Months after the Fact committed, and not afterwards, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of Her Majesty's Courts having Civil Jurisdiction, and then within Six Calendar Months after the Plaintiff and Defendant shall have been both within the Jurisdiction of any such Court; and every such Action or Suit shall be brought in the Place where the Cause of Action shall have arisen, and not elsewhere, except where the Cause of Action shall have arisen in any Place not within the Jurisdiction of any of Her Majesty's Courts having Civil Jurisdiction; and the Defendant shall be entitled to the like Notice, and shall have the like Privilege of tendering Amends to the Plaintiff, or his Agent or Attorney, as is provided in Actions brought against any Justice of the Peace for any Act done by him in the Execution of his Office.

Act may be amended, &c.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.

CAP. LXXXI.

An Act to make better Provision for the Appointment of a Deputy for the Chairman of the Sessions of the Peace in the County of *Dublin*, and to provide for the taking of an Oath by the said Chairman or Deputy; and to amend an Act of the First Year of Her present Majesty, to amend the Law for the Recovery of Small Debts by Civil Bill in *Ireland*.

[22d *August* 1843.]

'WHEREAS by an Act passed in the Parliament of *Ireland* in the Thirty-eighth Year of the Reign of King *George* the Third, intituled *An Act to enable the Chief Governor of this Kingdom to appoint One of His Majesty's Counsel learned in the Law to be Chairman of the Session of the Peace in the County of* Dublin *during good Behaviour*, it was amongst other things enacted, that if the Chairman so appointed should be at any Time absent from such Session, any of His Majesty's Counsel learned in the Law, to be by such Chairman appointed, might act as such Chairman during his Pleasure: And whereas it is expedient to repeal the said recited Enactment, and to make Provision for the Appointment of a Deputy to the Chairman of the said Session, similar to that now by Law made for the Appointment of Deputies to the several Assistant Barristers in *Ireland*:' 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, That from and after the passing of this Act so much of the herein-before recited Act as empowers the said Chairman of the Session of the Peace in the County of *Dublin* to appoint a Deputy

38 G. 3. (I.)

So much of recited Act as empowers the Chairman to

a Deputy shall be repealed, without Prejudice, nevertheless, to any Appointment heretofore made, or the Validity thereof.

Appoint a Deputy repealed.

II. And be it enacted, That when it shall appear to the Lord High Chancellor, Keeper or Commissioners of the Great Seal of *Ireland*, for the Time being, upon Oath, that the present Chairman of the Session of the Peace in the County of *Dublin*, or any Chairman of the said Session to be hereafter appointed, is, by reason of Sickness or other necessary Cause of Absence, unable to attend at the Time appointed for any Session of the Peace in the said County, or at any Adjournment thereof, it shall and may be lawful to and for the said Lord High Chancellor, Keeper or Commissioners of the Great Seal for the Time being, to nominate or appoint some other Barrister, of Six Years standing at the least, to do and execute the Duty of such Chairman, as well in holding a Court for hearing and determining Causes in a summary Way by Civil Bill, as also all other Business, civil or criminal, which such Chairman is by any Act or Acts authorized and empowered to do at any Session of the Peace or Adjournment thereof, for such Time as such Illness or necessary Cause of Absence shall continue; and such Person so appointed shall, upon taking the Oath hereinafter required to be taken by such Chairman, (*mutatis mutandis,*) either before such Chancellor, Keeper or Commissioners, or publicly in open Court at the Sessions of the Peace or Adjournment thereof, on the first Day on which he shall attend at any Session or Adjournment thereof to execute such Duty, have all and every the Powers and Authorities given to such Chairman by any Act or Acts now in force or which may be hereafter passed, and be authorized in every respect to do and execute during the Continuance of such Absence, and no longer, every Matter and Thing which such Chairman might himself lawfully do if personally present.

When it appears to Lord Chancellor, upon Oath, that the Chairman is unable to attend, he may appoint a Barrister of Six Years standing to do his Duty, who shall take the Oath herein-after required, and be invested with all the Powers of such Chairman during his Absence.

III. And be it enacted, That such Person so appointed to do and execute such Duty of such Chairman during his Illness or other necessary Cause of Absence shall receive and be paid such Compensation for his Labour and Trouble therein as the Lord Chancellor, Keeper or Commissioners of the Great Seal of *Ireland*, for the Time being, shall think fit to direct and appoint, the same to be paid by such Chairman, or out of the Salary and Fees of such Chairman who shall be absent.

