and the Word "School" shall include Colleges in *Scotland*; and the Words "Professor" and "Professorship" shall be taken to include respectively Public Readers, Prælectors, and their several Offices; and the Word "Public Examiner" shall be taken to include Moderators and Masters of the Schools; and the Word "Hall" shall be taken to mean all Halls other than affiliated Halls or such Private Halls as are authorized by this Act; and the Governing Body of any College shall mean and include the Head and all actual Fellows thereof, being Graduates, but in the Case of *Christ Church* shall mean the Dean and Canons thereof; and the Word "Residents" shall mean and include all Members of Convocation who shall have resided Twenty Weeks within One Mile and a Half of *Carfax* during the Year that shall expire on the First Day of *September* next preceding the making and Promulgation of the Register as directed by the Fourteenth Section of this Act.

## SCHEDULE (A.)

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| Deputy Steward. | |
| Public Orator. | |
| Keeper of the Archives. | |
| Assessor of the Vice-Chancellor's Court. | |
| Registrar of the University. | |
| Counsel to the University. | |
| Bodley's Librarian. | |
| Radcliffe Librarian. | |
| Radcliffe Observer. | |
| Librarians and Sub-Librarians of University Libraries. | If authorized for the Purposes of this Schedule by Statute of the University. |
| Keepers of University Museums and Repositories of Art or Science. | |

## CAP. LXXXII.

An Act further to improve the Administration of Justice in the Court of Chancery of the County Palatine of *Lancaster*. [7th *August* 1854.]

13 & 14 Vict c. 43.

'WHEREAS an Act was passed in the Session of Parliament held in the Thirteenth and Fourteenth Years of the Reign of Her present Majesty, intituled *An Act to amend the Practice and Proceedings of the Court of Chancery of the County Palatine of* Lancaster: And whereas according to the present Practice the Jurisdiction in Matters of Appeal from the said Court of Chancery is exercised by the Chancellor of the Duchy and County Palatine of *Lancaster* in the Court of the Duchy Chamber at *Westminster*, and sitting with Two Judges of Assize for the said County for the Time being; and such Exercise of the said Jurisdiction has been attended with much Expense and Inconvenience, and it is expedient to provide for the Exercise thereof in a more convenient Manner, and also to make further Provision for the Administration of Justice in the said Court of the County Palatine:' 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, as follows:

Formation of Court of Appeal in Chancery, &c.

I. The Chancellor of the Duchy and County Palatine of *Lancaster* and the Two Lords Justices of the Court of Appeal in Chancery shall form the Court of Appeal in Chancery of the said County Palatine.

Powers, &c. of Court of Appeal may be exercised by Lords Justices, &c.

II. All the Jurisdiction, Powers, and Authorities of the Court of Appeal may be exercised either by One only of the said Lords Justices and the Chancellor of the said Duchy and County Palatine, sitting together as such Court of Appeal, or by both of the said Lords Justices sitting as such Court apart from the Chancellor of the said Duchy and County Palatine: Provided always, that the Chancellor of the said Duchy and County Palatine may,

Saving Rights of the Chan-

while

while sitting alone or apart from the said Lords Justices, have and exercise the like Jurisdictions, Powers, and Authorities as might have been exercised by the Chancellor of the said Duchy and County Palatine sitting alone, if this Act had not been passed. cellor sitting alone.

III. All Decisions, Decrees, or Orders of the Court of Appeal shall be subject to Appeal to the House of Lords in the Cases and under the Conditions in and under which the like Decisions and Decrees or Orders of the Chancellor of the said Duchy and County Palatine, sitting alone, or together with any other Person or Persons, would have been subject to such Appeal if this Act had not been passed. Decrees, &c. of the Court of Appeal may be appealed from to the House of Lords.

IV. The Decision of the Majority of the Court of Appeal shall be taken and deemed to be the Decision of the said Court; and if the Judges of the Court be equally divided in Opinion on any Cause or Matter brought before the Court by way of Appeal, the Decree or Order appealed from shall be taken and deemed to be affirmed. Decision of the Majority to be binding, and if Court equally divided Decree to be affirmed.

