ANNO TRICESIMO NONO

GEORGII III. REGIS.

C A P. CX.

An Act for the Augmentation of the Salaries of the Judges of the Courts in *Weſtminſter Hall*, and alſo of the Lords of Seſſion, Lords Commiſſioners of Juſticiary, and Barons of Exchequer, in *Scotland*; and for enabling His Majeſty to grant Annuities to Perſons in certain Offices in the ſaid Courts of *Weſtminſter Hall*, on their Reſignation of their reſpective Offices. [12th *July* 1799.]

Moſt Gracious Sovereign,

WHEREAS the Salaries of the Maſter of the Rolls, the Chief Baron of the Court of Exchequer, the Puiſne Judges in the Court of King's Bench, the Puiſne Judges in the Court of Common Pleas, and the Barons of the Coif in the Court of Exchequer, at *Weſtminſter*, are inadequate to the Dignity and Importance of their Offices; and it is therefore expedient that a further Augmentation ſhould be made thereto, and that Your Majeſty ſhould be enabled to make proper Proviſion, from Time to Time, for ſuch Perſons as ſhall have diligently and uprightly conducted themſelves in the Execution of the Office of Chief Juſtice of the King's Bench, Maſter of the Rolls, Chief Juſtice of the Common Pleas, Chief Baron of the Exchequer, the Juſtices of the Courts of King's Bench and Common Pleas, and Barons of the Coif in Your Majeſty's Court of Exchequer, and for that Purpoſe to grant Annuities to the reſpective Amounts, and for the Periods herein- Preamble.

after mentioned, to such Officers respectively; and also to make a competent and fitting Provision for such Persons as may hold the Office of Chancellor or Keeper of the Great Seal of *Great Britain*, in the Event of their quitting or being removed from the said Employment; we, Your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, do most humbly beseech Your Majesty 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, from and after the passing of this Act, there shall be issued, paid, and payable, out of, and charged and chargeable upon, the Consolidated Fund, (after paying and reserving sufficient to pay all such Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same; but with Preference to all other Payments which shall or may hereafter be charged upon, or payable out of, the said Fund), to the several Persons herein-after mentioned, as an Augmentation of their respective Salaries, so much Money as will make up their respective Salaries and pecuniary Profits belonging to their said respective Offices, to the annual Sums herein-after mentioned; to the Master of the Rolls Four thousand Pounds, to the Chief Baron of the Court of Exchequer Four thousand Pounds, and to each of the Puisne Justices in the Courts of King's Bench and Common Pleas, and to each of the Barons of the Coif in the Court of Exchequer, Three thousand Pounds; which said Sums of Money to be issued in pursuance of this Act shall from Time to Time from thenceforth be payable and paid Half yearly, free and clear from all Taxes and Deductions whatever, on the Tenth Day of *October* and the Fifth Day of *April* in each Year, by even and equal Portions, the First Payment thereupon to be made on the Tenth Day of *October* One thousand seven hundred and ninety-nine.

An Augmentation to be made of the Salaries of the Master of the Rolls, &c. to be paid out of the Consolidated Fund, commencing Oct. 10, 1799.

II. And be it further enacted, That such Officer of the Master of the Rolls and Chief Baron, and each of the Puisne Justices and Barons of the Coif respectively for the Time being, as they shall respectively appoint, shall, as soon as conveniently may be after the Expiration of the Half Year ending on the Twenty-ninth Day of *September* One thousand seven hundred and ninety-nine, deliver to the Lord High Treasurer or Commissioners of the Treasury for the Time being, an Account, signed by such Master of the Rolls, Chief Baron, Puisne Justice, and Baron respectively, of their clear Salaries, after the Deduction of all Fees and Taxes paid in respect thereof; and also of all Fees and pecuniary Profits which shall have been received, or were payable to them in respect of the Execution of their said Offices, either in their respective Courts in *Westminster Hall*, or at the Rolls, or at their respective Chambers, in respect of any Business depending in the said Courts of King's Bench, Common Pleas, or Exchequer, between the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September* One thousand seven hundred and ninety-nine; and a like Account shall be delivered in like Manner in every succeeding Half Year ending on the Twenty-fifth Day of *March* and the Twenty-ninth Day of *September*, of the Salaries, Fees, and pecuniary Profits, which shall have been received, or were payable to them in respect of their Offices for the preceding Half Year aforesaid.

