

THE SUGAR DUTIES BILL.

THE Act of Parliament passed 1846, for the regulation of the Sugar Duties, provides for a gradual diminution of these Duties. The amount is to be levied upon the following scale:—

1. On Sugar, or Molasses, the growth and produce of any British Possession in America, or of any British Possession within the limits of the East India Company's Charter, into which the importation of Foreign Sugar is prohibited, and imported from thence, from and after the passing of this Act:

	£	s.	d.
Candy, Brown or White, Double Refined Sugar, or Sugar equal in quality to Double Refined, for every cwt. . . . .	1	1	0
Other Refined Sugar, or Sugar rendered by any process equal in quality thereto, for every cwt. . . . .	0	18	8
White Clayed Sugar, or Sugar rendered by any process equal in quality to White Clayed, not being refined, for every cwt. . . . .	0	16	4
Brown Sugar, being Muscovado or Clayed, or any other Sugar not being equal in quality to White Clayed, for every cwt. . . . .	0	14	0
Molasses, for every cwt. . . . .	0	5	3

2. On Sugar the growth and produce of any other British Possession within the limits of the East India Company's Charter:

	From and after the passing of this Act to 5th July, 1847, inclusive.		From and after 5th July, 1847, to 5th July, 1848, inclusive.		From and after 5th July, 1848, to 5th July, 1849, inclusive.		From and after 5th July, 1849, to 5th July, 1850, inclusive.		From and after 5th July, 1850, to 5th July, 1851, inclusive.		From and after 5th July, 1851.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Candy, Brown or White, Double Refined Sugar, or Sugar equal in quality to Double Refined, for every cwt. . . . .	1	6	2	1	5	6	1	4	4	1	3	3
Other Refined Sugar, or Sugar rendered by any process equal in quality thereto, for every cwt. . . . .	1	3	4	1	2	8	1	1	8	1	0	8
White Clayed Sugar, or Sugar rendered by any process equal in quality to White Clayed, not being Refined, for every cwt. . . . .	1	0	5	0	19	10	0	18	11	0	18	1
Brown Sugar, being Muscovado, or Clayed, or any other Sugar, not being equal in quality to White Clayed, for every cwt. . . . .	0	17	6	0	17	0	0	16	3	0	15	6
Molasses, for every cwt. . . . .	0	6	6	0	6	4	0	6	1	0	5	9

The same duties as on Candy, Sugar, and Molasses, the produce of other British Colonies.

3. On Sugar, the growth and produce of any Foreign country, and which shall be imported into the United Kingdom, either from the country of its growth or from some British Possession, having first been imported into such British Possession from the country of its growth:

	From and after the passing of this Act to 5th July, 1847, inclusive.		From and after 5th July, 1847, to 5th July, 1848, inclusive.		From and after 5th July, 1848, to 5th July, 1849, inclusive.		From and after 5th July, 1849, to 5th July, 1850, inclusive.		From and after 5th July, 1850, to 5th July, 1851, inclusive.		From and after 5th July 1851.	
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
Candy, Brown or White, Double Refined Sugar, or Sugar equal in quality to Double Refined, for every cwt. . . . .	1	11	6	1	10	0	1	7	9	1	5	6
Other Refined Sugar, or Sugar rendered by any process equal in quality thereto, for every cwt. . . . .	1	8	0	1	6	8	1	4	8	1	2	8
White Clayed Sugar, or Sugar rendered by any process equal in quality to White Clayed, not being Refined, for every cwt. . . . .	1	4	6	1	3	4	1	1	7	0	19	10
Brown Sugar, being Muscovado, or Clayed, or any other Sugar, not being equal in quality to White Clayed, for every cwt. . . . .	1	1	0	1	0	0	0	18	6	0	17	0
Molasses, for every cwt. . . . .	0	7	10	0	7	6	0	6	11	0	6	4

The same duties as on Candy, Sugar, and Molasses, the produce of British Colonies.

4. That the Bounties or Drawbacks following be paid and allowed upon the exportation of certain descriptions of Refined Sugar from the United Kingdom (that is to say),

	£	s.	d.
Upon Double Refined Sugar, or Sugar equal in quality to Double Refined, for every cwt. . . . .	1	0	0
Upon other Refined Sugar in Loaf, complete and whole, or Lumps duly Refined, having been perfectly clarified and thoroughly dried on the stove, and being of an uniform whiteness throughout, or such Sugar pounded, crushed, or broken, for every cwt. . . . .	0	17	0
Upon Bastard or Refined Sugar, broken in pieces, or being ground, or powdered Sugar pounded, or crushed or broken, for every cwt. . . . .	0	14	0

ACTS FOR THE SOCIAL IMPROVEMENT AND COMFORT OF THE PEOPLE.

