For transmissions and transfers not for value, notices of leases, and rectification of the register, and land :—

One quarter of the above fees, according to the capital value of the interest dealt with, with a minimum of 1*s.* and a maximum of 5*l.*

No fees to be charged for inspection of the register.

CHAPTER 66.

An Act to amend the Judicature (Ireland) Acts, 1877 to 1888; and to provide for the union and consolidation of the Court of Bankruptcy in Ireland with the Supreme Court; and for other purposes connected therewith.

[6th August 1897.]

BE it 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:

Amalgamation of Exchequer Division with Queen's Bench Division.

1.—(1.) The Exchequer Division shall be fused and amalgamated with the Queen's Bench Division of the High Court, and the Lord Chief Baron of the Exchequer shall take rank in the Queen's Bench Division next after the Lord Chief Justice, and in all other respects shall have and enjoy the same title, rank, precedence, patronage, rights, salary, and emoluments as he had and enjoyed immediately before the passing of this Act; and shall have the same rights in relation to appointments to the offices held by the existing officers of the Exchequer Division (save the office of master) and in relation to any office which may be created in substitution for any such existing office, as if such new office were in the Exchequer Division.

(2.) Any order which may be made, during the continuance in office of the Lord Chief Baron, for consolidating or reducing the number of the existing offices in the Queen's Bench and Exchequer Divisions shall state which of the new or continuing offices shall, for the purposes of this section, be deemed to have been created in substitution for an existing office in the Exchequer Division.

(3.) All causes and matters pending in the Exchequer Division, and all causes and matters which would have been assigned to that Division, if this Act had not passed, shall be assigned to the Queen's Bench Division.

As to Judgeships in Queen's Bench Division.

2.—(1.) One of the existing vacancies in the office of puisne judge of the Queen's Bench Division of the High Court shall not be filled until the occurrence of the vacancy next ensuing after the passing of this Act in the office of judge of the Probate and Matrimonial Division.

(2.) The other such vacancy shall be filled by the appointment of the Honourable Walter Boyd, and that appointment shall be effected by and on the passing of this Act.

Abolition of judgeships of Court of Bankruptcy and provision for consolidation of that court with Supreme Court.

3.—(1.) The office of judge of the Court of Bankruptcy shall be abolished, and that Court shall be united and consolidated with the Supreme Court, and all jurisdiction and powers of the Court of Bankruptcy, under any Act or otherwise, and of the judges thereof or either of them, shall vest in and be exercised by the High Court, and all causes and matters pending in the Court of Bankruptcy, or which would have been within the cognizance of that Court if this Act had not passed, shall be assigned to the Queen's Bench Division.

(2.) The Judicature (Ireland) Acts, 1877 to 1888, shall, subject to the provisions of this Act, have effect for the purpose of such union and consolidation as if the same had been effected by those Acts, except that all expressions referring to the time appointed for the commencement of the principal Act shall be construed as referring to the date of the passing of this Act, and all rules and orders to be made after the passing of this Act in reference to bankruptcy jurisdiction shall be made and altered by the authorities in that behalf provided by the Judicature (Ireland) Acts, 1877 to 1888, as amended by this Act; provided that the existing rules and orders in bankruptcy shall remain in force until altered.

Transaction of bankruptcy business by the High Court.

4.—(1.) All causes and matters in bankruptcy shall be ordinarily disposed of by or under the direction of one of the judges of the Queen's Bench Division, to be assigned by the Lord Lieutenant, and the judge so assigned shall have for that purpose the same jurisdiction and authority as the judges of the Court of Bankruptcy would have had if this Act had not passed, and may also appoint and remove the chief registrar and official assignees in bankruptcy, subject to any changes in the official staff which may be made under the Judicature (Ireland) Acts, 1877 to 1888, as amended by this Act, or otherwise. The Honourable Walter Boyd shall be deemed to be the judge first assigned under this provision, and neither he nor any judge subsequently assigned as aforesaid shall act under any Commission of Assize, Nisi Prius, Oyer and Terminer, or Gaol Delivery, unless so required by the Lord Chancellor, but this provision shall not apply, without his own consent, to any judge appointed before the passing of this Act.

(2.) Appeals in bankruptcy matters shall lie to the Court of Appeal in the same manner and in respect of the same proceedings as before the passing of this Act.

20 & 21 Vict. c. 60.

