Acts to be construed together.

II. The said Acts and this Act shall be construed together as One Act.

Short Title.

III. In citing this Act in any other Act of Parliament, legal Instrument, or Proceeding whatever, it shall be sufficient to use the Expression "The *Dublin* Amended Carriage Act, 1855."

CAP. LXVI.

An Act to render valid certain Marriages in *Christ Church* in the Chapelry of *Todmorden* and Parish of *Rochdale*, in the Counties of *Lancaster* and *York*.

[23d *July* 1855.]

'WHEREAS the Church called *Christ Church* in the Chapelry of *Todmorden* and Parish of *Rochdale* in the Counties of *Lancaster* and *York* was erected and built some Time in or about the Year One thousand eight hundred and thirty-two, and was duly consecrated for the Performance of Divine Service therein: And whereas divers Marriages have been solemnized in the said Church by the Minister thereof and by other Clergymen, under the Opinion that according to the Terms of the Sentence of Consecration of the said Church, or otherwise, Marriages might be lawfully solemnized therein, and Entries of the said Marriages so solemnized have been from Time to Time made in Register Books kept at the said Church, in compliance with the Provisions concerning Registry of Marriages: And whereas it is expedient, under the Circumstances aforesaid, to confirm the Marriages so as aforesaid solemnized in the said Church:' 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, as follows:

Marriages solemnized in Christ Church, Todmorden, declared valid.

I. All Marriages heretofore solemnized in the said Church, and the Publication of Banns in such Church previous to any such Marriage, shall be and be deemed to have been as good, valid, and effectual in the Law to all Intents and Purposes whatsoever as if such Marriages had been solemnized and such Publication of Banns had taken place in the Parish Church of *Rochdale*, or in the Church of the ancient Chapelry of *Todmorden*.

Ministers having solemnized Marriages indemnified.

II. No Minister who has solemnized any of the said Marriages shall be liable to any Ecclesiastical Censures, or to any other Proceedings or Penalties whatsoever, by reason of his having so as aforesaid solemnized the same respectively.

Registers to be Evidence.

III. The Registers of the Marriages so solemnized as aforesaid, or Copies of such Registers, shall be received in all Courts of Law and Equity as Evidence of such Marriages respectively, in the same Manner as Registers of Marriages in Parish Churches, or Copies thereof, are by Law receivable in Evidence.

CAP. LXVII.

An Act to facilitate the Remedies on Bills of Exchange and Promissory Notes by the Prevention of frivolous or fictitious Defences to Actions thereon.

[23d *July* 1855.]

'WHEREAS *bonâ fide* Holders of dishonoured Bills of Exchange and Promissory Notes are often unjustly delayed and put to unnecessary Expense in recovering the Amount thereof by reason of frivolous or fictitious Defences to Actions thereon, and it is expedient that greater Facilities than now exist should be given for the Recovery of Money due on such Bills and Notes:' 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 Authority of the same, as follows:

From Oct. 24, 1855, all Actions upon

I. From and after the Twenty-fourth Day of *October* One thousand eight hundred and fifty-five, all Actions upon Bills of Exchange or Promissory Notes commenced within Six Months

Months after the same shall have become due and payable may be by Writ of Summons in the special Form contained in Schedule A. to this Act annexed, and endorsed as therein mentioned; and it shall be lawful for the Plaintiff, on filing an Affidavit of personal Service of such Writ within the Jurisdiction of the Court, or an Order for Leave to proceed, as provided by the Common Law Procedure Act, 1852, and a Copy of the Writ of Summons and the Indorsements thereon, in case the Defendant shall not have obtained Leave to appear and have appeared to such Writ according to the Exigency thereof, at once to sign final Judgment in the Form contained in Schedule B. to this Act annexed (on which Judgment no Proceeding in Error shall lie) for any Sum not exceeding the Sum indorsed on the Writ, together with Interest, at the Rate specified (if any), to the Date of the Judgment, and a Sum for Costs to be fixed by the Masters of the Superior Courts or any Three of them, subject to the Approval of the Judges thereof or any Eight of them (of whom the Lord Chief Justices and the Lord Chief Baron shall be Three), unless the Plaintiff claim more than such fixed Sum, in which Case the Costs shall be taxed in the ordinary Way, and the Plaintiff may upon such Judgment issue Execution forthwith.

Bills of Exchange, &c. may be by Writ of Summons as Form in Schedule A.

Plaintiff on filing Affidavit of personal Service, may at once sign final Judgment as Form in Schedule B.

