

bringing the said Act into full operation or for giving full effect to any of the provisions of the said Act, and in particular His Majesty was empowered, amongst other things, by any such Order in Council to make such adaptation of any enactments as appear to Him necessary or proper with respect to the execution of reserved services and services with respect to which the Parliaments of Southern Ireland and Northern Ireland had not power to make laws:

And whereas by Sections 4 and 5 of the Railway and Canal Traffic Act, 1888, (hereinafter referred to as the Act of 1888), certain powers in respect of the nomination of an ex-officio Commissioner of the Railway and Canal Commission were conferred upon the Lord Chancellor of Ireland:

And whereas by the Supreme Court of Judicature (Northern Ireland) Order, 1921, and the Supreme Court of Judicature (Southern Ireland) Order, 1921, (being Orders in Council made under Section 69 of the Government of Ireland Act, 1920, and expressed to have effect subject to any subsequent Order in Council made under the said Act), certain adaptations were made of the provisions of Section 4 of the Act of 1888:

And whereas by the Irish Free State (Consequential Provisions) Act, 1922, it is provided that, subject to the provisions of the First Schedule to that Act, the Government of Ireland Act, 1920, shall cease to apply to any part of Ireland other than Northern Ireland:

And whereas it is expedient that the provisions of Sections 4 and 5 of the Act of 1888 should in their application to Northern Ireland be adapted in manner hereinafter appearing, and that so much of the Supreme Court of Judicature (Northern Ireland) Order, 1921, as relates to the said Section 4 should be revoked:

And whereas the provisions of Section 1 of the Rules Publication Act, 1893, have been complied with:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. This Order may be cited as the Government of Ireland (Railway and Canal Commission) Order, 1923.

2.—(1) The powers conferred on the Lord Chancellor of Ireland by Sections 4 and 5 of the Railway and Canal Traffic Act, 1888, shall, so far as they are exercisable in relation to Northern Ireland, be exercised by the Secretary of State.

(2) So much of the Supreme Court of Judicature (Northern Ireland) Order, 1921, as relates to Section 4 of the Railway and Canal Traffic Act, 1888, is hereby revoked.

Almeric FitzRoy.

At the Court at *Buckingham Palace*, the 25th day of *May*, 1923.

PRESENT,

The KING's Most Excellent Majesty in Council.

WHEREAS in pursuance of the powers conferred by section sixty-nine and section twenty-eight of the Government of Ireland Act, 1920, His Majesty in Council was pleased to make an Order to be cited as The

Government of Ireland (Resealing of Probates, &c.) Order, 1922:

And whereas in consequence of the establishment of the Irish Free State, and by reason of the Government of Ireland Act, 1920, ceasing to apply to any part of Ireland other than Northern Ireland, it is necessary to make other provision with respect to the resealing or certification in Great Britain of representations granted in Northern Ireland, and the resealing in Northern Ireland of representations granted in Great Britain:

And whereas the provisions of section one of the Rules Publication Act, 1893, have been complied with:

Now, therefore, His Majesty is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Government of Ireland (Resealing of Probates, &c.) Order, 1923.

(2) In this Order, unless the context otherwise requires—

The expression "the Act of 1857" means the Probates and Letters of Administration Act (Ireland), 1857, including any enactments, rules and regulations by which that Act has been extended, amended or applied.

The expression "the Act of 1858" means the Confirmation of Executors (Scotland) Act, 1858, including any enactments, rules and regulations by which that Act has been extended, amended or applied.

2. This Order shall apply in the case of persons dying on or after the 1st April, 1923, and save as respects persons dying before that date the Government of Ireland (Resealing of Probates, &c.) Order, 1922, shall cease to have effect.

3.—(1) Where in pursuance of the provisions of section ninety-four of the Act of 1857 probate or letters of administration granted by the Court in England are deposited for the purpose of being resealed under those provisions in Northern Ireland, then in lieu of a certificate showing that estate duty has been paid on the issue of the original grant in respect of the assets situate in Northern Ireland, there shall be delivered to the authority charged with resealing, together with the grant to be resealed, an affidavit accounting, in like manner as upon an application for an original grant of representation, for the estate duty or duty in the nature of estate duty (if any) payable in Northern Ireland in respect of the personal property of which the deceased was competent to dispose at his death.

(2) Where in pursuance of the provisions of section ninety-five of the Act of 1857 probate or letters of administration granted by the Court in Northern Ireland are deposited for the purpose of being resealed under those provisions in England, then in lieu of a certificate showing that estate duty has been paid on the issue of the original grant in respect of the assets situate in England, there shall be delivered to the authority charged with resealing, together with the grant to be resealed, an Inland Revenue affidavit accounting, in like manner as upon an application for an original grant of representation, for the estate duty (if any) payable in Great Britain in respect of the personal or moveable property of which the deceased was competent to dispose at his death:

Provided always that if the British estate duty has already been paid on a prior certifi-