SCHEDULE.

Session and Number of Act.	Extent of Repeal.
2 & 3 Vict. c. 75. - -	Section fifteen from "and provided further" to the end of that section.
11 & 12 Vict. c. 72. - -	Section six from "and shall be absent" to "more than five days," both inclusive.

CHAPTER 81.

An Act to provide for the abolition of certain offices connected with the Great Seal, and to make better provision respecting the office of the Clerk of the Crown in Chancery. [7th August 1874.]

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; that is to say,

Short title.

1. This Act may be cited as the Great Seal (Offices) Act, 1874.

Commencement of Act.

2. This Act shall come into operation on the first day of September one thousand eight hundred and seventy-four, which day is in this Act referred to as the commencement of this Act.

Definition of terms.

3. In this Act—

The expression "the Lord Chancellor" means the Lord High Chancellor of Great Britain, or the Commissioners for executing the office of such Lord High Chancellor.

The expression "the Treasury" means the Commissioners of Her Majesty's Treasury.

Abolition of office of messenger of Great Seal and transfer of duties.

4. After the commencement of this Act the office of messenger or pursuivant of the Great Seal shall as a separate office be abolished.

The powers and duties of the messenger or pursuivant of the Great Seal in relation to writs for the election of members to serve in Parliament shall on the commencement of this Act be transferred to and vested in such officer as the Lord Chancellor may from time to time, with the approval of Her Majesty, appoint, and such officer may, if the Lord Chancellor so direct, be styled messenger of the Great Seal in lieu of or in addition to any other style denoting his office, and the Act of the session of the fifty-third year of the reign of King George the Third, chapter eighty-nine, intituled "An Act for the more "regular conveyance of writs for the election of members to serve in Parliament," so far as it is unrepealed, shall be construed as if the officer so appointed were therein substituted for the messenger or pursuivant of the Great Seal, with this qualification, that the deputy in that Act mentioned shall be appointed by the Lord Chancellor in writing.

All other duties and powers required to be performed by or vested in the messenger or pursuivant of the Great Seal shall be performed by and vested in such officer as the Lord Chancellor may from time to time direct.

There shall be paid, out of moneys provided by Parliament, to any officer to whom any duties and powers are transferred under this section, such additional salary or remuneration (if any) as the Treasury, upon the recommendation of the Lord Chancellor, may from time to time assign to him.

Power to abolish office of clerk of the petty bag and transfer of duties.

5. At any time after the commencement of this Act the Treasury may, with the concurrence of the Lord Chancellor and of the Master of the Rolls, abolish the office of clerk of the petty bag notwithstanding that there is no vacancy in the office.

Upon the abolition of the office of clerk of the petty bag, all the duties and powers of the cursitors of the Court of Chancery, and all the duties and powers of the clerk of the petty bag with respect to solicitors, the administering of oaths, the attending with records, the enrolment of documents, the sealing and issuing of documents or writs withor under the Chancery common law seal, and other matters relating to the administration of justice (but excluding any writs or letters patent passed under the Great Seal of the United Kingdom), shall be performed by or vested in such officer of the Court of Chancery as the Lord Chancellor may from time to time direct, or after the commencement of the Supreme Court of Judicature Act, 1873, in such officer of the Supreme Court of Judicature in England as may from time to time be directed by rules of court under the Supreme Court of Judicature Act, 1873, and any Act amending the same.

After the commencement of this Act all the duties and powers other than those above mentioned in this section of the clerk of the petty bag, including all duties and powers relating to any writs or letters patent passed under the Great Seal of the United Kingdom, shall be performed by and vested in the clerk of the Crown in Chancery or his officers in such manner as the Lord Chancellor may from time to time direct.

If any doubt arise as to whether any duty or power of the clerk of the petty bag is or is not transferred to the clerk of the Crown in Chancery, such doubt shall be determined by the Lord Chancellor, whose decision shall be final.

The clerk of the petty bag shall, except so far as regards the duties and powers transferred by this Act to the clerk of the Crown in Chancery, be deemed to be an officer attached to the Court of Chancery, within the meaning of section seventy-seven of the Supreme Court of Judicature Act, 1873, and the powers and provisions contained in this Act shall be deemed to be in addition to and not in derogation of the powers and provisions contained in that section.

Power to abolish office of clerk of the patents, and transfer the duties.

6. At any time after the commencement of this Act the Treasury may, with the concurrence of the Lord Chancellor, abolish the office of clerk of the patents.

Upon the abolition of the office of clerk of the patents, all the duties and powers of the clerk of the patents shall be performed by and vested in the clerk of the Crown in Chancery or his officers in such manner as the Lord Chancellor may from time to time direct.

Nothing in this section shall apply to the clerk of the Commissioners of Patents, so far as relates to letters patent under the Patent Law Amendment Act, 1852, and the Acts amending the same.

Union of offices of gentleman of the chamber to the Great Seal and purse-bearer to the Lord Chancellor.

