ANNO TRICESIMO

VICTORIÆ REGINÆ.

****

CAP. XI.

An Act to facilitate the Recovery of Arrears of Alimony in certain Cases under Decrees and Orders of the Provincial and Diocesan Courts in *Ireland*. [12th *April* 1867.]

WHEREAS Difficulties have been found to exist in enforcing Decrees and Orders for Payment of Alimony in Causes pending in the Provincial and Diocesan Courts in *Ireland*, acting under the Provisions of the Ecclesiastical Courts and Registries Act, *Ireland*, 1864, in Cases where the Respondent or other the Person or Persons liable to pay the same cannot be served personally with such Decrees or Orders, or when a personal Demand of such Arrears cannot be made upon such Person or Persons, and it is expedient to make Provision to enable such Courts to enforce said Decrees and Orders without such personal Service or Demand in manner herein-after appearing:

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:

Where personal Service of Decree is unavailing,

1. In every Case in which, either before or after the passing of this Act, any Decree or Order shall have been pronounced or made in any Cause or Matter pending before any such Provincial or Diocesan Court,

Court may make an Order for substituted Service.

Court, or in which such Provincial or Diocesan Court shall, under the said recited Act, have Jurisdiction, directing the Payment of an annual Sum by way of Alimony by any Person, or of any Sum of Money as and for the Arrears of Alimony theretofore decreed or ordered to be paid, and it shall be made to appear to the Satisfaction of the Court by Affidavit, upon Application of the Person entitled to such Payment, that all due Efforts have been made for the Purpose of effecting personal Service upon the Person liable to such Payment of such Decree or Order, or for the Purpose of personally demanding from such Person the Payment of any Sum or Sums due under such Decree or Order, and that notwithstanding all due Diligence such Efforts to effect personal Service or Demand have been unavailing, either by reason of the Absence of the Person so sought to be served, or from other Causes not within the Control of the Person entitled to the Benefit of such Order or Decree, it shall be lawful for the Court to make an Order for the Substitution of the Service of such Decree or Order, or of a Demand of the Payment of such Sum or Sums of Money as aforesaid, as to the Court shall seem just and expedient.

Court may order Advertisements touching Enforcement of Decree where no substituted Service can be had.

2. In all Cases coming within the First Section of this Act, when the several Matters required to be proved to the Satisfaction of the Court before making any Order for substituted Service shall have been proved, and it shall further be made to appear by Affidavit that there is no Person upon whom such substituted Service can properly be had, it shall be lawful for the Court to order, in lieu of such substituted Service, that Advertisements shall be had in Two or more of the public Newspapers touching the Enforcement of such Decree or Order in such Form and subject to such Conditions in all respects as the Court shall direct.

Decree to be as effectual as personal Service.

3. After any such substituted Service or Advertisements as in the preceding Section of this Act authorized shall have taken place, such Decree or Order may be enforced in all respects as fully and effectually as if the same had been personally served upon the Person liable to the Payment of the Monies due under such Decree or Order, and as if a personal Demand had been made of such Monies from the Person liable to the Payment thereof.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1867.