, or to render the Body of the Defendant into the Custody of the Marshal of the Marshalsea of the Four Courts of the City of *Dublin*, in case such Action shall be pending in the said Court of the Borough of *Dublin*, or other Prison, as herein-after provided, of the Court out of which such Attachment shall issue, as the Case may be.

Mode of Surrender in discharge of Bail.

VII. Provided also, and be it enacted, That in all Cases in which the Attachment shall have issued out of the Court of Record of the Borough of *Dublin*, the Defendant who shall have been held to Special Bail as aforesaid may be rendered in discharge of his Bail to the Marshal of the Marshalsea of the Four Courts of the City of *Dublin*; and in all Cases in which the Attachment shall have issued out of any other Borough or other Court than the Borough Court of *Dublin*, the Defendant may be rendered in discharge of his Bail to the Marshalsea or other Prison of the Borough or other Court by which his Goods were attached, and if there be no such Prison of any such Borough or other Court, then to the Common Gaol of the County in which such Borough, Town, or Place, or such Part thereof in which his Goods were attached, shall be situate; and the Render to the said Marshalsea or Gaol shall be effected in the Manner following, that is to say, the Defendant or his Bail, or one of them, shall for the Purpose of such Render obtain an Order of the Court out of which the Writ of Attachment issued, and shall lodge such Order with the said Marshal or with the Gaoler of such Prison or Gaol, (as the Case may be,) and a Notice in Writing of the Lodgment of such Order, and of the Defendant's being actually in Custody of such Marshal or Gaoler by virtue of such Order, signed by the Defendant or the Bail, or either of them, or by the Attorney of any or either of them, shall be delivered to the Plaintiff's Attorney, and the Marshal or Sheriff, or other Person responsible for the Custody of Debtors in such Marshalsea Prison or Gaol, shall on such Render so perfected be duly charged with the Custody of such Defendant, and the said Bail shall be thereupon wholly exonerated from Liability as such.

Mode of Surrender if a Defendant already in Custody.

VIII. And be it enacted, That a Defendant who shall at any Time at or after the Commencement of this Act be in Custody of the Marshal of the said Marshalsea, or of the Gaoler of the Prison or Gaol of any County, County of a City, or County of a Town in *Ireland*, at the Time of the Seizure of his Goods, under any Writ of Attachment out of any such Borough or other Court, may give such Special Bail, and thereupon may forthwith be rendered to such Marshal or Gaoler of the Prison or Gaol in which such Defendant shall then be in Custody in discharge of his said Bail in any Action in such Court of Record in the Manner herein-before provided for a Render in discharge of Bail, and the Marshal or Sheriff or other Person responsible for the Custody of Debtors in such Marshalsea Prison or Gaol shall, on such Render, be charged with the Custody of such Defendant, and the said Bail shall be thereupon wholly exonerated from Liability as such.

If a Plaintiff shall not obtain Judgment for a Sum exceeding 20*l*, the Defendant shall be entitled to Costs.

IX. And be it enacted, That if the Plaintiff in any such Proceeding by way of Attachment shall not obtain Judgment for Debt or Damages for a Sum exceeding Twenty Pounds, he shall not be entitled to any Costs, but the Defendant shall be entitled to recover his Costs from the Plaintiff, unless the Judge of the Court from which such Attachment shall have issued shall, within One Month after final Judgment, certify that the Plaintiff had reasonable Cause for filing an Affidavit of Debt for the full Amount for which such Attachment issued; and in case any such Defendant shall be entitled to his Costs from the Plaintiff as aforesaid, the Court shall, by a General or Special Order, limit the Period within which the Defendant shall have the Amount of such Costs taxed and ascertained, and until the Expiration of such Period, unless the Defendant's Costs shall be taxed and ascertained in the meantime, the Plaintiff shall be disabled from taking out any Execution for the Sum recovered by the Judgment; and in case the Defendant's Costs shall be ascertained within

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the Period aforesaid the Plaintiff shall take out Execution in such Sum only by which the Amount of the Judgment shall exceed the Amount of the taxed Costs of the Defendant; and in such Case, if the Sum recovered by the Judgment shall be less than the Amount of the Defendant's taxed Costs, then the Defendant shall be entitled, after deducting the Amount of the Judgment from the Amount of his taxed Costs, to take out Execution for the Balance of his taxed Costs in like Manner as a Defendant in any such Court may now have Execution for Costs in other Cases, or in such Manner as such Court may, by a general or any special Order, direct.

Before whom Affidavits may be sworn.

X. And be it enacted, That all Affidavits which may now be made before the Recorder or Mayor, Sovereign, or Seneschal of any Borough or of any such other Court, and all other Affidavits in Proceedings relating to Attachments or Foreign Attachments in any of the Borough or other Courts of Record in *Ireland*, may, from and after the Commencement of this Act, be sworn before the Town Clerk or the Registrar or Deputy Registrar of any such Borough or other Court, or before a Commissioner for receiving Affidavits and Special Bail in and for the Borough Court of *Galway*, whether such Affidavit is intended to be filed in the Court of which such Town Clerk, Registrar or Deputy Registrar, or Commissioner is an Officer, or in any other such Court in *Ireland;* and all Proceedings thereupon or in reference thereto shall be as valid and regular as if the same had been sworn before the Recorder or Mayor, Sovereign, or Seneschal of the Borough or Court in which the same shall be filed; and any Person who shall wilfully and corruptly make and subscribe any such Affidavit, knowing the same to be untrue, shall be deemed guilty of Perjury, and be liable to be prosecuted and punished accordingly.

So much of 3 & 4 Vict. c. 108. repealed as is inconsistent with this Act.

XI. And be it enacted, That so much of the said herein-before mentioned Act of the Third and Fourth Years of the Reign of Her present Majesty as is inconsistent with the Provisions of this Act shall, from and after the Commencement of this Act, be and the same is hereby repealed.

Interpretation of Terms.

XII. And be it enacted, That in the Construction of this Act Words importing the Singular Number only shall include the Plural Number, and Words importing the Plural Number only shall include the Singular Number, and Words importing the Masculine Gender only shall include Females, unless there be something in the Subject or the Context repugnant to or inconsistent with such Construction.

Commencement of Act.

XIII. And be it enacted, That this Act shall commence and take effect on the First Day of *January* One thousand eight hundred and fifty-one.

Act may be amended, &c.

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

CAP. LXXIV.

An Act for the better Regulation of the Office of Registrar of Judgments in *Ireland*. [14th *August* 1850.]

7 & 8 Vict. c. 90.

'WHEREAS by an Act passed in the Seventh and Eighth Years of the Reign of Her present Majesty, intituled *An Act for the Protection of Purchasers against Judgments, Crown Debts, Lis pendens, and Commissions of Bankruptcy, and for providing One Office for the registering of all Judgments in* Ireland, *and for amending the Laws in* Ireland *respecting Bankrupts and the Limitation of Actions*, certain Provisions were made for the Regulation of the Office of the Registrar of Judgments thereby established, and it is expedient to make further and other Provision in that Behalf:' 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