It was a gratifying feature of the last session of Parliament, that, although engaged with questions of the utmost importance, commercial and political, it yet found time to frame and carry measures calculated to augment the comforts of the people, and to improve their health and physical condition generally.

One measure eminently deserving this character was the "Act to Encourage the Establishment of Public Baths and Wash-houses." It is a fact beyond dispute that bathing has not only a beneficial effect upon the body, by promoting circulation, and facilitating the healthy action of the functions, but it also strengthens the mental faculties.

According to this Act the Council of any Municipal Borough in England, Wales, or Ireland; and also the Vestry in any parish in England or Wales, not included in a Municipal Borough, may carry the plan into effect at the expense of the rates. The acquisition of lands is rendered easy by the facilities afforded; and the Public Works Loan Commissioners will grant loans, to be repaid by twenty yearly instalments.

It is enacted that, when a parish agrees on the adoption of these plans, there must be obtained the approval of the Home Secretary, who is also to approve the by-laws; and before any public lands are appropriated, or any loans obtained, the consent of the Treasury must be procured. With these exceptions, the local authorities are left entirely without control; on them the duty devolves of considering the views laid down by the Legislature, so as to carry them out in the most judicious and advantageous manner.

This bill also empowers any Town Council, or other similar body, having jurisdiction in a corporate town, Drainage Commissioners, or Poor-law Guardians, on receipt of two medical men's certificate, vouching the existence of any public nuisance, to lodge a complaint with two Justices of the Peace. The Justices, on being satisfied of the validity of such complaint, are required to make an order for the cleansing, whitewashing, or purifying, of any dwelling-house, or other building, or for the removal of the nuisance complained of in the certificate. If this order is disobeyed, the complaining parties are to have the power of entering upon the premises, and of themselves carrying these remedial measures into effect. The expenses so incurred may be recovered summarily from the owners of the property in question.

The President of the Council or any three members of that Board (of whom the Lord President or one of the Secretaries of State is to be one) are empowered to issue orders at any time to prevent the spreading of contagious or epidemic diseases in England.

All penalties leviable under this Act are to be applied towards the relief of the poor. All orders made by the Privy Council are periodically to be laid before Parliament. Provision is made for the payment out of the poor-rates of such expenses as are not defrayed by the owners of the property complained against.

RAILWAY GAUGES.

The Act for Regulating the Gauge of Railways, which passed last Session, after stating the expediency of defining that Gauge, declares that hereafter it will not be lawful, except in cases mentioned, to construct any railway for the conveyance of passengers on any gauge other than four feet eight inches and half an inch in Great Britain, and five feet three inches in Ireland. The exceptions are set forth, and on certain railways the broad gauge is to be used. By the 4th provision it is declared that after the passing of the act the gauge of any railway used for the conveyance of passengers is not to be altered. Railways constructed contrary to this act may be abated. There is a provision for the recovery of penalties.

THE ACT FOR THE DISSOLUTION OF RAILWAY COMPANIES.

The Act 9 and 10 of Victoria, cap. 28, to facilitate the dissolution of certain Railway Companies, provides, by the 1st Section, that persons who shall have entered into a contract for the formation of a Company for making a Railway, &c., may dissolve the same under certain conditions therein named.

In the 2nd Section, it is enacted that the Committee, &c., may call meetings of shareholders to consider the propriety of a dissolution.

Section 3 provides that the shareholders may require the Committee to call a meeting, and in default may call it themselves.

Sections up to 14 relate chiefly to the mode of taking the votes. The 15th Section is the most important of the Act. It is as follows:—"And be it enacted, that to constitute a meeting under the provisions of this Act for the purpose of deciding on a dissolution, or bankruptcy, persons representing at least one third part of the shares in the undertaking actually issued or given, either as shares, scrip, or receipts, must be present and vote; and that for the purpose of effecting a dissolution, and as to Bankruptcy, there must be either a majority of the votes of the whole scrip of the Company issued as aforesaid, or at least three-fifths of the votes of persons present and voting, either as shareholders or proxies, in favour of the motion for dissolution, and for the bankruptcy, if so resolved on."

