CHAPTER 75.

An Act to provide for the appointment of Commissioners in the Channel Islands, and also in the City of Dublin and its vicinity, to take Affidavits to be used in the Superior Courts of Common Law and other Courts in Ireland. [10th August 1872.]

WHEREAS it is expedient for the convenience of suitors and the administration of justice in the superior courts of common law in Ireland that there should be Commissioners in the Channel Islands, and also in the city of Dublin and the vicinity thereof, authorised to take affidavits to be used in the said courts in the same manner as Commissioners for the superior courts of common law in England are authorised to take affidavits in the Channel Islands, and in the cities of London and Westminster and in its vicinity, but there is not now by law any power in any of the Irish courts of law to appoint such Commissioners, by reason of which inconvenience is sometimes occasioned to suitors in the last-mentioned courts:

For remedy thereof, 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:

Court of Queen's Bench in Ireland to appoint Commissioners for the Channel Islands.

1. From and after the passing of this Act it shall be lawful for the Court of Queen's Bench in Ireland to appoint a fit or proper person, or such and so many fit and proper persons as they may think fit, for taking affidavits in the Channel Islands, in the same manner as such Commissioners are now appointed by the said court for England and Wales; and any person so appointed shall be by virtue of the commission issued out of the said Court of Queen's Bench a Commissioner duly authorised to take affidavits in and for all the superior courts of common law in Dublin, with all the powers and privileges now by law belonging or hereafter to belong to Commissioners appointed to take affidavits for the said courts, or any of them, in the same manner to all intents and purposes as such powers and privileges belong to Commissioners appointed by the said Court of Queen's Bench for taking affidavits in England and Wales, or any districts therein.

Affidavits to be used in superior courts of common law in Ireland:

2. All affidavits duly made before any Commissioners so appointed may be used in any cause, motion, or matter depending in any of the superior courts of common law at Dublin, or in any proceeding in same, in the same manner as affidavits are now used which are sworn before a Commissioner appointed for England or Wales, or any district therein, subject to the rules and practice of the said courts respectively, and to such rules as may at any time be duly made in respect of same.

Also in Landed Estates Court, Court of Probate, and Court of Bankruptcy:

3. Any affidavit duly sworn before a Commissioner so appointed may be used in the Landed Estates Court, the Court of Probate, and the Court of Bankruptcy in Ireland, subject nevertheless to the rules and practice of each of said courts respectively, and to any rules that may hereafter be duly made in each of such courts respectively.

Also in registration of judgments.

4. Any affidavit so sworn may be used in registering a judgment of any of the superior courts of common law in Ireland as a mortgage against lands pursuant to the statutes in that case made and provided, subject nevertheless to the rules and practice of the court in which such judgment is or shall be entered, and to any rules that may be hereafter duly made in reference to same.

Persons swearing falsely may be indicted for perjury in Dublin.

5. Any affidavit duly sworn before any Commissioner so as aforesaid appointed under this Act shall for all purposes of a prosecution for perjury be deemed to be sworn before a person duly authorised to take such affidavit and to administer an oath; and any person swearing falsely in any such affidavit shall be liable to the penalties of perjury, and may be indicted and tried for perjury in the same manner to all intents and purposes as he might be if such affidavit had been sworn in the county of the city of Dublin.

6. The Court of Queen's Bench in Ireland may by their commission (in like manner as they now appoint commissioners of affidavits and special bail in the common law courts, Ireland,) appoint and empower as many persons as they shall think fit and necessary, such persons being attorneys of the said courts and practising and residing within ten miles of the Four Courts, Dublin, to be commissioners in and for the county of Dublin and the county of the city of Dublin, to administer oaths and take and receive all and every such affidavit and affidavits, declarations, or affirmations as any person or persons shall be willing or desirous to make before any person so empowered in or concerning any cause, matter, or thing depending or hereafter to be depending or anywise concerning any of the proceedings in the superior courts of common law in Ireland.

Power to Court of Queen's Bench in Ireland to appoint Commissioners to administer oaths within ten miles of Dublin.

7. The persons so appointed or empowered shall be styled "Dublin Commissioners to administer oaths in common law," and they shall have within the district for which they are appointed the same powers and be entitled to the same fees as Commissioners appointed for any other part of Ireland, subject in all respects to such rules and regulations as the said courts, or any of them, may make in that behalf; and all affidavits, affirmations, or declarations made before any such Commissioner shall have in all respects and in all proceedings, civil and criminal, the same force and effect as if same had been made before an officer of one of the said courts duly authorised to take the same and to administer an oath.

Style of Commissioners, with power to them to take fees, &c.

8. All the Commissioners appointed or empowered under this Act shall have and possess the like powers and authorities as are now vested in "Commissioners of affidavits and special bail in the common law courts, Ireland."

Commissioners to have same powers as former Commissioners.

9. Any person making an affidavit before any Commissioner so as aforesaid appointed under this Act may, instead of an oath, make a solemn affirmation or declaration in all cases in which he is now by law entitled to substitute such solemn affirmation or declaration for an oath; and for all the purposes of this Act, including a prosecution for perjury, such solemn affirmation or declaration shall be deemed to be the same as an oath.

Affirmation to be equivalent to oath.

CHAPTER 76.

An Act to consolidate and amend the Acts relating to the Regulation of Coal Mines and certain other Mines. [10th August 1872.]

WHEREAS it is expedient to consolidate and amend the law relating to the regulation and inspection of coal mines and certain other mines:

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:

Preliminary.

1. This Act may be cited as "The Coal Mines Regulation Act, 1872."

Short title.

2. This Act, except as herein-after provided, shall not come into operation in England and Scotland until the first day of January one thousand eight hundred and seventy-three, and in Ireland until the first day of January one thousand eight hundred and seventy-four, which dates are in this Act respectively referred to as the commencement of this Act.

Commencement of Act.

3. This Act shall apply to mines of coal, mines of stratified ironstone, mines of shale, and mines of fire-clay.

Application of Act.