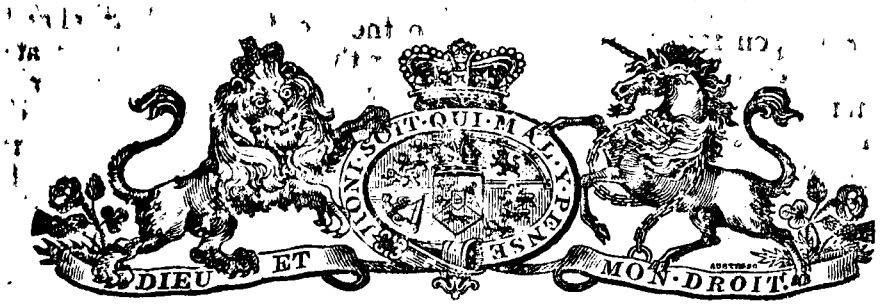


ANNO SEXTO

GEORGII IV. REGIS.

****

CAP. XCVI.

An Act for preventing frivolous Writs of Error.

[5th *July* 1825.]

FOR preventing the Delays occasioned to Creditors by frivolous Writs of Error brought on Judgments given in His Majesty's Courts of Record at *Westminster*, and in the Counties Palatine, and in the Courts of Great Session in *Wales*, be it enacted by the King'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 upon any Judgment hereafter to be given in any of the said Courts in any personal Action, Execution shall not be stayed or delayed by Writ of Error or Supersedeas thereupon, without the special Order of the Court, or some Judge thereof, unless a Recognizance with Condition according to the Statute made in the Third Year of the Reign of His Majesty King *James* the First, intituled *An Act to avoid unnecessary Delays of Execution*, be first acknowledged in the same Court.

On Judgment given in the Courts at Westminster, &c. Execution shall not be stayed or delayed by Writ of Error, &c. without special Order.

3 Jac. 1. c. 8.

II. And whereas the lawful Fees and Emoluments of Persons holding the Office of Cursitors, and of other Persons, Officers of the Courts of Law and Equity in *England* and *Wales*, may be reduced by the Operation and Effect of this Act; and it is just and reasonable that full Compensation should be made to such Cursitors and Officers who

Compensation to be made to Cursitors and other Officers for Loss of Emoluments,

on Inquiry by Commissioners.

who now hold their Offices for Life; be it enacted, That the Lord Chief Justice of the King's Bench, the Lord Chief Justice of the Common Pleas, and the Lord Chief Baron of the Exchequer, shall be and the same are hereby appointed Commissioners for the Purposes of this Act; and the said Commissioners shall, within Nine Months after the passing of this Act, by Examination on Oath as well as otherwise, which Oath they and each of them are and is hereby authorized to administer, inquire which of the lawful Fees and Emoluments of the several Persons aforesaid are liable to be reduced by the Operation and Effect of this Act, and ascertain the annual Amount, to be computed on an Average of the last Ten Years, of such lawful Fees and Emoluments, and shall in like Manner yearly and every Year inquire and ascertain whether there has been any and what Diminution or Increase of such lawful Fees and Emoluments for the Year ending the last Day of *Trinity* Term immediately preceding such Examination, and shall certify the Amount of such Diminution, if any, in Writing under their Hands to the Lords Commissioners of His Majesty's Treasury, and the Amount of such Diminution shall forthwith become a Charge on the Consolidated Fund, and shall be issued as if the Amount of such Diminution had been specially mentioned in this Act, and shall be payable and paid accordingly to the respective Persons aforesaid, the Diminution of whose lawful Fees and Emoluments shall have been so certified, without any Deduction whatsoever.

If in any Year the Amount of Fees shall exceed the Average, as ascertained by the Commissioners, the Excess shall be paid into the Exchequer.

III. Provided always, and be it enacted, That if in any Year the Amount of such lawful Fees and Emoluments of any such Person as aforesaid claiming Compensation under this Act shall exceed the Average Amount of such Fees and Emoluments ascertained as hereinbefore directed, then and in that Case the Commissioners appointed by this Act shall certify the Amount of such Excess, and such Person as aforesaid shall within Fifteen Days thereafter pay the Amount of such Excess into His Majesty's Exchequer.

Clerks in the Office of the Clerk of the Errors entitled to the Benefit of 3G. 4. c. 113.

IV. And whereas by the Operation of this Act there may be no longer any Occasion for the Services of the Clerks in the Office of Clerk of the Errors; be it further enacted, That the said Clerks shall be entitled to all the Benefit of an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to amend an Act passed in the Fiftieth Year of His late Majesty, for directing that Accounts of Increase and Diminution of Public Salaries, Pensions, and Allowances shall be annually laid before Parliament, and for regulating and controuling the granting and paying such Salaries, Pensions, and Allowances,* in as full a Manner as if the Office of Clerk of the Errors had been inserted in the Schedule annexed to the said Act; any thing in the said Act contained to the contrary in anywise notwithstanding,

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1825.