as to examinations, indenture, and service, required by the said Acts, and remit the petitioner for examination in forms of process to the examiners appointed in virtue of said Acts, and on his producing a certificate by said examiners that he has passed the said examination, and without making the affidavit of apprenticeship prescribed by the said Act, the court may admit such notary public as a law agent, and authorise his name to be enrolled as a law agent under the said Act, and any Act or Acts explaining or amending the same. The court may in its discretion dispense with the examination in the case of any notary public who has regularly taken out the licence certificate required by law, and has been in practice as a notary public for not less than seven years immediately preceding the date of the passing of this Act.

Notaries public may be members of the Incorporated Society of Law Agents in Scotland.

4. From and after the passing of this Act notaries public, although they are not enrolled law agents, may be admitted as members of the Incorporated Society of Law Agents in Scotland.

Office of clerk of notaries.

5. Upon the occurrence of a vacancy in the office of clerk to the admission of notaries public in Scotland all liability of the Treasury in respect of the salary and expenses of the said office shall cease, but the clerk shall be remunerated by fees which the court of session shall fix by Act of Sederunt.

Fees of registrar of law agents. 36 & 37 Vict. c. 63.

6. Notwithstanding anything contained in the Law Agents (Scotland) Act, 1873, it shall be competent for the court of session, and they are hereby authorised and required by Act of Sederunt, to fix from time to time such fees as they may think reasonable to be payable to the registrar of law agents in Scotland for and in respect of his statutory duties as such registrar.

Short title.

7. This Act may be cited as the Law Agents (Scotland) Act Amendment Act, 1896.

CHAPTER 50.

An Act to provide for Superannuation Allowances to Poor Law Officers and Servants, and for Contributions towards such Allowances by such Officers and Servants; and to make other relative provisions. [14th August 1896.]

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:

Short title and commencement of Act.

1. This Act may be cited as the Poor Law Officers' Superannuation Act, 1896, and shall come into operation from and immediately after the twenty-ninth day of September one thousand eight hundred and ninety-six.

Superannuation.

Title of officers and servants to superannuation allowances.

2. Subject to the provisions of this Act, every officer and servant in the service or employment of the guardians of a union or parish

who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, or who shall have attained the age of sixty years and have completed an aggregate service of forty years, or who shall have attained the full age of sixty-five years, shall be entitled on resigning or otherwise ceasing to hold his office or employment, to receive during life out of the common fund of the union, a superannuation allowance according to the scale laid down in this Act. 27 & 28 Vict. c. 42.

An officer or servant shall not be entitled to an allowance on the ground of old age unless he has completed the full age of sixty years.

Where an officer or servant has attained the age of sixty-five years and the guardians are of opinion that it would be expedient in the interests of the public service that he should cease to hold his office or employment, it shall be competent for them to require him to retire upon payment to him of the superannuation allowance to which he may be entitled under this Act.

Scale of superannuation allowances.

3. The scale for superannuation allowances under this Act shall be as follows, that is to say:—

An officer or servant who has served for ten years but less than eleven years shall be entitled to an annual allowance equal to ten-sixtieths of the average amount of his salary or wages and emoluments during the five years ending on the quarter day which immediately precedes the day on which he ceases to hold his office or employment,

With an addition of one-sixtieth of such average amount for every additional completed year of service until the completion of a period of service of forty years, when a maximum allowance of forty-sixtieths shall be granted.

Reckoning service.

4. All service by an officer or servant under any authority or authorities to whom this Act applies shall be aggregated and reckoned for the purposes of this Act, whether the service has been continuous or not, and whether his whole time has been devoted to the service or not.

Power to add a number of years in certain cases.

5. The guardians in computing the amount of superannuation allowance to any officer or servant may, in consideration of peculiar professional qualifications, or of special circumstances, and with the consent of the Local Government Board, add a number of years not exceeding ten to the number of years which the officer or servant has actually served in the aggregate.

Case of subsequent appointment.

6. Where a person in receipt of a superannuation allowance under this Act is appointed to any office or employment by any authority to whom this Act applies, such allowance shall cease to be paid so long as he continues to hold such office or employment, if the salary or wages and emoluments thereof are equal to, or in excess of the amount of such allowance; if they are not, then only so much of such allowance shall be paid so long as he holds such office or employment as will make up the deficiency.

Any such person on ceasing to hold such office or employment shall be entitled to revert to and to receive the full amount of his original superannuation allowance from the authority which granted it.

Forfeiture for fraud, &c.

7. An officer or servant who is dismissed or resigns or otherwise ceases to hold office in consequence of any offence of a fraudulent character, or of grave misconduct, shall forfeit all claim to any superannuation allowance under this Act in respect of his previous service, provided that in the case of any such officer or servant the guardians may, if they see fit, return to him out of the common fund of the union a sum equal to the amount of all or part of his contributions under this Act.

