CHAPTER 53.

An Act to amend the Supreme Court of Judicature Acts.

[5th August 1891.]

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:

Ex-Lord Chancellor to be a judge of Court of Appeal.

1. Every person who has held the office of Lord Chancellor shall be an ex-officio judge of the Court of Appeal, but he shall not be required to sit and act as a judge of that court, unless upon the request of the Lord Chancellor he consents so to do, and while so sitting and acting he shall rank therein according to his precedence as a peer.

President of Probate, Divorce, and Admiralty Division.

2. Whenever there is a vacancy in the office of a judge of the High Court who is president of the Probate, Divorce, and Admiralty Division thereof, it shall be lawful for Her Majesty, by letters patent, to appoint to that office as president of the said division any person who is a barrister of not less than fifteen years' standing, or who is a judge of the High Court or Court of Appeal, and the person so appointed shall, without prejudice to the rights of any judge of the Supreme Court existing at the passing of this Act, take precedence in court next after all ordinary judges of the Court of Appeal appointed before the time at which he shall become an ordinary or ex-officio member thereof.

Assessors in House of Lords.

3. For the purpose of aiding the House of Lords in the hearing and determination of appeals in Admiralty actions, the House may, in any such appeal in which it may think it expedient to do so, call in the aid of one or more assessors specially qualified, and hear such appeal wholly or partially with the assistance of such assessors.

This section shall be carried into effect in pursuance of Orders made by the House of Lords.

Explanation of position of High Court of Justice under 27 & 28 Vict. c. 25.

4. Whereas doubts have arisen with respect to the position of the High Court in England and appeals therefrom in cases of prize, and it is expedient to remove such doubts: Be it therefore enacted as follows:

(1.) The High Court in England shall be a prize court within the meaning of the Naval Prize Act, 1864, and shall have all such jurisdiction on the high seas, and throughout Her Majesty's dominions, and in every place where Her Majesty has jurisdiction, as under the Naval Prize Act, 1864, or otherwise the High Court of Admiralty possessed when acting as a prize court.

(2.) Subject to rules of court, all causes and matters within the jurisdiction of the High Court under this Act as a prize court shall be assigned to the Probate, Divorce, and Admiralty Division of the Court.

(3.) Any appeal from the High Court when acting as a prize court shall lie only to Her Majesty in Council, in accordance with the Naval Prize Act, 1864.

Short titles and construction.

5. This Act may be cited as the Supreme Court of Judicature Act, 1891, and shall be construed as one with the Supreme Court of Judicature Acts, 1873 to 1890, which Acts, with this Act, may be cited together as the Judicature Acts, 1873 to 1891.

CHAPTER 54.

An Act to facilitate the Acquisition of Ranges by Volunteer Corps and others. [5th August 1891.]

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 for volunteer corps to purchase land.

1. A volunteer corps may, with the consent of the Secretary of State, purchase land under this Act for military purposes.

Acquisition of land for volunteer corps by county council, &c.

2. The council of a county or borough may, at the request of one or more volunteer corps, purchase and hold lands on behalf of such volunteer corps for military purposes.

Machinery for purchase of land.

3.—(1.) For the purpose of purchase of land by a volunteer corps under this Act the Lands Clauses Acts shall be incorporated with this Act with the exceptions and additions and subject to the provisions following; that is to say,—

(*a.*) There shall not be incorporated with this Act sections sixteen or seventeen of the Lands Clauses Consolidation Act, 1845, or the provisions of that Act with respect to affording access to the special Act, or sections fifteen or sixteen of the Lands Clauses Consolidation (Scotland) Act, 1845 :

8 & 9 Vict. c. 18.

8 & 9 Vict. c. 19.

(*b.*) In the construction of this Act and the incorporated Acts this Act shall be deemed to be the special Act, and the volunteer corps shall be deemed to be the promoters of the undertaking :

(*c.*) The volunteer corps shall not put in force the provisions of the incorporated Acts with respect to the purchase of land compulsorily until they have obtained the sanction of Parliament in manner in this Act mentioned :

(*d.*) One month at the least before making any application to Parliament for sanction to the compulsory purchase of land under this Act, the volunteer corps shall serve, in manner provided by the Lands Clauses Acts, a notice on every owner or reputed owner, lessee or reputed lessee, and occupier of any land intended to be so purchased, describing the land intended to be taken, and in general terms the purposes to which it is to be applied, and stating the intention of the volunteer corps to obtain the sanction of Parliament to the purchase thereof, and inquiring whether the person so served assents or dissents to the taking of his land, and requesting him to forward to the volunteer corps any objections he may have to his land being taken :