(3.) The percentages payable to the official assignees in pursuance of section sixty-seven of the Irish Bankrupt and Insolvent Act, 1857, shall be fixed, by means of a scale or otherwise, by the Lord Chancellor, with the advice and consent of the Lord Chief Justice and Lord Chief Baron, or either of them, and with the concurrence of the Treasury.

(4.) Subject to the provisions of the principal Act and this Act, all officers (including official assignees), clerks, and subordinate

persons who are, at the passing of this Act, attached to the Court of Bankruptcy, shall be attached to the High Court; and the offices in bankruptcy shall be consolidated with the offices of the Queen's Bench Division in such manner as may be provided by order made, with the concurrence of the Treasury, by the Lord Chancellor, the Lord Chief Justice, and the Lord Chief Baron, or any two of them, of whom the Lord Chancellor shall be one; provided that no officer or clerk at the passing of this Act attached to the Court of Bankruptcy shall be in a worse position as regards tenure of office, salary, or superannuation allowance (if any), than he would have been in if this Act had not passed.

(5.) The vacancy in the office of official assignee in bankruptcy next occurring after the passing of this Act shall not be filled, unless in the opinion of the Lord Chancellor it is desirable and necessary, and if not filled there shall be in Dublin one official assignee only, who shall, subject to rules of court, discharge all the duties of the office.

(6.) Subject to rules of court, all bankruptcy matters shall be entitled in the High Court of Justice in Ireland, Queen's Bench Division, "In bankruptcy."

(7.) Subject to rules of court, any judge of the High Court may exercise in chambers the whole or any part of his jurisdiction in bankruptcy.

(8.) A solicitor shall have the same right of audience in all proceedings in bankruptcy as before the passing of this Act.

Abolition of judgeship of Probate and Matrimonial Division.

5.—(1.) On the occurrence of the vacancy next ensuing after the passing of this Act in the office of Judge of the Probate and Matrimonial Division, that office shall not be filled, and that Division shall be fused and amalgamated with the Queen's Bench Division, and all causes and matters then pending in the Probate and Matrimonial Division, or which would have been assigned to that Division if this Act had not passed, shall be assigned to the Queen's Bench Division, and all such causes and matters (other than trials) shall be ordinarily disposed of by or under the direction of one of the judges of the Queen's Bench Division to be assigned by the Lord Lieutenant, and such judge shall have the same jurisdiction, authority, title to or ownership of the property of persons dying intestate, and rights of patronage, appointment, and dismissal, as the judge of the Probate and Matrimonial Division has at the passing of this Act, subject to any changes which may be made in the official staff under the Judicature (Ireland) Acts, 1877 to 1888, or otherwise.

(2.) The existing rules and orders of the Probate and Matrimonial Division shall remain in force until altered.

Court of Admiralty.

6. All causes and matters now pending or hereafter arising which are or will be within the cognizance of the High Court by reason of the union and consolidation of the High Court of Admiralty with the Supreme Court heretofore effected under section nine of the principal Act shall be assigned to the Queen's Bench Division, and shall be ordinarily disposed of by one of the judges of the Queen's

Bench Division to be assigned by the Lord Lieutenant, and such judge shall have in respect of Admiralty jurisdiction the same rights of patronage, appointment, and dismissal as the Lord Chancellor has at the passing of this Act, and as a new judge of the Probate and Matrimonial Division would have had if this Act had not passed, subject to any changes which may be made in the official staff under the Judicature (Ireland) Acts, 1877 to 1888, as amended by this Act or otherwise.

Additional judges of Court of Appeal.

7.—(1.) Any additional judge of the Court of Appeal shall be capable, but not bound without his own consent, to act under any Commission of Assize, Nisi Prius, Oyer and Terminer, or Gaol Delivery.

(2.) Any person having held the office of ordinary judge of the Court of Appeal may be appointed, under Her Majesty's Royal Sign Manual, as an additional judge of the said Court.

As to Orders in Council, exercise of patronage, &c.

8.—(1.) The Lord Lieutenant may, for the purpose of the fusion and amalgamation of the Exchequer Division, or the Probate and Matrimonial Division with the Queen's Bench Division, or of the union and consolidation of the Court of Bankruptcy with the Supreme Court, by Order in Council, give such directions as may appear to him necessary and proper for carrying such fusion and amalgamation or union and consolidation into effect.

(2.) Any question that may arise in reference to the right of any judge assigned by the Lord Lieutenant in pursuance of the foregoing provisions of this Act to appoint or remove any officer, shall, in case of difference of opinion, be decided by the Lord Chancellor.