V. The Court of Appeal shall make such Regulations as may from Time to Time be necessary for fixing and regulating the Sittings and Business of the Court; and the Registrar and other Officers who, according to the existing Practice, are attendant upon the Chancellor of the said Duchy and County Palatine in Matters of Appeal in his Chancery shall be the Registrar and Officers of the Court of Appeal, and shall be in like Manner attendant upon the said Court of Appeal: Provided always, that any Order of the said Court of Appeal may and shall be drawn up by any Registrar of the High Court of Chancery, if so directed by the said Lords Justices or either of them. Court of Appeal to make Regulations for Sittings and Business of the Court, &c.

VI. 'Whereas it was enacted by the First Section of the said recited Act that it should be 'lawful, from and after the passing of the said Act, for the Chancellor of the Duchy and 'County Palatine of *Lancaster* for the Time being, with the Advice and Consent of the Vice-'Chancellor of the said County Palatine for the Time being, and One of the Vice-Chancellors 'of the High Court of Chancery, to be named for that Purpose by Writing under the Hand 'of the Lord High Chancellor or other Officer having the Custody of the Great Seal, or (if 'more than One) of the Chief Commissioner or Officer having such Custody, by any Rules or 'Orders to be by him from Time to Time made, with such Advice and Consent as aforesaid, 'to make such Alterations as to him might seem expedient in the Form of Writs and 'Commissions, and the Mode of sealing, issuing, executing, and returning the same; and also in 'the Form of and Mode of filing Bills, Answers, Depositions, Affidavits, or other Proceedings; 'and in the Form or Mode of obtaining Discovery by Answer in Writing or otherwise; and 'in the Form or Mode of Pleading and of taking Evidence; and generally of proceeding to 'obtain Relief in the Court of Chancery of the said County Palatine, and in the general 'Practice of the said Court; and also in the Form and Mode of proceeding before the Registrar 'of the said Court; and of drawing up, entering, and enrolling Orders and Decrees, and of 'making and delivering Copies of Pleadings and other Proceedings; and also to regulate the 'Taxation, Allowance, and Payment of Costs, and all other the Business of the said Court:' Be it enacted, That all the Powers thereby given to the Chancellor of the said Duchy and County Palatine of *Lancaster* shall not, from and after the passing of this Act, be exercised with such Advice and Assistance as aforesaid, but shall be exercised with the Advice and Consent of One of the Lords Justices of Appeal in Chancery for the Time being and the Vice-Chancellor of the said County Palatine for the Time being. Powers given by the recited Act to the Chancellor, with the Advice and Consent of the Vice Chancellor of the County Palatine and One of the Vice-Chancellors of the High Court of Chancery, to be exercised with the Advice and Consent of the Lords Justices of Appeal in Chancery and the Vice-Chancellor of the County Palatine.

VII. In all Cases in which, by reason of any Person being out of the Jurisdiction of the Court of Chancery of the said County Palatine, or otherwise, effectual Protection cannot be given to any Ward of the said Court, or to any Executor, Administrator, Officer of the Court, or other Person entitled to the Protection of the said Court, against any Action, Suit, or other Proceeding, or in which, for the same Reason or otherwise, any Contempt of the said Court cannot be effectually punished, it shall be lawful for the Court of Appeal, upon the Application of any Person concerned, to make such Order or Orders for the Protection of such Ward, or of such Executor, Administrator, Officer of the Court, or other Person as aforesaid, or for the Punishment of any such Contempt, as to the said Court of Appeal shall seem just, and according to the Practice of the High Court of Chancery in like Matters; and every such Order shall have the same Operation and Effect as an Order of the High Court of Chancery, and shall and may be enforced, and all Proceedings shall and may be had thereupon, as if the same had been made by that Court. Court of Appeal may make Orders for the Protection of Wards, &c. which Orders shall have the Effect of Orders of the High Court of Chancery.

VIII. In

In Cases where Parties are out of the Jurisdiction, Court of Appeal may either direct the Cause or Matter to be transferred to the High Court of Chancery or Service to be effected out of the Jurisdiction.

