



ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

C A P LXXV.

An Act to amend an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law respecting defamatory Words and Libel.* [31st July 1845.]

WHEREAS by an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of Her present Majesty, intituled *An Act to amend the Law respecting defamatory Words and Libel*, it is, amongst other things, enacted and provided, that the Defendant in an Action for a Libel contained in any public Newspaper or other periodical Publication may plead certain Matters therein mentioned, and may upon filing such Plea be at liberty to pay into Court a Sum of Money by way of Amends for the Injury sustained by the Publication of such Libel; and it is thereby further enacted, that such Payment into Court shall be of the same Effect, and be available in the same Manner and to the same Extent, and be subject to the same Rules and Regulations as to Payment of Costs and the Form of Pleading, except so far as regards the pleading of the additional Facts therein-before required to be pleaded by such Defendant, as if Actions for Libel had not been

6 & 7 Vict.
c. 96.

3 & 4 W. 4.
c. 42.

3 & 4 Vict
c. 105.

In Cases of
Action for
Libel in Ire-
land, where
Defendant
shall plead
Matters
allowed by
3 & 4 W. 4.
c. 42. and
pay Money
into Court,
such Pay-
ment to be
of same
Effect as if
required by
said Act.

Defendant
not to file
such Plea
without pay-
ing Money
into Court
by way of
Amends.

excepted from the personal Actions in which it is lawful to pay Money into Court, under an Act passed in the Session of Parliament held in the Fourth Year of His late Majesty, intituled *An Act for the further Amendment of the Law, and the better Advancement of Justice*: And whereas the said Act of the Fourth Year of the Reign of His late Majesty relates only to Proceedings in the Superior Courts in *England*, but by an Act passed in the Session of Parliament held in the Third and Fourth Years of the Reign of Her present Majesty, intituled *An Act for abolishing Arrest on Mesne Process in Civil Actions, except in certain Cases, for extending the Remedies of Creditors against the Property of Debtors, and for the further Advancement of Justice, in Ireland*, a like Provision is made for Payment of Money into Court in all personal Actions pending in any of the Superior Courts in *Ireland* as is contained in the said Act of the Fourth Year of the Reign of His late Majesty in regard to Actions pending in the Superior Courts in *England*, with a like Exception of Actions for Libel; and it is expedient to prevent any Doubts as to the Application of the said recited Act of the Sixth and Seventh Years of the Reign of Her present Majesty to Actions pending in the Superior Courts in *Ireland*, which may be created by reason of the Omission of a Reference in the last-mentioned Act to the said Act of the Third and Fourth Years of the Reign of Her present Majesty: Be it therefore enacted and declared 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 when in any Action pending in the Superior Courts in *Ireland* for a Libel contained in any public Newspaper or other periodical Publication the Defendant shall plead the Matters allowed to be pleaded by the said first-mentioned Act, and shall on filing such Plea pay Money into Court as provided by such Act, such Payment into Court shall be of the same Effect, and be available in the same Manner and to the same Extent, and be subject to the same Rules and Regulations now in force or hereafter to be made as to Payment of Costs and the Form of Pleading, except so far as regards the pleading of the additional Facts so required to be pleaded by such Defendant, as if Actions for Libel had not been excepted from the personal Actions in which it is lawful to pay Money into Court under the said recited Act of the Third and Fourth Years of the Reign of Her present Majesty.

II. And be it declared and enacted, That it shall not be competent to any Defendant in such Action, whether in *England* or in *Ireland*, to file any such Plea, without at the same Time making a Payment of Money into Court by way of Amends as provided by said Act, but every such Plea so filed without Payment of Money into Court shall be deemed a Nullity, and may be treated as such by the Plaintiff in the Action.