penalty not exceeding twenty pounds, and in the case of a continuing offence to a daily penalty (*i.e.*, a penalty for each day on which such offence is continued after conviction therefor) not exceeding five pounds, and such licence shall be liable to be revoked by the order of the County Council:

(10.) No notice need be given under sub-section (4) of this section when the application is for a renewal of any existing licence held by the applicant for the same premises:

(11.) The County Council may, if and as they think fit, grant to any person applying for the same a licence to keep or use any house, room, garden, or place for any purpose within the meaning of this section for any period not exceeding fourteen days, which they shall specify in such licence, notwithstanding that no notice shall have been given under sub-section (4) of this section:

(12.) From and after the passing of this Act sections two and three of the Disorderly Houses Act, 1751, and the whole of the Public Entertainments Act, 1875, shall be repealed so far as relates to the administrative county of Middlesex: 25 Geo. 2. c. 36. 38 & 39 Vict. c. 21.

(13.) Nothing in this Act shall be deemed to interfere with any other enactment respecting the prosecution of persons keeping disorderly houses:

(14.) The powers by this Act conferred upon the County Council shall be in addition to and not in derogation of any of the powers of licensing now vested in the County Council.

CHAPTER 16.

An Act to amend the Supreme Court of Judicature Acts.

[3rd July 1894.]

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:

Appeals.

1.—(1.) No appeal shall lie— Regulations as to appeals.

(*a*) from an order allowing an extension of time for appealing from a judgment or order; nor

(*b*) without the leave of the Judge, or of the Court of Appeal, from any interlocutory order or interlocutory judgment made or given by a Judge, except in the following cases, namely:—

(i.) where the liberty of the subject or the custody of infants is concerned; and

(ii.) cases of granting or refusing an injunction or appointing a receiver; and

(iii.) any decision determining the claim of any creditor or the liability of any contributory, or the liability of any director or other officer under the Companies Acts, 1862 to 1890, in respect of misfeasance or otherwise; and

(iv.) any decree nisi in a matrimonial cause, and any judgment or order in an Admiralty action determining liability; and

52 & 53 Vict. c. 49.

(v.) any order on a special case stated under the Arbitration Act, 1889; and

(vi.) such other cases, to be prescribed by rules of court, as may in the opinion of the authority for making such rules be of the nature of final decisions.

(2.) An order refusing unconditional leave to defend an action shall not be deemed to be an interlocutory order within the meaning of this section.

(3.) No appeal shall lie from an order of a Judge giving unconditional leave to defend an action.

(4.) In matters of practice and procedure every appeal from a Judge shall be to the Court of Appeal.

(5.) In all cases where there is a right of appeal to the High Court from any court or person, the appeal shall be heard and determined by a Divisional Court constituted as may be prescribed by rules of court; and the determination thereof by the Divisional Court shall be final, unless leave to appeal is given by that court or by the Court of Appeal.

(6.) An application for leave to appeal may be made ex parte or otherwise, as may be prescribed by rules of court.

Appeals from quarter sessions.

2.—(1.) Every case stated by a court of quarter sessions otherwise than under the Acts eleven and twelve Victoria, chapter seventy-eight, and twelve and thirteen Victoria, chapter forty-five, for the consideration of the High Court shall be deemed to be an appeal, and shall be heard and determined accordingly.

(2.) On the hearing of any appeal from a court of quarter sessions the appellate court may draw any inference of fact which might have been drawn in the court of quarter sessions, and may give any judgment or make any order which ought to have been given or made by that court, or may remit the order, and in criminal matters the conviction with the order, and the case stated on it, with the opinion or direction of the appellate court, for re-hearing and determination by the court of quarter sessions, or may remit the case for re-statement.

(3.) On the hearing of any such appeal the appellate court shall have full power to determine how and by whom the costs of the proceedings in the appellate court and in the court of quarter sessions are to be borne.