VIII. In all Cases in which any Person who may be a necessary or proper Party to any Suit or other Matter in the Court of Chancery of the said County Palatine shall not be subject to the Jurisdiction of the said Court, it shall be lawful for the Court of Appeal on the Application of the Plaintiff in such Suit, or of any Person to whom the Conduct of such Suit may have been committed, or of the Party proceeding in such other Matter, if that Court shall think fit, and according as it shall appear to that Court best calculated to answer the Ends of Justice, either to order and direct that the said Suit or other Matter be transferred to the High Court of Chancery, or otherwise to order and direct that such Service as may be proper be effected upon such Person out of the Jurisdiction of the said Court of the said County Palatine, and such Application shall be made either *ex parte* or upon such Notice as the said Court of Appeal shall think fit: Provided nevertheless, that if such Order for Service shall have been made without Notice to any Person affected thereby, it shall be lawful for the Court of Appeal, upon the subsequent Application of any such Person, to make such Order for transferring the said Suit or other Matter to the High Court of Chancery, or otherwise, as to the said Court of Appeal shall seem just.

Suits transferred to be proceeded with according to the Practice of the Court of Chancery, &c.

IX. In case such Suit or Matter shall be directed to be transferred as aforesaid, all Proceedings therein shall be transmitted by the Officer of the Court of the said County Palatine to the proper Officer of the High Court of Chancery, to be filed, and the same shall thereafter be proceeded with according to the Practice of that Court; and in case Service shall be directed as aforesaid, the same shall be of such and the same Force and Effect, and such and the same Proceedings may be had thereupon, as if Service had been duly effected within the Jurisdiction of the said Court of the said County Palatine.

Provisions as to enforcing Decrees, &c. to apply to Court of Appeal.

X. The Provisions in the said recited Act contained for enforcing Decrees and Orders made by the Court of Chancery of the said County Palatine, by making them Decrees or Orders of the High Court of Chancery, shall extend and apply to Decrees or Orders made by the Court of Appeal.

All the Powers and Authorities of the Trustee Act, 1850, and 15 & 16 Vict. c. 55., shall extend to Lands and Personal Property in the County Palatine.

XI. 'And whereas by the Twenty-first Section of the Trustee Act, 1850, it was enacted, 'that as to any Lands situated within the County Palatine of *Lancaster* it should be lawful 'for the Court of Chancery in the County Palatine of *Lancaster* to make a like Order in the 'same Cases as to any Lands within the Jurisdiction of the same Court as the Court of 'Chancery has under the Provisions therein-before contained been enabled to make concerning 'any Lands, and that every such Order of the Court of Chancery in the County Palatine of '*Lancaster* should, as to such Lands, have the same Effect as an Order of the Court of 'Chancery: Provided always, that no Person who is anywhere within the Limits of the 'Jurisdiction of the High Court of Chancery should be deemed by such local Court to be an 'absent Trustee or Mortgagee within the Meaning of that Act: And whereas by an Act of 'the Fifteenth and Sixteenth Years of the Queen, Chapter Fifty-five, the Provisions of the 'Trustee Act, 1850, were in some respects amended, and further and other Provisions made: 'And whereas several Provisions of the said Trustee Act, 1850, subsequent to the Twenty-'first Section, and the Provisions of the said Act of the Fifteenth and Sixteenth Years of the 'Queen, Chapter Fifty-five, are applicable and ought to be applied to Persons and Property 'within the Jurisdiction of the said Court of Chancery of the County Palatine of *Lancaster*: 'And whereas by the Eleventh Section of the said Act of the Thirteenth and Fourteenth 'Years of the Queen, Chapter Forty-three, it was enacted, that when, under, and by virtue 'of any Act of Parliament made and passed or which might thereafter be made and passed, 'or by any Orders or Regulations made in pursuance thereof, Application is authorized or 'allowed to be made by Petition or Motion, or otherwise, to the High Court of Chancery, or 'any Judge of the said Court, and summary Jurisdiction to be exercised thereon, (unless in 'any Act of Parliament to be thereafter passed the contrary should be expressly enacted,) it 'should be lawful for the Court of Chancery of the said County Palatine, so far only as 'regards all Persons and Property within its Jurisdiction, to exercise the like summary 'Jurisdiction, and in the same Manner and subject to the same Restrictions in all respects as 'the said High Court of Chancery or any Judge thereof might exercise in the like Matters: 'But whereas Doubts are entertained as to the Extent of the Jurisdiction of the said Court 'of Chancery of the said County Palatine with respect to Trust Estates within the said

