CHAPTER 55.

An Act to amend the Public Record Office Act, 1838. [14th August 1877.]

WHEREAS the Public Record Office was established in pursuance of the Public Record Office Act, 1838, and divers records and papers (in this Act referred to as documents) are deposited in or can be removed to that office and are there under the charge of the Master of the Rolls in England for the time being: 1 & 2 Vict. c. 94.

And whereas it is expedient to prevent the Public Record Office from being encumbered with documents of not sufficient public value to justify their preservation in the Public Record Office:

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:

Power to make rules as to disposal of value less documents.

1. The Master of the Rolls, with the approval of the Commissioners of Her Majesty's Treasury, and such further approval in the case of certain documents as is herein-after mentioned, may, if he sees fit, from time to time make, and when made, revoke, add to, and vary rules respecting the disposal by destruction or otherwise of documents which are deposited in or can be removed to the Public Record Office, and which are not of sufficient public value to justify their preservation in the Public Record Office.

Such rules shall,—

(1.) So far as they relate to documents of any court mentioned in section three of the Public Record Office Act, 1838, be made with the further approval of the Lord High Chancellor of Great Britain; and

(2.) So far as they relate to documents removed or about to be removed to the Public Record Office from the office of one of Her Majesty's Principal Secretaries of State or other department of the Government (except the Treasury), be made with the further approval of such Secretary of State or head of such department.

Before the power of disposal given by this section shall be exercised as to any documents, the Master of the Rolls shall cause a schedule to be prepared of the documents for the time being proposed to be disposed of, containing a list of the documents, and such particulars as to their character and contents as may be calculated to enable the Houses of Parliament to judge of the expediency of disposing of such documents in the proposed manner; but where there shall be several documents of the same class or description, it shall be sufficient to classify them, as far as practicable, according to their nature and contents, instead of specifying each document separately, and the power of disposal given by this section shall not be exercised in respect of any documents until the schedule relating to such documents before required has been submitted to both Houses of Parliament for a period of not less than four weeks.

No rule made in pursuance of this section shall provide for the disposal of any document of older date than the year one thousand seven hundred and fifteen.

Every rule made in pursuance of this section shall be laid before both Houses of Parliament, and when the same has lain not less than sixty days before both Houses of Parliament it shall be lawful for Her Majesty, by Order in Council, to declare her approbation of the rule or any part of the rule, from which rule or part Her Majesty has not been prayed by an address of either House of Parliament to withhold her approbation.

Every such rule when approved by Order in Council shall be deemed to have been within the powers of this Act and duly made, and shall, while in force, have effect as if it were enacted by Parliament.

Disposal of documents of Masters Offices transferred by 23 & 24 Vict. c. 149.

2. Whereas by the ninth section of the Act of the session of the twenty-third and twenty-fourth years of the reign of Her present Majesty, chapter one hundred and forty-nine, intituled "An Act to make better provision for the relief of prisoners in contempt of "the High Court of Chancery, and pauper defendants, and for the more efficient despatch "of business in the said Court," it is enacted that the deeds, books, documents, and papers belonging to the suitors in the Court of Chancery which had been theretofore under the custody of the Masters in Ordinary of the said Court (and which are herein-after referred

to as Chancery Masters Documents) should be transferred to the custody of the Clerks of Records and Writs of the said Court, and the Master of the Rolls is authorised to appoint a person to have the care of the said Chancery Masters Documents, at a salary not exceeding the sum therein mentioned; and such documents have since remained at the offices in Southampton Buildings, Chancery Lane, where the same were deposited at the passing of the said Act:

And whereas it is expedient to make further provision with respect to the Chancery Masters Documents: Be it therefore enacted, that—

1 & 2 Vict. c. 94.

The Chancery Masters Documents shall, after the passing of this Act, be under the charge and superintendence of the Master of the Rolls for the time being under the Public Record Office Act, 1838, in like manner as if they were records within the meaning of that Act and this Act, subject as follows:

(1.) No person shall be entitled to inspect the same without the consent of the Master of the Rolls and the Treasury; and

(2.) The Master of the Rolls, with the approval of the Treasury, may take such measures as may seem best for ascertaining the lawful owners of any of such documents, and may cause the same to be delivered to such lawful owners.

Section nine of the Act above recited in this section shall be construed as if the words Master of the Rolls were substituted therein for the words Clerks of Records and Writs wherever used in the said section.

Construction and short title.

3. This Act shall be construed as one with the Act of the session of the first and second years of the reign of Her present Majesty, chapter ninety-four, intituled "An Act for "keeping safely the Public Records," which Act is in this Act referred to and may be cited as the Public Record Office Act, 1838, and that Act and this Act may be cited together as the Public Record Offices Acts, 1838 and 1877, and this Act may be cited as the Public Record Office Act, 1877.

CHAPTER 56.

An Act to amend the Laws relating to County Officers and to Courts of Quarter Sessions and Civil Bill Courts in Ireland. [14th August 1877.]

WHEREAS it is expedient to amend the laws relating to the offices of Clerk of the Crown and Clerk of the Peace, and to the Courts of Quarter Sessions and Civil Bill Courts in Ireland, to provide for the union of such offices, and to extend the jurisdiction of such courts:

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:

Preliminary.

Application of Act.

1. This Act shall apply to Ireland only.

Short title.

2. This Act may be cited as "The County Officers and Courts (Ireland) Act, 1877."

Title of the chairman.

3. The chairmen, not being Recorders, shall, from and after the commencement of this Act, be styled "County Court Judges and Chairmen of Quarter Sessions."

Commencement of Act.

4. Parts I., III., and IV. of this Act shall come into operation upon the passing of this Act. Part II. of this Act shall come into operation upon the first day of January one thousand eight hundred and seventy-eight.

Short title of 14 & 15 Vict. c. 57.

5. The Act passed in the session of Parliament held in the fourteenth and fifteenth years of the reign of Her present Majesty, chapter fifty-seven, may be cited as "The Civil Bill Courts (Ireland) Act, 1851."