(4.) The judgment on any such appeal, or, where an appeal to a court of quarter sessions has been directed to be entered for

re-hearing, then that appeal shall, on motion by any party to the appeal, be entered at the sessions next or next but one after the delivery of the judgment, or the giving of the direction, and shall, unless the appellate court otherwise directs, have effect as if the judgment had been given, or, in case of an appeal directed to be re-heard, the appeal had been heard and determined, by the court of quarter sessions at the time of the decision in respect of which the appeal from quarter sessions was brought, and entry and respite of any appeal to quarter sessions in respect of which a case has been stated for the consideration of the High Court shall not be necessary.

Rules of Court.

Explanation of power to make rules.

3. It is hereby declared that the power to make rules conferred by the Judicature Acts, 1873 to 1891, includes power to make rules for regulating the means by which particular facts may be proved and the mode in which evidence thereof may be given:—

(*a.*) On any application in any matter or proceeding relating to the distribution of any fund or property, whether in court or not; and

(*b.*) On any application upon summons for directions pursuant to such rules.

Amendment of provisions as to Rule Committee. 39 & 40 Vict. c. 59. 44 & 45 Vict. c. 68.

4. The persons in whom the power of making rules of court pursuant to section seventeen of the Appellate Jurisdiction Act, 1876, and section nineteen of the Supreme Court of Judicature Act, 1881, is vested, shall include the President of the Incorporated Law Society for the time being, and shall also include two persons (one of whom shall be a practising barrister) to be appointed for the purpose in the same manner as the four judges in the last-mentioned section referred to.

Power to make rules of court as to enactments in schedule.

5. The power to make rules conferred by the Judicature Acts, 1873 to 1891, shall include power to make rules with respect to the matters contained in and regulated by the enactments described in the schedule to this Act.

Rules as to payments out of court. 35 & 36 Vict. c. 44. 46 & 47 Vict. c. 29.

6. Rules made by the Lord Chancellor with the concurrence of the Treasury under the Chancery Funds Act, 1872, or the Supreme Court of Judicature (Funds, &c.) Act, 1883, may determine the smallest amount which shall, notwithstanding any order of the court, be paid by the Paymaster-General: Provided as follows—

(1.) Nothing in this section shall apply to any periodical payments of annuities, or of dividends or interest of funds in court;

(2.) The amount so determined shall not exceed one shilling; and

(3.) Any sums retained by the Paymaster-General in accordance with any such rule shall, in such manner as the Treasury may direct, be either paid into the Exchequer or appropriated in aid of the moneys granted by Parliament for the expenses of the Supreme Court.

Short Title.

Short title and commencement.

7. This Act may be cited as the Supreme Court of Judicature (Procedure) Act, 1894, and shall be read with the Judicature Acts, 1873 to 1891, and shall come into operation at the expiration of two months after the passing thereof.

SCHEDULE.

Section 5.

Session and Chapter.	Title or Short Title.	—
8 & 9 Will. 3. c. 11. -	An Act for the better preventing frivolous and vexatious suits.	Section eight.
39 & 40 Geo. 3. c. 36.	An Act the title of which begins with the words "An Act to "enable courts of equity" and ends with the words "party "thereto."	The whole Act.
10 Geo. 4. c. 13. -	An Act to provide for monies paid into court under Acts afterwards repealed.	The whole Act.
3 & 4 Will. 4. c. 42. -	An Act for the further amendment of the law and the better advancement of justice.	Sections sixteen and eighteen.
1 & 2 Vict. c. 110. -	An Act the title of which begins with the words "An Act for "abolishing arrest" and ends with the words "debtors in "England."	Sections fourteen and fifteen.
3 & 4 Vict. c. 82. -	An Act for further amending the Act for abolishing arrest in mesne process in civil actions.	Section one.
5 Vict. c. 5. - -	An Act to make further provisions for the administration of justice.	Section four.
15 & 16 Vict. c. 76. -	The Common Law Procedure Act, 1852.	Section one hundred and thirty-two.
23 & 24 Vict. c. 126.	The Common Law Procedure Act, 1860.	Section seventeen.
30 & 31 Vict. c. 47. -	An Act the title of which begins with the words "An Act to "amend" and ends with the words "Crown debts and on "judgments."	The whole Act.
31 & 32 Vict. c. 40. -	The Partition Act, 1868 - -	The whole Act.
39 & 40 Vict. c. 17. -	The Partition Act, 1876 - -	The whole Act.