ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 69.

An Act for making Provision for such of the Sub-Registrars or Deputy Registrars of the High Court of Chancery, as from Age or Infirmity shall be afflicted with permanent Disability, and be incapacitated for the due Execution of their Office; and for making further Provision for the two Seniors of the said Registrars, for the Clerks in the Registrar's Office, for the Master of the Report Office, and for providing additional Clerks in the Report Office of the said Court; and for making other Payments and Regulations in respect of the said Offices. [20th *May* 1809.]

WHEREAS by virtue of an Act of Parliament passed in the Thirty-second Year of the Reign of His present Majesty, intituled, *An Act to empower the High Court of Chancery to lay out a further Sum of the Suitors Money upon proper Securities, and for applying the Interest towards discharging the Expences of the Office of the Accountant General; and for building Offices for the Masters in Ordinary in Chancery, and a public Office for the Suitors of the said Court, and Offices for the Secretaries of bankrupts and Lunatics; and for building Repositories for securing the Title Deeds of the Suitors of the said Court, and the Records and Proceedings of the Commissioners of Bankrupts and Lunatics*; and of the several Acts in the said Act mentioned, divers Sums of Money have been 32 G. 3. c. 42.

been by virtue of the ſeveral Orders taken out of the common and general Caſh belonging to the Suitors of the High Court of Chancery, which lay dead and unemployed in the Bank of *England*, and have been placed out in the Name of the Accountant General of the ſaid Court, on Government or Parliamentary Securities, and ſuch Government or Parliamentary Securities have been, in purſuance of the ſaid Act paſſed in the Thirty-ſecond Year of His preſent Majeſty's Reign, carried 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 Dividends and Intereſt of the Securities purchaſed in purſuance of the ſaid ſeveral Acts of Parliament, the ſeveral annual Sums and Salaries, and the ſeveral other Payments directed to be made, and to be paid, have been from Time to Time made and paid; and the ſurplus Intereſt and annual Produce ariſing from the ſaid Securities, beyond what was ſufficient to anſwer the Purpoſes of the ſaid ſeveral Acts, and alſo the Intereſt produced from the Securities purchaſed with ſuch ſurplus Intereſt and annual Produce, have been from Time to Time, in purſuance of the ſaid laſt mentioned Act, laid out in the Purchaſe of Government or Parliamentary Securities, in the Name of the Accountant General of the ſaid Court, and placed to the Credit of 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*: And whereas the Legiſlature has impoſed on the Filer of the Reports and Certificates and Keeper thereof, and of all Books of Entries of all Orders and Decrees of the Office of Regiſtrar of the ſaid Court, and on the Sub or Deputy Regiſtrars, the performance of important Duties, by reaſon whereof the Buſineſs of the ſaid Regiſtrars and of the Report Office is grown very extenſive and laborious, for which extraordinary Duties no Fees are allowed or taken by the Regiſtrars beyond their ancient and accuſtomed Fees for drawing up and paſſing the Orders of the Court: And whereas the Fees and Emoluments of the two Seniors of the ſaid Sub or Deputy Regiſtrars of the ſaid Court are not adequate to the Attendance, Trouble, and Importance of their Offices, and to the Length of their Services: And whereas it would be for the Benefit of the Suitors of the ſaid Court, that proper Proviſion ſhould from Time to Time be made for ſuch of the ſaid Sub or Deputy Regiſtrars of the ſaid Court as from Age or Infirmity, ſhall in the Judgment of the ſaid Court, be incapacitated to perform the Duties of their reſpective Offices: And whereas the Fees and Allowances to which the Entering Clerks and the Clerks to the ſaid Sub or Deputy Regiſtrars are entitled (regard being had to the great Expence of paying Perſons to aſſiſt them in diſpatching the Buſineſs of the ſaid Office, and the great Increaſe in the Price of the Neceſſaries of Life and the Expence of Living), are inadequate to their Attendance and Trouble and the Duties required of them; and it is reaſonable to provide yearly Allowances to the Entering Clerks, and to the Clerks of the ſaid Sub or Deputy Regiſtrars of the ſaid Court, in addition to the Fees and Allowances to which they are now entitled, and alſo to provide additional Clerks in the Report Office, and Salaries for ſuch additional Clerks; and alſo that Proviſion ſhould be made for ſuch other Payments and Expences incident to the ſaid Offices, and that ſuch other Regulations ſhould be made as are hereinafter mentioned and contained; may it therefore pleaſe Your Majeſty, that