7. Upon the death or resignation of the person who at the passing of this Act holds the office of purse-bearer to the Lord Chancellor the office shall be abolished, and upon such abolition all duties and powers required to be performed by or vested in the said purse-bearer (including the duties of chaff wax sealer and deputy sealer now required to be performed by him) shall be performed by and vested in the gentleman of the chamber attending the Great Seal.

There shall be paid, out of moneys provided by Parliament, to the gentleman of the chamber attending the Great Seal, such salary or remuneration, and upon the transfer to him of the duties and powers of purse-bearer to the Lord Chancellor, such additional salary or remuneration for those duties, as the Treasury may from time to time, upon the recommendation of the Lord Chancellor, assign to him.

Duties and salary of clerk of the Crown.

8. It shall continue to be lawful for Her Majesty from time to time under Her Royal Sign Manual to appoint a fit person to fill the office of clerk of the Crown in Chancery.

The clerk of the Crown in Chancery shall continue to perform the duties of the office of keeper or clerk of the hanaper, and shall continue to hold his office notwithstanding the demise of Her Majesty, her heirs or successors.

There shall be paid to any person appointed after the commencement of this Act to be clerk of the Crown in Chancery such salary as the Treasury may assign to him.

The salaries of the clerk of the Crown in Chancery, and of his officers, and the expenses of his office, shall be paid out of moneys provided by Parliament.

Fees in office of clerk of the Crown, &c.

9. The Lord Chancellor, with the concurrence of the Treasury, may from time to time by order appoint the fees to be taken in the office of or by the clerk of the Crown in Chancery, or by any of his officers, or by any person performing the duties of messenger or pursuivant of the Great Seal, or gentleman of the chamber attending the Great Seal, or purse-bearer to the Lord Chancellor, or chaff wax sealer or deputy sealer, and may from time to time by order increase, reduce, add to, or abolish the fees for the time being taken in such office or by such officer; and the Public Offices Fees Act, 1866, shall apply to all such fees.

No fees other than those so appointed shall be taken in the said office or by any of the above-mentioned officers or persons.

Provided that until any such order is made, the fees existing at the commencement of this Act, including the fees payable in the office of the clerk of the petty bag and of the clerk of the patents in respect of matters the transaction of which is transferred by this Act to the clerk of the Crown in Chancery, shall continue to be taken in like manner as if this section had not passed.

Temporary Provisions.

Transfer of records.

10. All records, documents, and papers belonging to any of the offices affected by this Act shall, upon the transfer of the duties to which such records, documents, and papers relate, be transferred to the officers who will perform those duties in such manner as the Lord Chancellor may from time to time direct.

Provision as to existing officers in abolished offices.

11. The persons who upon the abolition of the office of clerk of the petty bag, or the office of clerk of the patents, hold the office so abolished, or any office in connexion with the office so abolished, or receive any salary or remuneration for duties connected therewith, shall upon such abolition be transferred to the Court of Chancery, or if the abolition is after the commencement of the Supreme Court of Judicature Act, 1873, to the Supreme Court of Judicature in England, and shall have the same rank and hold their offices by the same tenure and upon the same terms and conditions, and receive the same salaries or remuneration as theretofore; and the Lord Chancellor may from time to time assign to the officers transferred by this section such duties in relation to the business to be performed in any office connected with the Court of Chancery or Supreme Court of Judicature in England as he may think just, and the said officers shall perform those duties: Provided that the duties required to be performed by them under this section shall be the same as or analogous to those which they have heretofore performed.

The Lord Chancellor may at any time, by order, release from the performance of any duties any officer transferred by this section, whose services he may deem unnecessary, and such person shall thereupon cease to hold office, and shall be entitled to compensation in manner provided by this Act.

The Treasury may, on the petition of any officer so released, inquire whether any, and, if any, what compensation ought to be made to the petitioner, regard being had to the conditions on which he was appointed to his office, the nature of his office or employment, and the duration of his service, and if they think that his claim to compensation is established, may award to him, out of moneys to be provided by Parliament, such compensation by way of annuity or otherwise as under the circumstances of the case they think just and reasonable: Provided that any compensation so granted shall be subject to the provisions of the twentieth section of the Act four and five William IV., chapter twenty-four, and of the eleventh section of the Act twenty-two Victoria, chapter twenty-six.

Repeal of Acts and parts of Acts in schedule.

12. The Acts specified in the schedule to this Act are hereby repealed, from and after the commencement of this Act, to the extent specified in the third column of the schedule.

Provided that—

(1.) This repeal shall not diminish or affect the right of any person who, at the time of the commencement of this Act, holds any of the offices mentioned in, or receives any compensation, salary, remuneration, or allowance under any enactment hereby repealed, and such enactment shall, subject to the express provisions of

this Act, continue to apply to such person so long as he holds such office, or is entitled to receive such compensation, salary, remuneration, or allowance:

(2.) This repeal shall not affect,—

(*a.*) Anything duly done or suffered under any enactment hereby repealed; or

(*b.*) Any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment hereby repealed; or

(*c.*) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, or liability as aforesaid; and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed:

(3.) This repeal shall not revive any enactment, right, office, privilege, matter, or thing not in force or existing at the commencement of this Act.

