

ANNO VICESIMO PRIMO & VICESIMO SECUNDO

VICTORIÆ REGINÆ.

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CAP. LXXXVIII.

An Act to amend an Act of the Fourteenth and Fifteenth Years of Her present Majesty, to consolidate and amend the Laws relating to Civil Bills and the Courts of Quarter Sessions in *Ireland*, and to transfer to the Assistant Barristers certain Jurisdiction as to Insolvent Debtors.

[2d *August* 1858.]

WHEREAS by the Provisions of an Act passed in the Session of Parliament holden in the Fourteenth and Fifteenth Years of the Reign of Her present Majesty, Chapter Fifty-seven, it was enacted, that the Lord Lieutenant of *Ireland* might nominate and appoint to the Office of Assistant Barrister for each and every County and Riding in *Ireland* a practising Barrister-at-Law of Ten Years standing at the least, who shall have actually practised Ten Years in Her Majesty's Superior Courts in *Dublin*, and shall not at the Time of his Appointment to such Office have retired from such Practice; and that every Assistant Barrister so appointed should hold his Office during good Behaviour, but that it should be lawful for Her Majesty to remove any such Assistant Barrister from his Office upon the Address of both Houses of Parliament; and that such Assistant Barristers should severally receive the annual Salaries in the Schedule to the said Act mentioned, 14 & 15 Vict. c. 57.

 according

according to the Classification of the County to which he was appointed; and that it should be lawful for Her Majesty to grant to any Person who shall have executed the Office of Assistant Barrister, and who shall have resigned the same, an Annuity or yearly Sum not exceeding Four hundred Pounds, provided he shall have continued in Office Twenty Years, or be afflicted with some permanent Infirmity disabling him from the due Execution of his Office: And whereas the said Annuity or Pension is disproportionate to the Salaries and Services of the Assistant Barrister of First and Second Class Counties, and by reason thereof no adequate Provision can be made for such of the Assistant Barristers as by reason of their advanced Age and lengthened Services may have become unable to discharge the Duties of their Office with the necessary Diligence and Efficiency, whereby the due Administration of Justice in the County Courts in *Ireland* is greatly hindered: 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:

Provision for Retiring Pensions of Assistant Barristers.

I. It shall be lawful for Her Majesty and Her Successors, by any Letters Patent under the Great Seal of *Ireland*, to grant to any Person who shall have executed the Office of Assistant Barrister, within the Meaning of the said recited Act, for any County or Riding of a County in *Ireland*, and who shall have resigned the same, or been removed from the same for Infirmity, in manner herein-after mentioned, an Annuity or yearly Sum not exceeding Two Thirds of the annual Salary or Salaries or Emoluments to which the Person so resigning shall have been entitled immediately before his Resignation, the said Annuity or yearly Sum to be paid out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*: Provided always, that no such Annuity or yearly Sum of Money shall be granted to any Assistant Barrister unless he shall have continued in Office Twenty Years, or be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, the same to be distinctly recited in such Grant.

Power to remove Assistant Barristers on Certificate of Lord Chancellor for Inability.

II. For and notwithstanding anything contained in the said recited Act, if it shall appear to the Lord Chancellor of *Ireland* (for the Time being) that any Assistant Barrister within the Meaning of the said Act shall be incapable of discharging his Duty therein in Person by reason of permanent Infirmity, it shall and may be lawful for the said Lord Chancellor to certify the same to the Lord Lieutenant of *Ireland*, whereupon it may be lawful for the said Lord Lieutenant, by Order in Council, on hearing what may be offered by or on behalf of such Assistant Barrister with reference to the Matter

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of such Certificate, Care being taken that all the Members of the said Council then resident in the County and City of *Dublin* be summoned to attend, by a Notice stating the Case or Cases to be considered, such Notice to be transmitted to each of the said Council as aforesaid at least Seven Days before such Meeting, to remove such Assistant Barrister from his Office; so nevertheless that no such Removal shall take place except in Term Time: Provided, that, save as aforesaid, Assistant Barristers shall hold their Office during good Behaviour, and that, notwithstanding such Power of Removal hereinbefore vested in the Lord Lieutenant of *Ireland*, any Assistant Barrister may be removed by the Crown on Addresses from both Houses of Parliament, in manner provided by the said recited Act.

Style of Assistant Barrister after passing of this Act.

III. After the passing of this Act every Assistant Barrister of a County in *Ireland* shall be styled Chairman of the Quarter Sessions of the County to which he may be attached as such Assistant Barrister.

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