that it may be enacted; and 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 out of the Interest and Dividends of the Government or Parliamentary Securities aforesaid, carried to the said Account, intituled, *Account of Interest arising from 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 carried to the said 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*, and out of the Interest and Dividends of any Government or Parliamentary Securities hereafter to be purchased and placed to the last-mentioned Account, there shall be paid (but subject and without Prejudice to the Payment of all Salaries and Sums of Money by any Act or Acts of Parliament heretofore passed, directed, or authorized to be paid thereout) by the Governor and Company of the Bank *England*, by virtue of any Order or Orders of the High Court of Chancery to be made for that Purpose, by quarterly 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, such yearly Sums as after-mentioned, to the several Persons after-mentioned (that is to say): To the two Senior of the said Sub Registrars or Deputy Registrars of the said Court for the Time being, the yearly Sum of Five hundred and fifty Pounds each; to the first Clerk in the said Register's Office for the Time being, the yearly Sum of Three hundred and thirty Pounds; to the second Clerk the yearly Sum of Two hundred and seventy-five Pounds; to the third Clerk the yearly Sum of Two hundred and twenty Pounds, to the fourth Clerk the yearly Sum of One hundred and sixty-five Pounds, to the fifth and sixth Clerks the yearly Sum of One hundred and ten Pounds each, to the seventh and eighth Clerks the yearly Sum of Fifty-five Pounds each; and to each of the two Entering Clerks of the said Court for the Time being, the yearly Sum of Two hundred and seventy-five Pounds; and to four additional Clerks to be employed in the said Report Office for the Purposes above-mentioned, and to be appointed by the Filer and Keeper of the said Reports and Certificates and Keeper of the said Books of Entries of the said Office for the Time being, the several yearly Sums herein-after mentioned, (that is to say); to the first of the said Clerks, the yearly Sum of Three hundred and thirty Pounds; to the second of the said Clerks, the yearly Sum of Two hundred and twenty Pounds; to the third of the said Clerks, the yearly Sum of One hundred and ninety-eight Pounds; and to the fourth of the said Clerks, the yearly Sum of One hundred and thirty-two Pounds, and also a proportionable Part of such quarterly Payment as shall accrue due between the last quarterly Payment thereof, and the Time of the Death or other Removal of such several Registrars and Clerks; such several Yearly Payments to be accepted and taken by such several Clerks, to the said Sub or Deputy Registrars, and by the said Entering Clerks, as a full Compensation and Satisfaction for such Expences as they shall expend or be put unto for Persons to assist them in writing, and expediting the Business of the said Office, and such Allowances and Payments to the said Clerks in the Report Office to be a full Compensation and Satisfaction for their Labour and Attendance in the said Office; the first quarterly Payment of the several Sums aforesaid, to the several Persons

Out of the Dividends of the Government Securities carried to the Account of the Suitors of the Court of Chancery, there shall be paid to the Registrars and Clerks of the said Office, the Yearly Payments herein mentioned.

Lord Chancellor may order the Registrars and Clerks to be reimbursed any necessary Expences incurred by them in carrying on the Business of the Office;

and also certain Yearly Payments in future, to provide Books, Stationary, Coals, Candles, &c.

Persons aforesaid, to commence on the Fifth Day of *April* One thousand eight hundred and nine, and also such Sums as shall appear to the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal for the Time being, to be reasonable to order to be repaid or reimbursed to any of the said Sub or Deputy Registrars, or their Clerks, or the Entering Clerks in the said Office, or the said Filer and Keeper of the said Reports and Certificates, and Keeper of the said Books of Entries, as having been reasonably and necessarily expended by them, since the Fifth Day of *April* One thousand eight hundred and four, either in paying Persons for assisting and carrying on and expediting the Business of the said Office, or in paying for Books or Stationary provided or supplied for carrying on the said Business, or in providing Coals and Candles and other necessary Articles for their said Offices; and also the Annual Sum of One hundred and ten Pounds, to be paid to the said Filer and Keeper of the said Reports and Certificates, and Keeper of the said Books and Entries, and to each of the Four said Sub or Deputy Registrars of the said Court for the Time being, as a Compensation and in Satisfaction for Expences to be incurred in future in providing Books, Stationary, or Printing for such Purpose as aforesaid, and in providing Coals and Candles and other necessary Articles for their said Offices, and in paying any Person or Persons necessarily attending therein, to take care of the same; such last mentioned annual Sums to be paid quarterly to the said Filer and Keeper of the said Reports and Certificates and Keeper of the said Books and Entries, and the said four Sub or Deputy Registrars, and the first quarterly Payment thereof to commence and be computed from the Fifth Day of *April* One thousand eight hundred and nine.

Clerks to produce Certificates of having faithfully executed their Offices before they shall be entitled to the Payments hereby directed.

II. And be it further enacted, by the Authority aforesaid, That the aforesaid Eight Clerks to the said Sub or Deputy Registrars and each and every of them, shall from Time to Time, as and when he or they apply at the proper Office in the Bank of *England*, for Payment of the several yearly Sums herein-before provided and directed to be paid to them respectively, produce a Certificate signed by the respective Sub or Deputy Registrar whose Clerk or Clerks he or they at such Time respectively may be, or in case of a Vacancy of Sub or Deputy Registrar, a Certificate signed by some other acting Sub or Deputy Registrar of the said Office for the Time being, that such Clerk hath diligently and faithfully in all Things performed and fulfilled the Duty and Office of a Clerk to a Sub or Deputy Registrar, up to the Time specified in such Certificate, and by reason thereof, is entitled to have and receive the yearly Sum or Payment hereby provided, up to the Time mentioned in such Certificate; and in case the Sub or Deputy Registrar or any Sub or Deputy Registrar, shall decline or refuse to sign such Certificate, such Clerk shall be at liberty to apply to the said Court of Chancery, by Petition or otherwise, and the said Court shall have full Power and Authority to make such Order therein, as to the said Court shall appear to be expedient and just.