II. A Judge of any of the said Courts shall, upon Application within the Period of Twelve Days from such Service, give Leave to appear to such Writ, and to defend the Action, on the Defendant paying into Court the Sum indorsed on the Writ, or upon Affidavits satisfactory to the Judge, which disclose a legal or equitable Defence, or such Facts as would make it incumbent on the Holder to prove Consideration, or such other Facts as the Judge may deem sufficient to support the Application, and on such Terms as to Security or otherwise as to the Judge may seem fit.

Defendant showing a Defence upon the Merits to have Leave to appear.

III. After Judgment, the Court or a Judge may, under special Circumstances, set aside the Judgment, and, if necessary, stay or set aside Execution, and may give Leave to appear to the Writ, and to defend the Action, if it shall appear to be reasonable to the Court or Judge so to do, and on such Terms as to the Court or Judge may seem just.

Judge may, under special Circumstances, set aside Judgment.

IV. In any Proceedings under this Act it shall be competent to the Court or a Judge to order the Bill or Note sought to be proceeded upon to be forthwith deposited with an Officer of the Court, and further to order that all Proceedings shall be stayed until the Plaintiff shall have given Security for the Costs thereof.

Judge may order Bill to be deposited with Officer of Court.

V. The Holder of every dishonoured Bill of Exchange or Promissory Note shall have the same Remedies for the Recovery of the Expenses incurred in noting the same for Non-acceptance or Nonpayment, or otherwise, by reason of such Dishonour, as he has under this Act for the Recovery of the Amount of such Bill or Note.

Remedy for Recovery of Cost of noting Non-acceptance of dishonoured Bill.

VI. The Holder of any Bill of Exchange or Promissory Note may, if he think fit, issue One Writ of Summons according to this Act, against all or any Number of the Parties to such Bill or Note, and such Writ of Summons shall be the Commencement of an Action or Actions against the Parties therein named respectively, and all subsequent Proceedings against such respective Parties shall be in like Manner, so far as may be, as if separate Writs of Summons had been issued.

Holder of Bill of Exchange may issue One Summons against all or any of the Parties to the Bill.

VII. The Provisions of the Common Law Procedure Act, 1852, and the Common Law Procedure Act, 1854, and all Rules made under or by virtue of either of the said Acts, shall, so far as the same are or may be made applicable, extend and apply to all Proceedings to be had or taken under this Act.

Common Law Procedure Acts and Rules incorporated with this Act.

VIII. The Provisions of this Act shall apply, as near as may be, to the Court of Common Pleas at *Lancaster* and the Court of Pleas at *Durham*, and the Judges of such Courts being Judges of One of the Superior Courts of Common Law at *Westminster*, shall have Power to frame all Rules and Process necessary thereto.

Act to apply to Courts of Common Pleas, Lancaster, and Court of Pleas, Durham.

IX. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act shall apply to all or any Court or Courts of Record in *England* and *Wales*, and within One Month after such Order shall have been made and published in the *London Gazette* such Provision shall extend and apply in manner directed by such Order, and any such Order may be, in like Manner, from Time to Time

Her Majesty may direct Act to apply to Courts of Record in England and Wales.

Time altered and annulled; and in and by any such Order Her Majesty may direct by whom any Powers or Duties incident to the Provisions applied under this Act shall and may be exercised with respect to Matters in such Court or Courts, and may make any Orders or Regulations which may be deemed requisite for carrying into operation in such Court or Courts the Provisions so applied.

Extent of Act. X. Nothing in this Act shall extend to *Ireland* or *Scotland*.

Short Title. XI. In citing this Act in any Instrument, Document, or Proceeding, it shall be sufficient to use the Expression "The Summary Procedure on Bills of Exchange Act, 1855."

SCHEDULES referred to in the foregoing Act.

A.

VICTORIA, by the Grace of God, &c.

To *C.D.*, of , in the County of . We warn you, That unless within Twelve Days after the Service of this Writ on you, inclusive of the Day of such Service, you obtain Leave from One of the Judges of the Courts at Westminster to appear, and do within that Time appear in Our Court of in an Action at the Suit of *A.B.*, the said *A.B.* may proceed to Judgment and Execution.

Witness, *&c.*

Memorandum to be subscribed on the Writ.

N.B.—This Writ is to be served within Six Calendar Months from the Date hereof, or if renewed, from the Date of such Renewal, including the Day of such Date, and not afterwards.

Indorsement to be made on the Writ before Service thereof.

This Writ was issued by *E.F.*, of , Attorney for the Plaintiff. *Or*, This Writ was issued in Person by *A.B.*, who resides at [*mention the City, Town, or Parish, and also the Name of the Hamlet, Street, and Number of the House of the Plaintiff's Residence*].