'County

'County Palatine, so far as relates to the Provisions of the said Trustee Act of 1850 'subsequent to the Twenty-first Section, and to the Provisions of the said Act of the 'Fifteenth and Sixteenth Years of the Queen, Chapter Fifty-five:' Be it enacted, That all the Powers and Authorities given by the said Trustee Act of 1850, and by the said Act of the Fifteenth and Sixteenth Years of the Queen, Chapter Fifty-five, to the Court of Chancery in *England*, and all the Provisions therein contained, shall and may be exercised in like Manner and are hereby given and extended to the said Court of Chancery of the said County Palatine, with respect to all Lands and Personal Estate within the said County Palatine: Provided always, that no Person who is anywhere within the Limits of the Jurisdiction of the High Court of Chancery shall be deemed by the Court of Chancery of the said County Palatine to be an absent Trustee or Mortgagee within the Meaning of the said Acts.

Powers of Court of Chancery to deal with Property of Infants, &c. and in the Administration of Assets to be exercised by Palatine Court.

XII. When under or by virtue of any Act of Parliament already made and passed or which may hereafter be made and passed, Power and Jurisdiction are or shall be given to the High Court of Chancery to manage, dispose of, or deal with the Property of Infants or other Persons under Disability, or to manage, dispose of, or deal with Property in the Administration of Assets, then and in every such Case (unless in any Act the contrary be expressly enacted) it shall be lawful for the Court of Chancery of the said County Palatine, so far only as regards all Persons and Property within its Jurisdiction, to exercise the like Power and Jurisdiction in the same Manner and subject to the same Restrictions in all respects as the said High Court of Chancery might exercise in the like Matters.

Monies payable under 13 & 14 Vict. c. 43. s. 12. into the Bank of England may be paid into Branch Bank within the County Palatine.

XIII. 'And whereas by the Twelfth Section of the said Act of the Thirteenth and 'Fourteenth Years of the Queen, Chapter Forty-three, it was enacted, that all Monies 'payable in respect of Lands situate within the said County Palatine, and which are 'authorized to be paid into or deposited in the Bank of *England* to the Account of the 'Accountant General of the High Court of Chancery, under and by virtue of the Lands 'Clauses Consolidation Act, 1845, or any Local or Special Act passed or to be passed 'incorporating the Provisions of the said last-mentioned Act, or otherwise authorizing the 'taking or using of Lands situate in the said County Palatine, and also that all Monies and 'Securities held by any Party who might be sued in the Court of Chancery of the said 'County Palatine in respect thereof, and which, under and by virtue of an Act made and 'passed in the Parliament held in the Tenth and Eleventh Years of the Reign of Her present 'Majesty, intituled *An Act for better securing Trust Funds, and for the Relief of Trustees*, 'might be in like Manner paid or transferred into or deposited in the Bank of *England*, to the 'Account of the said Accountant General, might, from and after the passing of the said Act 'now in recital, be in like Manner paid or transferred into or deposited in the Bank of *England*, 'to the joint Account of the Clerk of the Council of the Duchy of *Lancaster* and of the 'Registrar and Comptroller of the said County Palatine Court, in the Matter in respect 'whereof such Payment, Transfer, or Deposit should be made, and that the Receipt of One of 'the Cashiers of the said Bank should be a full Discharge to the Person paying or transferring 'or depositing the same, and that such Monies and Securities, and all Costs of Application in 'respect thereof, should be dealt with by the said Court of Chancery of the County Palatine 'in the same Manner as the same might be dealt with by the High Court of Chancery, or by 'the Lord High Chancellor or any of the Judges of the said High Court, if such Monies or 'Securities had been paid or transferred into or deposited in the Bank of *England* to the 'Credit of the Accountant General of that Court, and the Lands in respect of which such 'Payment, Transfer, or Deposit should be made might be dealt with in the same Manner 'as if it had been made in manner prescribed by the Lands Clauses Consolidation Act: And 'whereas since the passing of the said recited Act the said County Palatine has been divided 'into Districts, and Registrars and Comptrollers have been appointed for such Districts 'respectively:' Be it enacted, That any Monies and Securities to be paid or transferred or deposited under the said recited Provision may be so paid or transferred into or deposited with some one or other of the Branches of the Bank of *England* within the said County Palatine, to the joint Account of the Clerk of the Council of the Duchy of *Lancaster* and the Registrar and Comptroller of the District within which such Branch Bank is so situate, and the Receipt of the Manager, or Agent, or Cashier of such Branch Bank shall be a full Discharge

