CHAPTER 40.

An Act to amend the Law regarding the Circuit Clerks of Justiciary in Scotland. [12th August 1898.]

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:

Repeal of 50 & 51 Vict. c. 35. s. 73; and of 52 & 53 Vict. c. 54. s. 10.

1. Section seventy-three of the Criminal Procedure (Scotland) Act, 1887, and section ten of the Clerks of Session (Scotland) Regulation Act, 1889, are hereby repealed.

Arrangement for clerks on circuit.

2. The duties of clerk of the High Court of Justiciary when sitting elsewhere than in Edinburgh shall be performed by the existing circuit clerk of Justiciary, and by the first and second assistant clerks of Justiciary for the time being, on such terms (as regards the first and second assistant clerks of Justiciary) as shall be fixed by the Treasury.

Provisions on vacation of office by circuit clerk of Justiciary.

3. When the existing circuit clerk of Justiciary vacates office, the vacancy thus occasioned shall not be filled up, and the duties of clerk referred to in the immediately preceding section shall be performed by the first and second assistant clerks of Justiciary for the time being: Provided always that it shall be in the power of the High Court of Justiciary on the application of the principal clerk of Justiciary to appoint a clerk or clerks to perform the said duties of clerk at any town or towns, whether circuit towns or not, when the business of the court requires such appointment to be made, and these duties shall be performed on such terms as shall be fixed by the Treasury.

Short title.

4. This Act may be cited as the Circuit Clerks (Scotland) Act, 1898.

CHAPTER 41.

An Act to amend the Prisons Acts. [12th August 1898.]

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 directors of convict prisons with Prison Commissioners. 40 & 41 Vict. c. 21.

1. The Prison Commissioners shall be by virtue of their office directors of convict prisons, and they shall be assisted in the performance of their duties as such by the inspectors and other officers appointed under section seven of the Prison Act, 1877.