Indorsement.

The Plaintiff claims [Pounds Principal and Interest], *or* Pounds Balance of Principal and Interest due to him as the Payee [*or* Indorsee] of a Bill of Exchange or Promissory Note, of which the following is a Copy: —

[*Here copy Bill of Exchange or Promissory Note, and all Indorsements upon it*].

And if the Amount thereof be paid to the Plaintiff or his Attorney within Days from the Service hereof, further Proceedings will be stayed.

NOTICE.

Take notice, That if the Defendant do not obtain Leave from One of the Judges of the Courts within Twelve Days after having been served with this Writ, inclusive of the Day of such Service, to appear thereto, and do within such Time cause an Appearance to be entered for him in the Court out of which this Writ issues, the Plaintiff will be at liberty at any Time after the Expiration of such Twelve Days to sign final Judgment for any Sum not exceeding the Sum above claimed, and the Sum of Pounds for Costs, and issue Execution for the same.

Leave to appear may be obtained on an Application at the Judges Chambers, Serjeants Inn, London, supported by Affidavit showing that there is a Defence to the Action on the Merits, or that it is reasonable that the Defendant should be allowed to appear in the Action.

Indorsement to be made on the Writ after Service thereof.

This Writ was served by *X.Y.* on *L.M.* (the Defendant the Defendants), on *Monday* the Day of 18 ,

By *X.Y.*

B.

In the Queen's Bench.
On the Day of in the Year of our Lord 18 *Day of signing Judgment*]
ENGLAND (to wit). *A.B.* in his own Person [*or* by his Attorney] sued out a Writ against *C.D.*, indorsed as follows:—
[*Here copy Indorsement of Plaintiff's Claim.*]
and the said *C.D.* has not appeared:
Therefore it is considered that the said *A.B.* recover against the said *C.D.* Pounds, together with Pounds for Costs of Suit.

CAP. LXVIII.

An Act to amend the Laws concerning the Burial of the Dead in *Scotland*.

[23d *July* 1855.]

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:

Short Title.

I. This Act may be cited as the "Burial Grounds (*Scotland*) Act, 1855."

Parochial Board to carry into Execution this Act.

II. In the Execution of this Act in Parishes not within the Limits, prescribed or established under the Act passed in the Session of Parliament held in the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, intituled *An Act for the Valuation of Lands and Heritages in* Scotland, of any Burgh sending or contributing to send a Member to Parliament, "Parochial Board" shall be held to signify the Parochial Board for the Management of the Poor, where such Parishes are not combined for such Management, and where such Parishes are so combined the Parochial Board under this Act shall signify and be composed of such Members of the combined Board as are assessed for Relief of the Poor either in respect of Occupancy or Ownership within each Parish respectively; and the Manner of holding and of transacting Business at Meetings of such Parochial Boards under this Act shall be similar to the Manner in use in respect of the Management of the Poor; and in Parishes within the aforesaid Limits of any Burgh aforesaid the Town Council of the Burgh shall be held to be the Parochial Board of such Parish under this Act: Provided always, that where, within the aforesaid Limits of any Burgh aforesaid, there is included a Burgh of Regality, the Magistrates of such Burgh of Regality shall, notwithstanding anything herein-before enacted, be held to be the Parochial Board of any Parish within, or forming Part of such Burgh of Regality.

Provision as to Parishes partly burghal.

III. Where any Parish is partly within and partly without the Limits of such Burgh aforesaid, it shall be lawful for the Sheriff of the County within which such Parish or the greater Part thereof is situated, on Application to him by any Two Members of the Parochial Board of such Parish, or by any Ten Persons assessed for Relief of the Poor within such Parish, or by any Two or more Householders residing within One hundred Yards of any Burial Ground or proposed Burial Ground within such Parish, and on giving Notice by Advertisement in the *Edinburgh Gazette* and such Newspapers of local Circulation as he may deem fitting, and hearing any Parties having Interest, to determine whether such Parish shall be held to be a Parish within or without the Limits of the said Burgh for the Purposes of this Act, and an Interlocutor so determining shall receive Effect and be as valid as if the same was set forth in this Act; and it shall not be competent to make any new Application to the Sheriff for his Determination in respect to such Parish till after the Lapse of Five Years from the Date of his last Determination respecting the same.

Proceedings on Complaints of Danger to Health.

IV. It shall be lawful for any Two Members of the Parochial Board of any Parish in *Scotland*, or for any Ten Persons assessed for Relief of the Poor within such Parish, or for any