An Account of the Salaries and pecuniary Profits of the Master of the Rolls, &c. to be delivered to the Treasury at certain Periods.

III. And

III. And be it further enacted, That in whatever Sums the whole Amount which ſhall have been received, or were payable to any of the Perſons before mentioned, in reſpect of their ſaid Offices, within the Half Year preceding the Delivery of any ſuch Account, ſhall be leſs than the clear Sum of Two thouſand Pounds in reſpect of the ſaid Maſter of the Rolls and Chief Baron, or of One thouſand five hundred Pounds in reſpect of the ſaid Puiſne Judges and Barons of the ſaid Courts, ſhall be the Sums to be iſſued for the Half Year in which the ſaid Account ſhall be delivered, and ſhall be computed and aſcertained ſo as to make up the Whole of their reſpective Salaries and pecuniary Profits to the Half-yearly Sums reſpectively before mentioned; and ſuch Sums ſhall be iſſued accordingly in Manner herein-after mentioned, and as if the Sums ſo to be aſcertained had been ſpecifically mentioned in this Act.

The Sums received Half Yearly to be made up 2000*l.* to the Maſter of the Rolls and Chief Baron, and 1500*l.* to the Puiſne Judges and Barons reſpectively.

IV. Provided always, and be it enacted, That if any Perſon having the Office of Maſter of the Rolls, Chief Baron, Puiſne Juſtice, or Baron of the Coif, of any of the Courts aforeſaid, ſhall die, or reſign the ſame, the Executors or Adminiſtrators of the Perſon ſo dying, or the Perſon ſo reſigning the ſame, ſhall be entitled to ſuch proportionable Part of the clear Salary and Profits of ſuch Office as aforeſaid, as according to the Rates above mentioned ſhall have accrued during the Time that ſuch Perſon ſhall have executed ſuch Office as aforeſaid; and the proper Officer of the Succeſſor of every ſuch Perſon ſhall, on the Twenty-fifth Day of *March* or Twenty-fifth Day of *September*, as the Caſe may be, which ſhall be immediately ſubſequent to every ſuch Death or Reſignation, or as ſoon after as conveniently may be, deliver in ſuch Account as is herein-before required to be delivered, ſigned by ſuch Succeſſor, and alſo by his Predeceſſor, or the Executors or Adminiſtrators of ſuch Predeceſſor, as the Caſe may be; and ſuch Succeſſor and his Predeceſſor, in caſe of Reſignation, and the Executors or Adminiſtrators of ſuch Predeceſſor in caſe of Death ſhall be reſpectively entitled to and receive ſuch proportionable Part of ſuch Sum, as upon ſuch Account ſhall be due and payable by virtue of this Act as aforeſaid; and in caſe ſuch Perſon ſo dying or reſigning ſhall have received, during ſuch Part of the Half Year in which ſuch Perſon ſhall die or reſign, more than a proportionable Part of the clear Salary and Profits of his Office, according to the Time during which ſuch Perſon ſhall have executed the ſame, every ſuch Perſon ſo reſigning, and the Executors or Adminiſtrators of the Perſon ſo dying, ſhall pay to the Succeſſors of every ſuch Perſon ſo much as the Sums received ſhall exceed the Sums to which ſuch Officer ſhall be entitled, according to the Rates aforeſaid.

In caſe of Death or Reſignation, a proportionable Part of the ſaid Sums to be paid to the Executors, &c.