Return of contributions and power to grant gratuities and superannuation allowances in certain cases.

8. An officer or servant who has not become entitled to a superannuation allowance, and who loses his office or employment by reason of a reduction of staff, or of any alteration of areas or boundaries, or otherwise ceases to hold his office or employment by reason of bodily injury not occasioned by his own default, or of any other cause whatever other than his own misconduct or voluntary resignation, shall be entitled to receive, out of the common fund of the union, a sum equal to the amount of all his contributions to any such fund under this Act; but if he claims under this section and subsequently obtains a fresh office or employment, he shall not be entitled to reckon his service before obtaining such fresh office or employment towards a superannuation allowance under this Act, unless upon obtaining such fresh office or employment he pays the amount so received to the common fund of the authority under whom he obtains such fresh office or employment.

In any such case of loss of office or employment as aforesaid, the guardians may also, if they see fit, with the sanction of the Local Government Board, grant to the officer or servant a gratuity, payable out of the common fund of the union, not exceeding twice the amount of his salary or wages and emoluments during the year ending on the quarter day which immediately precedes the day on which he ceases to hold his office or employment.

Provided that when such loss of office or employment occurs in a case in which the death, resignation, or insanity of one of the holders of a joint appointment vacates the office of the other, the officer or servant whose office or employment is so vacated, shall, unless he is reappointed by the guardians, and except where in the case of husband and wife the joint appointment is terminated owing to the misconduct of one of them, be entitled to receive during life, out of the common fund of the union, a superannuation allowance, according to the scale laid down in this Act, if such officer or servant has attained the age of fifty years, or has served for not less than twenty years.

Notice of proposed grant of allowance.

9. At least one month's notice in writing shall be given to every guardian of the time at which any proposal to add a number of years to the number of years which an officer or servant has actually served, or of any proposal to return contributions to an

officer or servant who has been dismissed or required to resign, or of any proposal to grant a gratuity under this Act, will be considered.

Allowances not assignable.

10. Every superannuation allowance granted under this Act shall be payable to or in trust for the officer or servant, and shall not be assignable or chargeable with his debts or other liabilities.

Annual returns to Local Government Board.

11. Every board of guardians shall make annually to the Local Government Board, in the form and at the time prescribed by the Board, a return of all superannuation allowances and gratuities paid by them under this Act during the preceding year, with such particulars as to the names and ages of the recipients and otherwise as the Board shall require.

Contribution.

Obligation of officers and servants to contribute.

12. Subject to the provisions of this Act, every officer and servant in the service or employment of the guardians of a union shall contribute annually for the purposes of this Act a per-centage amount of his salary or wages and emoluments according to the scale laid down by this Act, such amount to be from time to time deducted from the salary or wages payable to him and to be carried to and form part of the common fund of the union.

Scale of contributions.

13. The per-centage amounts to be deducted annually for the purposes of this Act shall be as follows, that is to say—

In the case of officers and servants with less than five years' service at the passing of this Act, or appointed after the passing of this Act, two per cent. of the salary or wages and emoluments for each year:

In the case of officers and servants with more than five and less than fifteen years' service at the passing of this Act, two and a half per cent. of the salary or wages and emoluments for each year:

In the case of officers and servants with more than fifteen years' service at the passing of this Act, three per cent. of the salary or wages and emoluments for each year.

Application of Act to other Authorities.

Application of Act to district schools and asylums.

14. The provisions of this Act shall apply to the managers of district schools and sick asylums, and to the managers of the metropolitan asylums district, and to their officers and servants, in like manner as nearly as may be as they apply to guardians and to their officers and servants; and the contributions of the officers and servants of such managers shall be carried to and form part of the fund applicable to the general expenses of such managers, and the superannuation allowances and gratuities under this Act shall be paid out of the said fund.

Existing Officers and Servants.

Saving for existing officers and servants.

15. Any officer or servant in the service or employment of guardians or any other authority to whom this Act applies may at

any time within three months after the commencement of this Act signify in writing to such authority his intention not to avail himself of the provisions of this Act, and in that event it shall not be obligatory on him, notwithstanding anything in this Act contained, to make any contributions or submit to any deduction from his salary or wages under this Act, nor shall he be entitled to receive any superannuation allowance, gratuity, or other benefit, under this Act.

27 & 28 Vict. c. 42.

Any such officer or servant who has given such notice as aforesaid shall remain subject to the provisions of the Poor Law Officers' Superannuation Act, 1864, and the Acts amending the same as if this Act had not been passed, and those provisions shall for the purposes of this enactment continue in force notwithstanding their repeal by this Act.

Miscellaneous.

Provision in case of paid collectors.