The Deputy to be paid such Compensation as the Lord Chancellor shall think fit out of Salary, &c. of Chairman.

IV. 'And whereas it may happen that such Illness of such 'Chairman may happen so suddenly as that there may not 'be sufficient Time to give Notice thereof to the Chancellor, 'Keeper or Commissioners of the Great Seal, and to have a 'Person appointed to do the Duty of the said Chairman in 'the said Court, by the Day at which such Court ought to sit;' be it therefore enacted, That in case of such Illness of such Chairman it shall and may be lawful for any Two Justices of the Peace for the said County of *Dublin* to open and adjourn the said Court from Time to Time, and for such reasonable Time as shall be sufficient for such Chancellor, Keeper or Commissioners, to be informed of such Illness by Affidavit sworn

When the Illness of a Chairman happens suddenly, Two Justices may open and adjourn the Court until the Chancellor can appoint a Deputy.

sworn before some Justice of such County, or Oath before himself or themselves, and to appoint some Person to do the said Duty, and for such Person to repair to the Place where such Court shall be held, and to take upon himself the Execution of such Duty.

Chairman of Sessions to take an Oath before acting.

V. And be it enacted, That the present Chairman of the Session of the Peace in the County of *Dublin* shall, within Two Months after the passing of this Act, and every Person to be hereafter appointed to the Office of Chairman of the said Session shall, before he shall proceed to execute the Duties of the said Office, take the following Oath before the Lord High Chancellor, Keeper or Commissioners of the Great Seal of *Ireland*, for the Time being, which Oath the said Chancellor, Keeper and Commissioners, are hereby empowered to administer; (that is to say,)

Form of Oath.

'I *A.B.* do swear, That I will execute the Office of Chairman of the Session of the Peace in the County of *Dublin* diligently, justly, and impartially, and, without Favour, Affection, or Malice, do equal Right to all the Queen's Subjects that shall come within my Jurisdiction; and that I will in all things, to the best of my Skill and Power, execute the Duties imposed on me by an Act passed in the Parliament of *Ireland* in the Second Year of the Reign of King *George* the First, intituled *An Act for reviving and amending an Act, intituled 'An Act for the Recovery of Small Debts in a summary 'Way before the Judges of Assize,'* and by an Act passed in the said Parliament, in the Thirty-eighth Year of the Reign of King *George* the Third, intituled *An Act to enable the Chief Governor of this Kingdom to appoint One of His Majesty's Counsel, learned in the Law, to be Chairman of the Session of the Peace in the County of* Dublin *during good Behaviour*, or any other Act or Acts continuing or amending either of the said Acts.'

2 G. 1. c. 11.

38 G. 3. c. 65.

Nothing herein contained to repeal 2 & 3 W. 4. c. 88. s. 68.

VI. Provided always, and be it enacted, That nothing herein contained shall be construed to repeal or affect the Provision made by an Act passed in the Session of Parliament holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of* Ireland, enabling the said Chairman of the Session of the Peace for the County of *Dublin* to discharge the Duties imposed upon him by that Act with regard to the Registry of Voters in and for the City of *Dublin* by Deputy as therein mentioned.

Provisions of 7 G. 4. c. 36. & 7 W. 4. & 1 Vict. c. 43. to extend to East Riding of County of Cork.

VII. 'And whereas by an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to regulate the Service of the Process of the several Courts for the Recovery of Small Debts by Civil Bill in* Ireland, it was enacted, that at the several Sessions of the Peace in and for the several Counties in *Ireland*, which should be holden in the Month of *October* next after the passing of the said Act, each and every of the Assistant Barristers appointed under the Authority of the Act therein recited, or of any Act for

