

ANNO VICESIMO QUINTO & VICESIMO SEXTO

VICTORIÆ REGINÆ.

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CAP. XCIX.

An Act to amend the Bankruptcy Act (1861).

[7th *August* 1862.]

WHEREAS by the First Section of an Act of the Session of the Fifth and Sixth Years of the Reign of King *William* the Fourth, Chapter Forty-two, intituled *An Act to authorize the granting of Superannuation Allowances to the Commissioners and Officers of the Courts for the Relief of Insolvent Debtors*, Power is given to the Commissioners of Her Majesty's Treasury to grant to any of the Officers of the Court for the Relief of Insolvent Debtors in *England* who shall be, from Age or Infirmity of Mind or Body, incapable of discharging the Duties of his Office, or whose Office shall cease or be abolished by Law, a Superannuation Allowance, in the same Manner and upon the same Conditions as it would be granted under the Provisions of the Act of the Session of the Fourth and Fifth Years of the Reign of King *William* the Fourth, Chapter Twenty-four: And whereas by "The Superannuation Act, 1859," it is provided that the said First Section of the said Act of the Fifth and Sixth Years of the Reign of King *William* the Fourth shall be construed as if the said Superannuation Act of 1859 were referred to in the said Section instead of the said Act of the Fourth and Fifth Years of the Reign of 5 & 6 W. 4. c. 42.

of King *William* the Fourth: And whereas at and previously to the Date of the passing of "The Bankruptcy Act, 1861," the Persons named in the Schedule hereto were holding Offices in the said Court for the Relief of Insolvent Debtors in *England*, and such Persons, together with other Officers of the said Court, were by the said Act transferred to the *London* Court of Bankruptcy: And whereas it is expedient that the said Bankruptcy Act, 1861, should be amended so far as relates to the Transfer of the Officers named in the said Schedule, and that their Offices should be forthwith abolished, and the Holders of such Offices become entitled to Superannuation Allowance accordingly: 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:

Abolition of Offices of Persons named in Schedules.

1. The Offices of the several Persons named in the First and Second Schedules hereto shall be abolished from and after the respective Times herein specified; that is to say, those in the First Schedule from and after the passing of this Act, and those in the Second Schedule from and after such Time or Times as may be fixed by any General Order or Orders of the Lord Chancellor in that Behalf made; and the Holders of such Offices respectively shall thereupon become entitled to Superannuation or Compensation Allowance accordingly; provided that no new Officers or Persons shall be appointed for the temporary Discharge of the Duties of such several Persons respectively in the First Schedule mentioned, but, in case of Need, such Duties shall continue to be discharged by such several Persons respectively hitherto discharging the same, at the Rate of Remuneration heretofore received by them respectively; and during such Time they shall not receive any Superannuation or other Allowance or Compensation as for abolished Offices.

Grant of additional Allowance to Persons named in First Schedule.

2. Where the Amount of Remuneration in Salary or Fees, or both in Salary and Fees, received by any of the Persons named in the said First Schedule on account of any Offices held by them during the Period intervening between the Date of their being transferred in manner aforesaid to the Bankruptcy Court and the Date of the passing of this Act, is less than the Amount that they would have received in respect of Superannuation or Compensation Allowance if their Offices had been abolished at the Date of such Transfer, the Commissioners of the Treasury shall, out of Monies to be provided by Parliament for that Purpose, make up the Deficiency between the Amount actually received by them and the Amount they would have received if their Offices had been abolished in respect of such Superannuation Allowance as aforesaid.

3. For

Bankruptcy Act (1861) *Amendment.*

Calculation of Superannuation Allowance.

3. For the Purpose of calculating the Amount of Superannuation Allowance due to each of the Persons named in the said Schedules, the annual Emolument of such Person shall be deemed to have been the Sums set opposite his Name in the Second and Third Columns of the said Schedules, and such further Sums, if any, as the Commissioners of the Treasury may, if they think fit, add in respect of Lodging or other Allowances enjoyed by such Person at the Public Expense.

Prohibition of Judges of County Courts sitting in Parliament.

4. Whereas the said Bankruptcy Act, 1861, repeals the Eighteenth Section of the Act of the Session of the Tenth and Eleventh Years of the Reign of Her present Majesty, Chapter One hundred and two, by which Section it was provided that no Judge of any County Court who had previously to the passing of the last-mentioned Act been or might thereafter be appointed to that Office under the Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, should during his Continuance in such Office be capable of being elected or of sitting as a Member of the House of Commons: And whereas it is expedient that the Prohibition contained in such repealed Section should be renewed: Be it enacted, That no Person who has been or may hereafter be appointed a Judge of any County Court by virtue of the said Act of the Ninth and Tenth Years of Her present Majesty, Chapter Ninety-five, shall during his Continuance in the Office of Judge be capable of being elected or of sitting as a Member of the House of Commons.

FIRST SCHEDULE.

THE NAMES of PERSONS formerly employed in the Insolvent Debtors Court, and for whom no Employment has been found since the Abolition of that Court.

NAME.	Date of Appointment.	Salary.	Average Fees for Seven Years.	TOTAL.
		£	£ s. d.	£ s. d.
Yeo, R. W. (Order Clerk)	1840	100	225 15 0	325 15 0
Clark, G. (Registrar)	1831	150	599 14 1	749 14 1
Wiggins, Samuel (Broker)	1840	Nil	514 2 8	
Arrowsmith, J. (Ditto)	1847	Nil	514 2 8	
Paterson, A. (Ditto)	1841	Nil	514 2 8	
Brown, G. (Service Messenger)	1851	Nil	195 4 7	
Michael, R. (Ditto)	1854	Nil	210 11 6	
Chalkeley, J. B. (Ditto)	1860	Nil	210 8 9	
Bull, R. (Service Messenger)	1856	Nil	199 19 3	
Hat, C. (Usher)	1858	80	Nil	
Walsh, Edward (Messenger)	1854	80	Nil	
Laurie, G. N. W. (Usher)	1859	80	Nil	
Burden, J. W. (Assistant Book-keeper)	1859	63	Nil	
Snellgrove, J. (Messenger)	1847	80	Nil	
Lambert, Mrs. (Housekeeper)	1816	50	Nil	
Bester, Mrs. (Ditto)	1844	40	Nil	
Snellgrove, Miss (Ditto)	1850	50	Nil	
West, W. A. (Service Messenger)	1828	Nil	264 14 4	
Bacon, W. H. (Ditto)	1831	Nil	240 8 10	
Powell, W. H. (Ditto)	1842	Nil	262 12 0	
Coe, J. H. (Ditto)	1843	Nil	236 7 6	

SECOND SCHEDULE.

THE NAMES of PERSONS formerly employed in the Insolvent Debtors Court, and whom it is proposed to retain for the present in Portugal Street.

		£	£ s. d.	£ s. d.
Lamb, Henry William	1824	300	715 15 3	1,015 15 3
Ingpen, W.	1842	100	293 0 0	393 0 0
Notson, W.	1847	130	70 0 0	200 0 0

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