Discharge to the Person paying or transferring or depositing the same, and such Payment, Transfer, or Deposit shall have the same Force and Effect as any Payment, Transfer, or Deposit made under the said recited Provision would have had: Provided always, that no Monies shall be so paid or deposited under or by virtue of the Lands Clauses Consolidation Act, 1845, or any Local or Special Act as aforesaid, in case the Party who would have been entitled to the Rents and Profits of the Lands in respect of which such Monies shall be payable, or his or her Guardian or Committee in case of Infancy or Lunacy, shall at any Time before such Payment or Deposit serve or cause to be served a Notice in Writing at the Office of the Company taking the Lands, requesting them not to make the Payment or Deposit.

Provision as to Costs and Appeal.

XIV. In all Proceedings under and by virtue of this Act the said Court of Chancery of the County Palatine and the Court of Appeal hereby constituted respectively shall have full Jurisdiction to deal with the Costs thereof and occasioned thereby, and all Orders made by the said Courts respectively, in pursuance of this Act, shall be subject to Appeal in the same Manner in all respects as any other Orders of the said Court of Chancery of the said County Palatine.

Short Titles.

XV. Whenever it shall be necessary to cite or refer to the said first-recited Act or this Act, it shall be sufficient to cite or refer to the same respectively as the "Court of Chancery of *Lancaster* Act, 1850," and as the "Court of Chancery of *Lancaster* Act, 1854."

## CAP. LXXXIII.

An Act to amend the Laws relating to the Stamp Duties. [10th *August* 1854.]

'WHEREAS it is expedient to repeal the Stamp Duties now payable in respect of 'the several Instruments, Matters, and Things mentioned or described in the Schedule 'to this Act annexed, and to impose other Stamp Duties in lieu thereof, and otherwise to 'amend the Laws relating to Stamp Duties:' 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, as follows:

Stamp Duties on Instruments mentioned in Schedule to this Act, payable under other Acts repealed, and the Duties named in said Schedule granted in lieu thereof.

I. From and after the Tenth Day of *October* One thousand eight hundred and fifty-four the Stamp Duties now payable in *Great Britain* and *Ireland* respectively, under or by virtue of any Act or Acts of Parliament for or in respect of the several Instruments, Matters and Things mentioned or described in the Schedule to this Act annexed, and whereon other Duties are by this Act granted, shall respectively cease and determine, and shall be and the same are hereby repealed and in lieu thereof there shall be granted, charged, and paid in and throughout the United Kingdom of *Great Britain* and *Ireland*, unto and for the Use of Her Majesty, Her Heirs and Successors, upon and in respect of the several Instruments, Matters, and Things described or mentioned in the said Schedule, or upon or in respect of the Vellum, Parchment, or Paper, upon which any of them respectively shall be written, the several Duties or Sums of Money specified and set forth in the said Schedule, which said Schedule, and the several Provisions, Regulations, and Directions therein contained, shall be deemed and taken to be Part of this Act, and shall be applied, observed, and put in execution accordingly: Provided always, that nothing herein contained shall extend to repeal or alter any of the said Stamp Duties now payable in relation to any Bill of Exchange, Promissory Note, or other Instrument which shall have been drawn, made or signed, or which shall bear Date before or upon the said Tenth Day of *October* One thousand eight hundred and fifty-four.

The new Duties by this Act granted to be denominated Stamp Duties,

II. The said Duties by this Act granted shall be denominated and deemed to be Stamp Duties, and shall be under the Care and Management of the Commissioners of Inland Revenue for the Time being; and all the Powers, Provisions, Clauses, Regulations, Directions, Allowances, and Exemptions, Fines, Forfeitures, Pains, and Penalties contained in or imposed by