'amending

'amending the same, should, in manner therein enacted, nominate and appoint such Number of fit and proper Persons, being Householders residing in the principal Market Towns within the said Counties, to be Officers for the Service of Civil Bill Processes in the said County or Division thereof as should be specified and set forth in any such Warrant respectively: And whereas by an Act passed in the First Year of Her present Majesty, intituled *An Act to amend the Law for Recovery of Small Debts by Civil Bill in* Ireland, it was enacted, that at any Sessions of the Peace in and for the several Counties in *Ireland*, or any Riding thereof, which should be holden after the passing of the said Act, each and every of the Assistant Barristers appointed under the Acts for Recovery of Small Debts by Civil Bill in *Ireland*, or any of them, to be Assistants to the Justices at such Sessions, might and should, by Warrant or Warrants under the Hand and Seal of each such Assistant Barrister, respectively nominate and appoint such Number of fit and proper Persons, qualified as in the said Act of the Seventh Year of the Reign of His late Majesty is mentioned, as to the said Assistant Barrister should from Time to Time appear to be necessary, to be Officers for the Service of Civil Bill Processes within such County or within any Riding thereof, or within such Division of such County or Riding as should be specified in any such Warrant, and that such Officers should be in addition to the Officers already appointed and acting in such County, Riding, or Division under the said recited Act of the Seventh Year of the Reign of King *George* the Fourth: And whereas it has been doubted whether the said Acts refer to the East Riding of the County of *Cork*, by reason of there not being any Sessions directed to be holden therein in the Month of *October*, and it is expedient that the Provisions of the said recited Acts should be extended to said Riding;' be it therefore enacted, That the said several Acts, and each and every the Provisions of same, shall extend and be deemed and construed to extend to the East Riding of the said County of *Cork*, and that at any Sessions of the Peace for said Riding which shall be holden after the passing of this Act the Assistant Barrister appointed for said Riding shall and may, in manner in said Acts mentioned, nominate and appoint such Number of fit and proper Persons, qualified as in said Acts mentioned, as to the Assistant Barrister shall from Time to Time appear to be necessary, to be Officers for the Service of Civil Bill Processes within such Riding, or within such Division of said Riding as shall be specified in any such Warrant; and such Officers shall have the same Powers, Privileges, and Emoluments, and observe the several Rules and Regulations prescribed by the said Acts, and shall be removeable in like Manner, and their Appointment made known in the Manner directed by said Acts; and that from and after the Appointment of any such Officers it shall not be lawful for any Person whomsoever, other than one of such Officers as shall be appointed and authorized under the

the Authority and according to the Directions of the said Act and of this Act, to serve any such Process; and that any Service or pretended Service of any Process by any Person or Persons not appointed and authorized as aforesaid shall be wholly null and void to all Intents and Purposes whatsoever; any Act or Acts of Parliament, or any Law, Usage, or Custom, to the contrary in anywise notwithstanding.

CAP. LXXXII.

An Act for extending to *Scotland* and *Ireland* the Power of the Lord High Chancellor to grant Commissions to enable Persons to take and receive Affidavits; and for amending the Law relating to Commissions for the Examination of Witnesses.

[22d *August* 1843.]

'WHEREAS it would be convenient to extend to *Scotland* 'and *Ireland* the Power of the Lord High Chancellor of '*Great Britain* to grant Commissions in order to enable Per-'sons to take Affidavits, Affirmations, and Declarations:' 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,

Lord Chancellor to have the same Powers for granting Commissions for taking Affidavits, &c. in Scotland and Ireland as he now has in England.

and by the Authority of the same, That the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, for the Time being, shall have such and the same Powers for granting Commissions for the Purpose of enabling fit and proper Persons to take and receive Affidavits, Affirmations, and Declarations in *Scotland* and *Ireland*, and to perform the other Duties of Masters Extraordinary of the High Court of Chancery in *England*, as he and they now have in any Part of the Kingdom of *England*.

Persons wilfully swearing falsely in any Affidavit, &c. in Scotland deemed guilty of Perjury, and liable to Punishment in same Manner as Persons swearing falsely in open Court.

II. And be it enacted, That all and every Persons and Person wilfully swearing or affirming or declaring falsely in any Affidavit or Affirmation or Declaration to be made in that Part of the United Kingdom called *Scotland*, before any Person or Persons who shall be empowered to take Affidavits or Affirmations or Declarations in *Scotland* under the Authority aforesaid, shall be deemed guilty of Perjury, and shall be liable to Prosecution and Punishment for Perjury in the same Manner and to the same Effect as if such Persons or Person had wilfully sworn falsely as a Witness or Witnesses in open Court in any judicial Proceeding in *Scotland*, or in any Court of competent Jurisdiction in that Part of the United Kingdom in which such Person shall be apprehended on such a Charge; and it shall be competent to bring such Prosecution, if brought in *Scotland*, either in the Court of Justiciary or in the Sheriff Court of the County within which the Offence shall have been committed.

Persons wilfully swearing falsely

III. And be it enacted, That all and every Persons and Person wilfully swearing or affirming falsely in any Affidavit or