publishing as aforesaid, being thereof convicted in due Form of Law, shall be adjudged guilty of Felony, and shall, at the Discretion of the Court, be liable to be transported beyond the Seas for Life or for any Term not less than Fourteen Years, or to be kept in Penal Servitude for Life or for any Term not less than Four Years, or to be imprisoned, with or without Hard Labour, for any Term not exceeding Four Years nor less than Two Years.

Bank to continue a Corporation till the Annuities hereby granted shall be redeemed, or shall cease.

XXIV. The said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same or any of them, shall continue a Corporation for the Purposes of this Act until the Consolidated Three Pounds *per Centum* Annuities by this Act granted shall be redeemed by Parliament as aforesaid, and the Terminable Annuities by this Act granted shall cease; and the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

No Fee to be taken for receiving Contributions or paying or transferring Annuities, on Penalty of 20*l*.

XXV. No Fee, Reward, or Gratuity whatsoever shall be demanded or taken of any of Her Majesty's Subjects for receiving or paying the said Subscription or Contribution Monies or any of them, or for any Receipt concerning the same, or for paying the said Annuities or any of them, or for any Transfer of any Sum, great or small, to be made in pursuance of this Act, upon pain that any Officer or Person offending by taking or demanding any such Fee, Reward, or Gratuity shall for every such Offence forfeit the Sum of Twenty Pounds to the Party aggrieved, with full Costs of Suit, to be recovered in any of Her Majesty's Superior Courts of Law at *Westminster*.

Persons sued may plead the General Issue.

XXVI. If any Person or Persons shall be sued, molested, or prosecuted for anything done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the special Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or Plaintiff or Plaintiffs shall discontinue his, her, or their Action or Prosecution, or be nonsuited, or Judgment shall be given against him, her, or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have full Costs awarded to him, her, or them, against any such Plaintiff or Plaintiffs.

CAP. XIX.

An Act to remove Doubts as to the Commissions of Officers of Militia in *Ireland* who have omitted to deliver unto the Clerk of the Peace Descriptions of their Qualifications, and to indemnify them against the Consequences of such Omission, and to amend the Law relating to the Militia in *Ireland*.

[25th *May* 1855.]

49 G. 3. c. 120.

'WHEREAS by an Act of the Forty-ninth Year of King *George* the Third Chapter One hundred and twenty, it was enacted, that no Person should thereafter be appointed to any Commission in the Militia of *Ireland* who should require a Qualification in respect of Property by virtue of the said Act until he should have delivered unto the Clerk of the Peace of the County or City for which he should be appointed, or in the Absence of such Clerk of the Peace, to his Deputy, a specific Description in Writing signed by himself of his Qualification, stating the Particulars of such Qualification; and that no Commission to be granted by virtue of the said Act should be valid unless it was declared in such Commission that the Officer to whom such Commission was given had delivered in his Qualification as directed: And whereas Persons have in many Instances been appointed to and have acted under Commissions in the Militia in *Ireland* requiring Qualifications in respect of Property, without having previously delivered the Particulars of their Qualifications, as required by the said Act: And whereas Doubts have been raised as to the Validity of such Commissions, and of the Acts done by the Persons thereby appointed:' Be it 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, as follows:

I. Every

Officers of Militia acting under certain Commissions indemnified, on depositing their Qualifications within Three Months.

I. Every Person who before the passing of this Act hath been appointed an Officer in the Militia of *Ireland* by any such Commission, and who was at the Time of the issuing of such Commission seised or possessed of the necessary Qualification, or who has since acquired and now is seised or possessed of the necessary Qualification, and has since the issuing of such Commission delivered or shall within Three Months after the passing of this Act deliver to such Clerk of the Peace or his Deputy of such County or City the specific Description of his Qualification which he possessed when such Commission was issued, or which he may now possess, shall be indemnified, freed, and discharged from and against all Penalties and Forfeitures incurred or to be incurred for or by reason of previous Neglect or Omission to deliver in such Qualification at the Time required by Law, or for or by reason of his having executed any of the Powers by the said Act directed to be exercised by Colonels, Lieutenant Colonels, Majors, Captains, Lieutenants, or Ensigns without being qualified as required by the said recited Act, or without having delivered in such specific Description of his Qualification; and every such Person is and shall be deemed and adjudged to be and to have been duly qualified to hold such Commission according to the said Act of the Forty-ninth of *George* the Third, Chapter One hundred and twenty, or any Act now in force relating to such Qualification; and all Acts done or to be done by any such Person, or by Authority derived from him, under such Commission, are and shall be of the same Force and Validity as the same or any of them would have been if such specific Description of such Qualification in respect of Property had been duly delivered as directed by the said Act, and all the Provisions relating thereto had been complied with.

Proviso for Officers below the Rank of Captain whose Commissions may have been granted when the Law required from them Property Qualification.

II. Provided always, That it shall not be necessary for any Officer now holding a Commission in any Regiment of Militia in *Ireland* under the Rank of Captain to deliver in such Qualification to the Clerk of the Peace, although his Commission may have been issued when the Law required him to be qualified in respect of Property; and notwithstanding any such Neglect as aforesaid on the Part of such Officer under the Rank of Captain to deliver in such Qualification at or previous to the Time of issuing such Commission, his Commission shall to all Intents and Purposes be and be deemed to have been as valid, and all Acts done thereunder of the same Force and Effect, and such Officer shall be freed from all Penalties and Forfeitures, as fully as if no such Neglect or Omission had happened.

Not to indemnify Persons against whom final Judgment has been obtained before passing of this Act, &c.