Power for the Lord Chancellor to displace Registrars who shall be incapacitated.

III. And be it further enacted, by the Authority aforesaid, That in case any of the Four Sub or Deputy Registrars of the said Court for the Time being shall happen to be afflicted with any permanent Infirmity, disabling him from the due Execution of his Office, it shall and may 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* for the

Time being reſpectively, to remove from the Office of a Sub or Deputy Regiſtrar of the ſaid Court, any of the Four Sub or Deputy Regiſtrars of the ſaid Court, who ſhall in the Judgement of the Lord High Chancellor, Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, be ſo afflicted, and by an Order or Orders of the High Court of Chancery, to be made from Time to Time when Occaſion ſhall require, to order an Annuity or clear yearly Sum of Money, not exceeding One thouſand one hundred Pounds, to be paid out of the Dividends and Intereſt of the Government or Parliamentary Securities, purchaſed or to be purchaſed as herein-before mentioned, to any Sub or Deputy Regiſtrar or Regiſtrars who ſhall be removed from the Office of a Regiſtrar of the ſaid Court, for ſuch Cauſe aforeſaid, in which Order or Orders the Cauſe of making the ſame ſhall be diſtinctly ſtated and ſpecified, and the ſaid Annuity or yearly Sum 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 of the ſaid Government or Parliamentary Securities (but ſubject and without Prejudice as aforeſaid) by even and equal quarterly 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, to ſuch Sub or Deputy Regiſtrar, from the Period when he ſhall be ſo removed from his ſaid Office or Employment, for and during the Term of his natural Life, together with a proportionable Part thereof up to the Time of his Deceaſe; and in the Room of ſuch Sub or Deputy Regiſtrar ſo incapacitated, ſome other able and ſufficient Perſon ſhall be appointed to be Sub or Deputy Regiſtrar in the uſual and accuſtomed Manner.

For paying the Expences of this Act.

IV. And be it further enacted, That out of the Intereſt and Dividends of the ſaid Government or Parliamentary Securities purchaſed and to be purchaſed as aforeſaid, the Expences incurred in procuring and paſſing this Act, and the Coſts, Charges, and Expences of all Proceedings had or to be had in conſequence thereof, ſhall be paid by the Governor and Company of the Bank of *England*, by virtue of an Order or Orders of the High Court of Chancery to be made for that Purpoſe.

Surplus Money how to be applied.

V. And be it further enacted, That the ſurplus Intereſt and annual Produce which ſhall ariſe from the Money placed out on Securities, purſuant to the ſaid Act, paſſed in the Thirty-ſecond Year of His preſent Majeſty's Reign, and purſuant to the ſeveral Acts of Parliament therein and herein-before mentioned or referred to, and which Securities are thereby directed to be carried to the Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery, and alſo the Intereſt which ſhall be produced from the Securities purchaſed and to be purchaſed with ſuch ſurplus Intereſt beyond what ſhall be ſufficient to anſwer the Purpoſes of the ſaid former Acts and the Purpoſes of this Act, ſhall from Time to Time be placed out on Government or Parliamentary Securities, and ſhall be placed to the Credit of the ſaid Account, raiſed in purſuance of the ſaid Act of the Thirty-ſecond Year of the Reign of His preſent Majeſty, and 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*, and which Fund ſhall be applied to anſwer the Demands of the ſaid Suitors of the ſaid Court of Chancery,

in case it shall at any Time be necessary to call in any of the Money of the said Suitors, which hath been or may be placed out on Securities.

Securities may be changed.

VI. And be it further enacted, That it shall be lawful to and for the Lord High Chancellor of *Great Britain*, or Lord Keeper or Lord Commissioners for the Custody of the Great Seal of *Great Britain* for the Time being, by any Order or Orders of the said Court of Chancery, to change the Security or Securities or any Part of the Securities purchased or to be purchased pursuant to the several Acts of Parliament herein-before mentioned or referred to, or pursuant to this Act.

Money may be called in if wanted, to answer the Demands of Suitors.

VII. Provided always, and be it further enacted and declared, That for and notwithstanding any of the Provisions contained in this Act, if at any Time hereafter the Whole or any Part of the Money placed out pursuant to the said several Acts of Parliament, or any of them, shall be wanted to answer any of the Demands of the Suitors of the High Court of Chancery, then and in such Case the said Court may and shall direct the Whole or any Part thereof to be called in, and the Securities in which the same shall be placed, and also the Securities upon which the surplus Interest and Dividends herein-before mentioned shall be placed, to be sold and disposed of, in order that the Suitors of the said Court may at all Times be paid their respective Demands out of the common and general Cash belonging to such Suitors.

Public Act.

VIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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