SCHEDULE.

ACTS REPEALED.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned or otherwise referred to as forming the beginning or as forming the end of the portion comprised in the description or citation.

Session and Chapter.	Title.	Extent of Repeal.
53 Geo. 3. c. 89. -	An Act for the more regular conveyance of writs for the election of members to serve in Parliament.	Section four.
3 & 4 Will. 4. c. 84.	An Act to provide for the performance of the duties of certain offices connected with the Court of Chancery which have been abolished.	The whole Act, except so much of section two as relates to the Secretary of Presentations.
5 & 6 Will. 4. c. 47.	An Act to repeal so much of an Act passed in the third and fourth years of His present Majesty as relates to the amount of the salary granted to the clerk of the Crown in Chancery, and to make other provisions in relation to the said office.	The whole Act.
5 & 6 Will. 4. c. 82.	An Act to abolish certain offices connected with fines and recoveries and the cursitors in the Court of Chancery, and to make provision for the abolition of certain offices in the superior courts of common law in England.	Sections eight to twelve.
7 & 8 Vict. c. 77. -	An Act to amend so much of an Act of the fifth and sixth years of His late Majesty as relates to the salary of the clerk of the Crown in Chancery, and to make other provisions in respect of the said office.	The whole Act.
11 & 12 Vict. c. 94.	An Act to regulate certain offices in the petty bag in the High Court of Chancery, the practice of the common law side of that court, and the enrolment office of the said court.	The whole Act.
12 & 13 Vict. c. 109.	An Act to amend an Act to regulate certain offices in the petty bag in the High Court of Chancery, the practice of the common law side of that court, and the enrolment office of the said court.	Sections one to five, and sections nine, ten, and twenty-two.
15 & 16 Vict. c. 87.	An Act for the relief of the suitors of the High Court of Chancery.	Section twenty-three, except so far as it relates to the Secretary of Decrees and Injunctions, and section twenty-four, so far as it relates to the gentleman of the chamber attending the Great Seal and the purse-bearer to the Lord Chancellor.

Session and Chapter.	Title.	Extent of Repeal.
32 & 33 Vict. c. 91.	The Courts of Justice, Salaries and Funds, Act, 1869.	So much as relates to the offices of the clerk of the Crown in Chancery, the offices of gentlemen of the chamber attending the Great Seal, or purse-bearer to the Lord Chancellor, or messenger to the Great Seal, or clerk of the petty bag, or to the fees of such clerk of the Crown, gentleman of the chamber attending the Great Seal, purse-bearer to the Lord Chancellor, or messenger to the Great Seal, or to the fees of any business transferred by this Act from the clerk of the petty bag to the clerk of the Crown in Chancery.

CHAPTER 82.

An Act to alter and amend the laws relating to the Appointment of Ministers to Parishes in Scotland. [7th August 1874.]

WHEREAS an Act was passed in the tenth year of the reign of Her Majesty Queen Anne, chapter twelve, intituled "An Act to restore the Patrons to their Ancient "Rights of presenting Ministers to the Churches vacant in that part of Great Britain "called Scotland," and another Act was passed in the sixth and seventh years of the reign of Her Majesty Queen Victoria, chapter sixty-one, intituled "An Act to remove "Doubts respecting the Admission of Ministers to Benefices in that part of the United "Kingdom called Scotland," and it is expedient to repeal the same, and to provide otherwise for the appointment of ministers of the Church of Scotland as by law established:

And whereas Her Majesty has been graciously pleased to signify that she has placed at the disposal of Parliament her interest in the several rights of advocation, donation, and patronage of churches and parishes in Scotland belonging to her:

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:

Extent of Act.

1. This Act shall apply to Scotland only.

Commencement of Act.

2. Except in so far as otherwise expressly provided, this Act shall come into operation on the first day of January one thousand eight hundred and seventy-five, which date is herein-after referred to as the commencement of this Act.

Repeal of Acts 10 Anne, c. 12., and 6 & 7 Vict. c. 61. Appointment of ministers in future.

3. From and after the commencement of this Act, the said Acts of the tenth year of the reign of Her Majesty Queen Anne, chapter twelve, and the sixth and seventh years of the reign of Her present Majesty, chapter sixty-one, shall be repealed, and the right of electing and appointing ministers to vacant churches and parishes in Scotland is hereby declared to be vested in the congregations of such vacant churches and parishes respectively, subject to such regulations in regard to the mode of naming and proposing such ministers by means of a committee chosen by the congregation, and of conducting the election and of making the appointment by the congregation as may from time to time be framed by the General Assembly of the Church of Scotland, or which after the passing of this Act, but before the next meeting of the said General Assembly, may be framed by the commission of the last General Assembly duly convened for the purpose of making interim regulations thereanent: Provided always, that, with respect to the admission and settlement of ministers appointed in terms of this Act, nothing herein contained shall affect or prejudice the right of the said Church, in the exercise of its undoubted powers