

AN ACT to extend the Jurisdiction of the Judges of the Superior
Courts of Common Law. . . . [27th July, 1838.]

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2. And whereas, by another Act passed in the second year of the reign of His late Majesty King William the Fourth, intituled “An Act to enable the Courts of Law to give Relief against adverse Claims made upon Persons having No Interest in the Subject of such Claims,” provision is made for the relief of Sheriffs and other officers concerned in the execution of process issued out of any of His Majesty’s Courts of law at Westminster, or the Court of Common Pleas of the County Palatine of Lancaster, or the Court of Pleas of the County Palatine of Durham, against goods and chattels, by reason of claims made to such goods and chattels, but such relief can only be given by rule of Court: And whereas it is expedient that a single Judge should possess the power of giving relief in that respect:

Any Judge may exercise such powers for the relief of Sheriffs, &c., as may be by virtue of 1 & 2 Will. IV., c. 58, s. 6, be exercised by the several Courts.

It shall be lawful for any Judge of the said Courts of Queen’s Bench, Common Pleas, or Exchequer, with respect to any such process issued out of any of those Courts, or for any Judge of the said Court of Common Pleas of the County Palatine of Lancaster, or Court of Pleas of the County Palatine of Durham (being also a Judge of one of the said three superior Courts), with respect to process issued out of the said Courts of Lancaster and Durham respectively, to exercise such powers and authorities for the relief and protection of the Sheriff or other officer as may by virtue of the said last-mentioned Act be exercised by the said several Courts respectively, and to make such order therein as shall appear to be just; and the costs of such proceeding shall be in the discretion of such Judge.

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