16. In the case of a paid collector of rates or assistant overseer appointed by the guardians of a union for any parish or parishes forming part of the union, the contributions of such collector or assistant overseer shall be carried by the guardians to the credit of the parish or parishes out of which his salary or emoluments is or are paid, in proportion to his respective salaries or emoluments, and any allowance or gratuity to him under this Act shall be charged to the same parish or parishes in the like proportions.

Provision in case of superintendent registrars.

17. Superintendent registrars, who are remunerated wholly or partly by fees, shall pay annually the due per-centage amount of their fees to the guardians of their respective unions at the time or times prescribed by such guardians respectively, and such amounts shall be carried to and form part of the common fund of the union.

Every such superintendent registrar shall make annually in the month of October to the guardians of his union a return of the amount of the fees received by him as such superintendent registrar during the year ending on the preceding twenty-ninth day of September, and the amount so returned shall be taken as the basis upon which the per-centage deduction shall be made and the superannuation allowance shall be calculated: Provided that such annual return shall be verified by a statutory declaration that the amount so returned does not exceed the total amount received by him as such superintendent registrar during the period in question.

Where the district of a superintendent registrar is situate in more than one union, the per-centage amount of his fees to be carried to the common fund of each union and the amount of any superannuation allowance or gratuity to be paid to him by the guardians of each union shall be in proportion to the rateable value of the portions of the district in each union, to be ascertained by the valuation list in force, or, if there is no valuation list, by the last poor rate.

Power of Local Government Board to decide questions.

18. The Local Government Board may, if they think fit, determine any question which may arise between guardians or any other authority to whom this Act applies and any officer or servant, and which may be referred to them by either party, as to the right to or the amount of superannuation allowance of such officer or servant, and the decision of the Local Government Board shall be binding and conclusive.

Definitions.

19. In this Act, unless the context otherwise requires—

"Guardians" includes the trustees or overseers of any parish appointed or incorporated under a local Act, and any vestry or other authority charged with the administration of the relief of the poor for any union, parish, or other area:

"Union" includes any parish or other area for which the relief of the poor is administered by guardians as above defined:

"Common fund of the union" means the fund out of which the salaries of the officers of the union, parish, or other area are paid:

"Officer" includes every officer in the service of an authority to whom this Act applies whether his whole time is devoted to the duties of his office or not; and for the purposes of this Act superintendent registrars and registrars of births and deaths and school attendance officers are deemed to be in the service of the guardians of the union in which their districts are situated:

"Servant" includes every servant regularly employed at wages by any such authority as aforesaid:

"Emoluments" includes all fees, poundage, and other payments made to any officer or servant as such for his own use; also the money value of any apartments, rations, or other allowances in kind appertaining to his office or employment:

"Joint appointment" includes any office the tenure whereof is determined by the death, removal, resignation, or incapacity of the holder of another office under the same authority.

Repeal of enactments.

20. The enactments specified in the schedule to this Act are hereby repealed, subject to the qualification that this repeal shall not affect the payment of any superannuation allowance granted before the commencement of this Act, nor any other right or liability acquired or accrued nor anything duly done or suffered before the commencement of this Act; and the guardians of any union may if they see fit grant and pay a superannuation allowance under the said enactments to any officer who has retired before the commencement of this Act in the same manner, and subject to the same conditions, as if this Act had not been passed.

Extent of Act.

21. This Act does not extend to Scotland and Ireland.

The SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
27 & 28 Vict. c. 42. (1864).	An Act to provide for superannuation allowances to officers of unions and parishes.	The whole Act.
29 & 30 Vict. c. 113. (1866).	The Poor Law Amendment Act, 1866.	Sections one to three.
30 & 31 Vict. c. 106. (1867).	The Poor Law Amendment Act, 1867.	Sections eighteen and nineteen, and section twenty from "or when any parish" down to "allowance and."
33 Vict. c. 2. (1870) -	The Dissolved Boards of Management and Guardians Act, 1870.	Section ten.
33 & 34 Vict. c. 94. (1870).	The Medical Officers' Superannuation Act, 1870.	The whole Act.
39 & 40 Vict. c. 61. (1876).	The Divided Parishes and Poor Law Amendment Act, 1876.	Section seventeen.

CHAPTER 51.

An Act to prevent Abuse of the Process of the High Court or other Courts by the Institution of Vexatious Legal Proceedings. [14th August 1896.]

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:

Power of court to prohibit institution of action without leave.

1. It shall be lawful for the Attorney-General to apply to the High Court for an order under this Act, and if he satisfies the High Court that any person has habitually and persistently instituted vexatious legal proceedings without any reasonable ground for instituting such proceedings, whether in the High Court or in any inferior court, and whether against the same person or against different persons, the court may, after hearing such person or giving him an opportunity of being heard, after assigning counsel in case such person is unable on account of poverty to retain counsel, order that no legal proceedings shall be instituted by that person in the High Court or any other court, unless he obtains the