By Section 18, it is enacted that no votes shall be allowed except for scrip, &c., actually issued or given before 31st March, 1846.

According to Section 25, if the proposal of dissolution be rejected, no new meeting can be called for six months to consider the question.

Section 27, provides that any three of the Committee, or any creditor or creditors, may petition for a fiat in bankruptcy.

It is also provided, that, after the dissolution of any Company, no action, &c., can be brought by any attorney or solicitor, until one month after a bill of fees shall have been delivered.

Another important clause enables defendants to recover contributions from their Committeemen:—"And be it enacted, that where the dissolution of a Company shall have been resolved under this Act, if judgment shall have been recovered, or shall afterwards be recovered in any action against any member of the Committee, for any debt due from such Company, or from such Committee, in respect of the undertaking, the member against whom such judgment shall have been recovered shall be entitled at law to a contribution from each of the other members of such Committee towards the payment of the moneys recovered by such judgment, and of all costs and expenses in relation thereto, of such a share of the whole amount of such moneys, costs, and expenses, as would have been borne by such respective members upon an equal contribution by all the members of such Committee, and may recover the contributions to which he may be so entitled, or any of them, by action or actions of debt, or on the case against all or any of such other members of such Committee, but so that no such member shall be liable in any such action as aforesaid for more than the share to which he shall respectively be liable to contribute under this provision."

THE POOR REMOVAL BILL.

This bill, which excited so much discussion in the House of Commons, consists but of 10 clauses. Clause 1 enacts that no person shall be removed from any parish in which he or she shall have resided for five years. Clause 2, that no widow shall be liable to be removed for twelve months after the death of her husband. Clause 3, that no child, whether legitimate or illegitimate, under the age of 16 years, shall be liable to be removed, except with its father or mother. Clause 4 and 5, that sick persons shall not be liable to be removed, except the Justices are satisfied that the sickness or accident will produce permanent disability, but that no settlement is to be gained by their non-removal. Clause 6 imposes a penalty not exceeding £5, nor less than £2, for unlawfully procuring the removal of poor persons to other parishes. Clause 7 provides for the delivery of paupers under a warrant of removal. Clause 8 constitutes this Act part of the Act of 4 and 5 William IV. for the Amendment and better Administration of the Poor Laws; and clauses 9 and 10 limit this Act to England.

APPLICATION FOR LOCAL ACTS.

It is provided by the New Act of Parliament "for making preliminary Inquiries in certain Cases of Applications for Local Acts," that in any case where it is intended to make an application to Parliament for an act for the establishment of any waterworks, or for draining, paving, cleansing, lighting, or otherwise improving any town, district, or place; or for making, maintaining, or altering any burial-ground or cemetery; or for continuing, altering, or enlarging any of the powers or provisions contained in any act relating to such purposes, a notice in writing of such intention to apply to Parliament in the next ensuing session for an act for any of the above objects, shall, on or before the last day of November,—or, in case such day shall fall on a Sunday, then on the next day preceding in each year,—be delivered at the office of the Woods and Forests, with all information on the subject. The Commissioners of the Woods and Forests are to appoint a surveying officer to make inquiries on the spot of the intended work, who may require the attendance of witnesses. The expenses are to be paid by the promoters. It is expected that this measure, founded on the report of a Select Committee on Private Bills, will greatly facilitate local acts, and save considerable expense.

THE SMALL DEBTS ACT.

This act may be considered as an experiment for the purpose of effecting the important object of recovering debts at a small expense. The monstrous charges for recovering debts under the old system, were disgraceful to a country like England, which boasts of its justice and equity.

This act contains 143 provisions, and four schedules. It would seem that the new law will not affect the Palace Court, which possesses a jurisdiction to £20, as it is not considered one "of her Majesty's Superior Courts of Record;" but, with regard to the superior courts, persons bringing actions after the passing of the Act (28th August), "for which a plaintiff might have been entered in any court holden under this Act," are to be liable, under certain circumstances, to the payment of costs.

The primary object of the Act was to prevent the denial of justice, which existed in respect to claims under £20, as, in innumerable cases, the costs exceeded the debt, and insolvency resulted; and in other cases debtors escaped with impunity, because of the expense of the remedy. By the 58th section, the jurisdiction of the County Court is to extend to "debt or damage" of not more than £20, whether on balance or otherwise, with the exception, among other things, of actions for malicious prosecutions, libel, slander, seduction, or breach of promise of marriage; but false imprisonment and assault cases are not excluded; and, by another provision, the parties to the action, their wives, and all other persons, may be examined.

