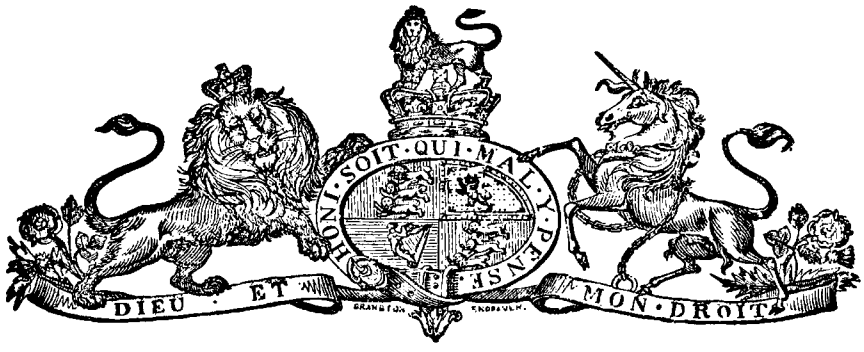


ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

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CAP. XXXIV.

An Act for making Provision as to the Office of Master in Chancery in certain Cases.

[23d *July* 1840.]

WHEREAS by the Act passed in the Forty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for making Provision for such Masters in Ordinary of the High Court of Chancery as from Age or Infirmity shall be desirous of resigning their Offices with the Approbation of the said Court, and for augmenting the Income of the Masters in Ordinary of the said Court*, no Provision is made for the Payment of any Annuity or Retiring Pension to such of the Masters in Ordinary of the High Court of Chancery as, being disabled by any permanent Infirmity from the due Execution of their Offices, may by reason of such Infirmity be incompetent duly to resign the same, and it is expedient to provide for such Cases: 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, That it shall be lawful for the Lord High Chancellor of *Great Britain*, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, by any Order or Orders of the High Court of Chancery, to be made from Time to

46 G. 3. c. 128.

Lord Chancellor may grant Annuities to Masters in Chan-

cery unable to perform the Duties of their Office.

to Time on a Petition presented to him or them for that Purpose, to order, if he or they shall so think fit, an Annuity or clear yearly Sum of Money not exceeding the Sum of One thousand five hundred Pounds to be paid to such Person or Persons as he or they shall in any such Order in that Behalf name, out of the Interest and Dividends of the Government or Parliamentary Securities which may at any Time be standing in the Name of the Accountant General of the High Court of Chancery to an Account intituled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and out of the Interest and Dividends of the Government or Parliamentary Securities which may at any Time be standing in the Name of the said Accountant General to an Account intituled "Account of Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," or either of them, for the Use and Benefit of any Master in Ordinary of the High Court of Chancery who shall be afflicted with any permanent Infirmity disabling him from the due Execution of his Office, and who shall also by reason of such Infirmity be incompetent duly to resign the same; and in such Order or Orders the Cause or Ground of making the same shall be distinctly specified; and the Annuity or clear yearly Sum of Money mentioned in such Order or Orders shall be paid by the Governor and Company of the Bank of *England*, out of the Interest and Dividends aforesaid, (but subject and without Prejudice to the Payment of all Salaries and other Sums of Money by the several Acts of Parliament in the said recited Act referred to directed or authorized to be paid thereout,) by even and equal Payments, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in every Year, during the Life of such Master in Ordinary, to the Person or Persons in such Order or Orders in that Behalf named; the first of such quarterly Payments, or a proportionate Part thereof to be calculated from the Date of such Order, to be payable on the first of such Days which shall occur after the Date of such Order, and such Annuity or yearly Sum shall be free from all Parliamentary Taxes; and the Office of such Master in Ordinary, for whose Use and Benefit any such Annuity or Retiring Pension shall have been so ordered to be paid, shall from and after the Date of such Order be and be deemed to be thereby voided and vacant, as well and in the same Manner as if such Master had duly resigned the same; and the Person or Persons to whom such Annuity as aforesaid shall, by virtue of any such Order as aforesaid made under the Authority of this Act, be payable, shall be entitled to receive and shall be paid, in the Place of such Master as aforesaid, and in like Manner as he would if not incapacitated as aforesaid have been paid the same, and for his Use and Benefit, such proportionate Part or Parts of any Salary and Compensation to such Master as may or shall have accrued from the Time when the last Payment of the same respectively was made to such Master to the Day of the Date of the Order for such Annuity as aforesaid.

II. Provided always, and be it enacted, That no such Order shall be made, unless the Lord High Chancellor, Lord Keeper or Lords Commissioners aforesaid, shall have previously received Certificates in Writing, according to the Form in the Schedule to this Act annexed, signed by Three several Medical Persons (Physicians or Surgeons), who shall have been named and appointed by the Lord High Chancellor, Lord Keeper or Lords Commissioners in that Behalf, and each of whom shall have separately visited and examined such Master on Two several Days at the least.

Annuity not to be granted except upon Production of Medical Certificate.

SCHEDULE to which this Act refers.

Form of Certificate.

I do hereby certify, That I did on the Day of and the Day of in the Year personally visit and examine one of the Masters of the High Court of Chancery; and I further certify, that the said is afflicted with [*state fully the Nature of the Affection or Complaint*], and that he is thereby permanently disabled from discharging the Duties of his Office as such Master, and that he is also by reason thereof incompetent duly to resign the same.

This Day of .

A.B.
[Physician *or* Surgeon.]

London: Printed by George E. Eyre and Andrew Spottiswoode, Printers to the Queen's most Excellent Majesty. 1840.