(3.) Any such appointment or order of removal made by any such judge shall be subject to the approval of the Lord Chief Justice: Provided that if any such appointment is not made and approved of within one month after the occurrence of the vacancy in the office, the Lord Chancellor may, if he thinks fit, make the appointment.

Provision for assignment of Judges to discharge business of any Division in certain cases.

9. Whenever in the opinion of the Lord Chancellor the amount or state of business in any Division of the High Court renders it desirable, he may by order under his hand assign any Judge of the High Court to discharge or assist in the discharge of such business: Provided that no judge appointed a judge of the High Court before the passing of this Act shall be so assigned without his own consent.

Provision for transfer of officers.

10. If the services of any officer attached to any Division of the High Court are not required in that Division, the Lord Chancellor may, with the concurrence of the other presidents of Divisions, and of the Lord Chief Baron during his continuance in office, transfer such officer to some other Division of the High Court, subject to the provisions of the principal Act with respect to officers existing at the commencement of that Act.

Amendment of 50 Vict. c. 6. s. 4, as to exercise of powers, &c.

11. On the occurrence of a vacancy in the office of Lord Chief Baron the powers, functions, matters, and things mentioned in section four of the Supreme Court of Judicature (Ireland) Act, 1887,

may be exercised and done by the Lord Chancellor, the Lord Chief Justice, and the Master of the Rolls, or any two of them, of whom the Lord Chancellor shall be one, subject to the conditions referred to in the said section.

Persons on whose recommendation Rules of Court are to be made.

12. The persons upon whose recommendation the Lord Lieutenant may make, alter, or annul rules, under section sixty-one of the principal Act, shall include the President of the Incorporated Law Society of Ireland, and two persons (one of whom shall be a practising barrister) to be appointed for the purpose by the Lord Chancellor, by writing under his hand, for such time as may be specified by him.

Provision with reference to salaries of judgeships abolished and savings in case of offices consolidated or abolished.

13.—(1.) An annual sum equal to the salary attached to any judgeship which by or in pursuance of this Act is abolished or left vacant shall, in the case of a salary payable out of the Consolidated Fund of the United Kingdom, continue to be charged on and paid out of that fund or the growing produce thereof, and in the case of a salary payable out of money provided by Parliament, continue to be paid out of money so provided, and shall in either case be carried by the Treasury to a separate account and be applied to such Irish purposes as Parliament may from time to time direct.

(2.) The Treasury shall also at the end of each financial year out of money provided by Parliament carry to the same account a sum equal to the net savings which in the opinion of the Treasury have been effected during that year by the abolition or consolidation of offices in pursuance of this Act, and the sum so carried shall be applied to such purposes as aforesaid.

Definitions. 40 & 41 Vict. c. 57.

14. In this Act the expression "the principal Act" means the Supreme Court of Judicature Act (Ireland), 1877, and the expression "existing" means existing at the passing of this Act.

Short title and construction.

15. This Act may be cited as the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, and, save where inconsistent therewith, shall be construed as one with the Judicature (Ireland) Acts, 1877 to 1888, and may be cited with those Acts.

Repeals.

16. The Acts specified in the schedule to this Act are hereby repealed to the extent mentioned in the third column of that schedule.

SCHEDULE.

ACTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
20 & 21 Vict. c. 60.	The Irish Bankrupt and Insolvent Act, 1857.	Sections twelve to fifteen. Sections twenty to twenty-two.
35 & 36 Vict. c. 58.	The Bankruptcy (Ireland) Amendment Act, 1872.	Sections six, seven, nine, and twelve.
40 & 41 Vict. c. 57.	The Supreme Court of Judicature Act (Ireland), 1877.	Sections eight and nine. In section thirty-four, from "after the Admiralty" to "Admiralty Division."
50 & 51 Vict. c. 6.	The Supreme Court of Judicature (Ireland) Act, 1887.	Section two. In section four, from "and may" to "Chief Justice."

CHAPTER 67.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and ninety-eight, and to appropriate the Supplies granted in this Session of Parliament. [6th August 1897.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and be it 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:

Grant out of Consolidated Fund.

Issue of 51,759,260*l.* out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year ending on the thirty-first day of March one thousand eight hundred and ninety-eight, the sum of fifty-one million seven hundred and fifty-nine thousand two hundred and sixty pounds.