By the 78th section, all forms of procedure to be used in the County Courts under the Act, with the general rules for regulating the practice and proceedings of the same, are to be framed by the Judges of the superior courts of Common Law at Westminster.

It is provided by the 129th clause, that if any action shall be commenced in any of the superior Courts of Record (other than those specified) for any cause for which a plaintiff might have been entered in any court holden under the Act, and a verdict be found for the plaintiff for a sum less than £20, if the said action be founded on contract, or less than £5, if it be founded on fact, the plaintiff shall have judgment to recover the sum only, and no costs; and if a verdict shall not be found for the plaintiff, the defendant shall be entitled to his costs, as between attorney and client; "unless, in either case, the judge who shall try the cause shall certify on the back of the record, that the action was fit to be brought in such superior court."

An important part of the Act is that relating to execution. Our readers are, perhaps, aware that, under the Common Law, as administered by the Courts at Westminster, a party who had obtained a judgment was entitled to take out execution immediately for the whole amount of debt and costs. It was optional with him to sue out a writ against the goods, or against the body, of his debtor; and, if he failed in pursuing the goods, he might afterwards avail himself of his remedy against the person.

Such right to proceed at once to execution was not controlled by any discretionary power of the Court; though, in some cases, the Judge who tried a cause at Nisi Prius was enabled to give speedy execution to a successful plaintiff—that is, to allow him to take it immediately after the verdict.

The Small Debts Act gives a discretionary power to the Judge, which had been previously conferred upon various Commissioners of Courts of Request, to order the sum recovered to be paid by instalments; and, in such case, execution is not to issue till after default in paying the first instalment, and then only by order of the Judge, for the whole or a part, as he may think proper. Whenever execution is awarded by the Judge, he is empowered to prescribe the times and manner in which the levy is to be made. Thus, in effect, the whole control of this process is placed in his hands.

But, it is in execution against the body, that the most important change is introduced.

In 1837, arrest on mesne process was abolished, a power being reserved to the Judge to issue a *capias*, on an affidavit by the plaintiff of his belief that the debtor was about to leave the kingdom. The next step was the abolition of arrest on final process in cases exceeding £20, which was effected by the 7 and 8 Victoria. A power of committal was conferred upon the Judge, in certain cases of fraud; though, owing to the clumsy manner in which the act was drawn, it was found impossible for any Judge to exercise such power. In 1845, it was found that something must be done for the relief of small creditors, who suffered greatly under this statute, and, accordingly, the 8 and 9 Victoria was passed, entitled, "An Act for the Better Securing the Payment of Small Debts" whereby the creditor was enabled to apply to the Court of Bankruptcy to obtain a discovery of the property of his debtor, and punishment in case of fraud. The statute afforded a partial remedy for the evil; yet it seemed a strange and circuitous way

of proceeding, to drive a plaintiff to the Court of Bankruptcy, when the proper remedy could be more promptly and efficaciously administered by the Court in which his judgment was obtained.

The Small Debts Act makes a more ample provision for the security of the creditor. It enacts, "that any person who has obtained a judgment may summon his debtor before the County Court, where he may be examined touching his estate and effects, the circumstances under which he contracted the debt, the expectation which he had of paying it, and other matters in relation thereto; and, if it shall appear to the Judge that he has obtained credit on false pretences, or fraudulently, or contracted his debt without reasonable expectation of paying it, or in certain other cases of fraud or improper conduct, the Judge shall have power to commit him to prison for any period not exceeding forty days." This will be found to be a most important provision; and it will, no doubt, have a salutary effect in the transactions of small traders.

A most important feature of the Act is the very moderate scale of fees authorised in all proceedings under it. The Act, indeed, appears to be a most equitable one, as it will be seen that there is a different scale of charges for debts amounting to £1, £2, £5, £10, and upwards.