III. Provided always, That this Act shall not extend to indemnify any Person against whom final Judgment shall have been given for any Penalty before the passing of this Act, or to exempt any Person holding a Commission of Captain or any higher Rank in the said Militia from the Penalties to which he shall or may be subject for acting as such Captain or Officer of higher Rank in the said Militia, without being possessed of the Property Qualification required by Law.

Lieutenants of Counties and Colonels to send with the Certificates of Appointments of Officers the Description of their Qualifications.

IV. Every Lieutenant of a County in *Ireland* or Colonel commanding a Battalion of Militia in *Ireland*, as the Case may be, who after the passing of this Act appoints any Person to be an Officer of the Militia of any Rank whereunto a Qualification in respect of Property is now required, shall, before transmitting the Name of such Officer to the Lord Lieutenant for Approval, require from the Clerk of the Peace or his Deputy a Certificate that the necessary Description in Writing of Qualification has been lodged with him by such Officer, and when he transmits for Approval to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being the Name and Rank of the Officer so to be appointed shall state to the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being that he has received from the Clerk of the Peace or his Deputy such Certificate.

In Actions for Penalties under 49 G. 3. c. 120. s. 19. Security for Costs to be given.

V. In case any Action, Suit, or other Proceeding shall be instituted to recover any Penalty imposed by the Nineteenth Section of the said recited Act, the Defendant in such Action, Suit, or other Proceeding shall be entitled, at any Time before pleading or filing his Defence, to require the Plaintiff to give Security for Costs, and to have the Proceedings stayed until such Security for Costs shall have been given.

Her Majesty or Lord Lieutenant of

VI. 'And whereas by the said Act of the Forty-ninth of *George* the Third, Chapter One 'hundred and twenty, it is enacted, that it shall and may be lawful for His Majesty, His 'Heirs

Ireland may direct Lieutenants of Counties to displace Officers of Militia.

'Heirs and Successors, from Time to Time, as He or they shall think fit, to signify His or 'their Pleasure to the Colonel or other Commanding Officer of any such Regiment or Battalion 'of Militia to displace all or any Officers or Officer of Militia serving under him in such 'Regiment or Battalion: And whereas under the said Act the Colonels of Militia in *Ireland* 'were appointed by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, 'and the Power of Removal was vested in such Lord Lieutenant or other Chief Governor or 'Governors: And whereas by an Act of the Session holden in the First and Second Years of 'King *William* the Fourth, Chapter Seventeen, the Power of appointing the Colonels of 'Militia was transferred from the Lord Lieutenant or other Chief Governor or Governors to 'the Lieutenants of Counties, and the Power of appointing inferior Officers was transferred 'from the Colonels to such Lieutenants of Counties, subject to a Proviso, saving to Colonels 'of Militia acting under Commissions granted before the passing of the said Act of their 'Power to appoint Lieutenant Colonels and other Officers of their Regiments and Battalions, 'but no Provision was made as to the displacing of the Officers of the Militia corresponding 'with the Alteration in the Powers of appointing them:' It shall be lawful for Her Majesty, Her Heirs or Successors, or the Lord Lieutenant or other Chief Governor or Governors of *Ireland* for the Time being, from Time to Time as they respectively may think fit, to signify Her, their, or his Pleasure to the Lieutenant of any County or Place to displace all or any of the Officers in the Militia of such County or Place, and thereupon such Officers shall be displaced, and others shall be appointed in their Stead.

Recovery of Penalties, 17 & 18 Vict. c. 107. s. 32. repealed.

VII. The Thirty-second Section of the Militia (*Ireland*) Act, 1854, shall be and the same is hereby repealed; and all Offences for which any pecuniary Penalty or Forfeiture is by the said Act imposed shall and may be heard and determined by any Justice of the Peace in or near to the Place where the Offence shall be committed, or where the Offender may at any Time happen to be; and all such Penalties and Forfeitures, and also the reasonable Costs attending the Prosecution, to be duly ascertained and awarded by such Justice, shall and may be enforced and recovered in the same Manner as any pecuniary Penalties may be recovered in *Ireland* under the Provisions of an Act passed in the Session holden in the Fourteenth and Fifteenth Years of Her present Majesty, intituled "The Petty Sessions (*Ireland*) Act, 1851."

Adjutants of Militia Regiments who have served as Non-Commissioned Officers to be eligible to Brevet Rank of Captain.

VIII. 'And whereas by the said Act of the Forty-ninth Year of King *George* the Third, 'Chapter One hundred and twenty, it is provided that no such Appointment of an Adjutant 'of Militia to the Brevet Rank of Captain as therein mentioned shall be valid, unless in the 'Instrument granting the same it be specified in what Regiment or Battalion, and whether of 'the Militia or of Her Majesty's other Forces, such Adjutant hath served, and what was or 'were the Date or Dates of his Commission or Commissions: And whereas it is expedient 'that Adjutants who have served as Non-commissioned Officers in Her Majesty's Regular 'Forces should be eligible to the Brevet Rank of Captain, although they may not have held 'any Commissions:' Be it enacted, That it shall be lawful for the Adjutant of any Regiment or Corps of Militia in *Ireland* who shall have served as a Non-commissioned Officer in Her Majesty's Regular Forces, and whose whole Service shall amount to Five Years, to be appointed by the Lieutenant of the County to which such Regiment or Corps belongs (or by the Colonel thereof appointed previously to the Twenty-third Day of *August* One thousand eight hundred and thirty-one), with the Approval of the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, to the Brevet Rank of Captain, notwithstanding that he may not have held any Commission other than his Commission as an Adjutant of Militia.

CAP. XX.

An Act for granting to Her Majesty an increased Rate of Duty on Profits arising from Property, Professions, Trades, and Offices. [25th *May* 1855.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland* in Parliament assembled, towards raising the Supplies to defray the Expenses of the just and necessary War in which Your Majesty is