The scale is as follows:—

FEES.	AMOUNT OF DEMAND.					
	Not exceeding 20s.	Exceeding 20s., and not exceeding 40s.	Exceeding 40s., and not exceeding £5.	Exceeding £5, and not exceeding £10.	Founded on Contract.	Founded on Tort.
<b>JUDGE'S FEES.</b>						
Every summons .. .. .	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
Every hearing without a jury .. .. .	0 3	0 6	1 0	2 0	3 0	3 0
Every hearing or trial with a jury .. .. .	1 0	1 6	2 6	7 6	10 0	15 0
Every order or judgment, or application for an order .. .. .	2 0	3 0	5 0	10 0	15 0	20 0
0 3	0 6	1 0	2 0	3 0	3 0	
<b>CLERK'S FEES.</b>						
Entering every plaint and issuing the summons thereon .. .. .	0 3	0 6	1 0	2 0	3 0	3 6
Every subpoena, when required .. .. .	0 3	0 6	0 9	1 0	1 6	1 6
Every hearing, trial, or nonsuit without a jury .. .. .	0 4	0 6	1 0	1 6	2 0	3 6
Adjournment of any cause .. .. .	0 3	0 4	0 6	1 0	2 0	2 0
Entering and giving notice of special defence	0 3	0 6	1 0	1 6	2 0	2 0
Swearing every witness for plaintiff or defendant .. .. .	0 2	0 2	0 3	0 4	0 6	1 0
Entering and drawing up every judgment and order, and copy thereof .. .. .	0 3	0 6	1 0	1 6	2 6	3 0
Payment of money in or out of Court, whether or not by instalments at different times, including notice thereof, and taking receipt .. .. .	0 2	0 4	0 6	—	—	—
Paying money into Court, and entering same in books, and notice thereof, or of sum in full satisfaction having been paid into Court, each instalment or payment .. .. .	—	—	—	0 6	0 8	1 0
Payment of money out of Court, and taking receipt, exclusive of stamp .. .. .	—	—	—	0 9	1 0	1 6
Every search in the books .. .. .	0 2	0 2	0 4	0 6	1 0	1 0
Issuing every warrant, attachment, or execution .. .. .	0 6	0 6	1 0	1 6	2 6	3 0
Supersedeas of execution, or certificate of payment, or withdrawal of cause .. .. .	0 3	0 6	0 6	1 0	1 6	2 0
Warrant of commitment for an insult or misbehaviour in Court .. .. .	1 0	1 0	1 0	1 0	1 0	1 0
Entering and giving notice of jury being required .. .. .	0 6	0 9	1 0	1 6	2 0	2 6
Issuing summons for jury .. .. .	0 6	0 9	1 0	1 6	2 0	2 6
Swearing jury .. .. .	0 6	0 8	0 10	1 0	1 6	1 6
Every hearing, trial, or nonsuit with a jury	1 0	1 6	2 0	3 0	5 0	7 6
Taking recognisance or security for costs ..	—	—	—	2 0	2 6	3 0
Inquiring into sufficiency of sureties proposed, and taking bond on removal of plaintiff, or grant of new trial, or other occasion .. .. .	2 6	2 6	2 6	2 6	2 6	2 6
Taking costs .. .. .	—	—	—	1 0	2 0	3 0
<b>HIGH BAILIFF'S FEES.</b>						
Calling every cause .. .. .	0 2	0 2	0 4	0 6	1 0	1 6
Affidavit of service of summons out of the jurisdiction .. .. .	0 2	0 3	0 6	1 0	1 6	2 0
Serving every summons, order, or subpoena within one mile of Court-house .. .. .	0 3	0 4	0 6	0 10	1 0	1 6
If above one mile, then extra for every other mile .. .. .	0 2	0 2	0 3	0 4	0 4	—
Execution of every warrant, precept, or attachment against the goods or body, within one mile of the Court-house .. .. .	1 6	1 6	3 6	4 0	5 0	7 0
If above one mile, then extra for every other mile .. .. .	0 3	0 3	0 4	0 6	0 6	0 6
If two officers be necessary in the judgment of the Court, then extra, within one mile of the Court-house .. .. .	1 0	1 6	2 0	2 0	2 6	3 0
If above one mile, then extra for every other mile .. .. .	0 3	0 3	0 4	0 6	0 6	0 6
Keeping possession of goods till sale, per day, not exceeding five days .. .. .	1 0	1 6	2 0	2 0	2 6	3 0
Carrying every delinquent to prison, including all expenses and assistants, per mile .. .. .	1 0	1 0	1 0	1 0	1 0	1 0
Issuing warrant to clerk of another Court ..	1 0	1 6	2 0	2 6	3 0	3 6

N.B.—Where the plaintiff recovers less than his claim, so as to reduce the scale of costs, the plaintiff to pay the difference. The several fees payable on proceedings in replevin to be regulated on the same scale, by the amount distrained for; and on proceedings for the recovery of tenements, by the yearly rent or value of the tenement sought to be recovered.