V. And be it further enacted, That the Succeſſor of every ſuch Perſon ſo dying or reſigning ſhall be entitled to have and receive from all Perſons whatſoever, ſuch Salaries and Profits as ſhall ariſe and become due from the Death or Reſignation of his Predeceſſor, in like Manner as if his Patent had borne Date the Day next ſubſequent to the Day of the Death or Reſignation of his Predeceſſor.

Succeſſor to receive Salaries and Profits from the Death or Reſignation of his Predeceſſor.

VI. And

His Majeſty may grant to the Lord Chancellor or the Keeper of the Great Seal, an Annuity of 4000 *l.* to commence on Reſignation, payable quarterly out of the Conſolidated Fund, free from Taxes.

VI. And be it further enacted, That it ſhall be lawful to and for the King's moſt Excellent Majeſty, His Heirs and Succeſſors, by any Letters Patent under the Great Seal of *Great Britain*, to give and grant unto any Perſon executing the Office of Lord High Chancellor of *Great Britain* for the Time being, or the Office of Keeper of the Great Seal of *Great Britain*, an Annuity or yearly Sum of Money, not exceeding the Sum of Four thouſand Pounds, of lawful Money of *Great Britain*, to commence and take Effect immediately from and after the Period whenever the Perſon to whom ſuch Annuity or yearly Sum of Money ſhall be granted ſhall reſign the ſaid Office of Lord High Chancellor or the Office of Keeper of the Great Seal of *Great Britain*, or be removed from the ſame reſpectively, and to continue from thenceforth for and during the natural Life of the Perſon to whom the ſame ſhall be granted as aforeſaid; and ſuch Annuity or yearly Rent or Sum ſhall be iſſued and payable out of and charged and chargeable upon the Conſolidated Fund, next in Order of Payment to, and after paying, or reſerving ſufficient to pay, the ſaid Annuities herein-before granted, and all ſuch Sum and Sums of Money as have been directed by any former Act or Acts as aforeſaid, but with Preference to all other Payments hereafter to be charged thereon as aforeſaid; and the ſame ſhall from Time to Time be paid and payable Quarterly, free and clear of all Taxes and Deductions whatſoever, at the Four uſual Days of Payment in the Year, that is to ſay, the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in each and every Year, by even and equal Portions, the firſt Payment to be made on ſuch of the ſaid Days as ſhall next happen after ſuch Reſignation as aforeſaid of the ſaid Office: Provided always, That it ſhall be lawful for His Majeſty, His Heirs and Succeſſors, in and by the ſaid Letters Patent, if He or they ſhall think fit, to limit the Duration and Payment of any ſuch Annuity, to be granted to any Perſon executing the ſaid Office of Lord High Chancellor, or the Office of Keeper of the Great Seal of *Great Britain*, or any Part of ſuch Annuity, to ſuch Periods of Time during the natural Life of ſuch Perſon in which he ſhall not execute the ſaid Office of Lord High Chancellor, or Keeper of the Great Seal of *Great Britain*, or any other Office of Profit under His Majeſty, His Heirs or Succeſſors, ſo as ſuch Annuity to be granted as aforeſaid, together with the Salary and Profits of ſuch other Office, ſhall together not exceed in the Whole the ſaid Sum of Four thouſand Pounds.

His Majeſty may limit the Duration and Payment of the Annuity to ſuch Periods as the Party ſhall not hold any Office of Profit.

His Majeſty may grant certain Annuities to the Chief Juſtice of the King's Bench, &c. on Reſignation, payable quarterly out of the Conſolidated Fund, free from Taxes.

VII. And be it further enacted, That it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, by any Letters Patent, under the Great Seal of *Great Britain*, to give and grant unto any Perſon who may or ſhall have executed the Office of Chief Juſtice of the Court of King's Bench, and ſhall have reſigned the ſame, an Annuity or Yearly Sum of Money, not exceeding the Sum of Three thouſand Pounds; and to any Perſon who may or ſhall have executed the Office of Maſter of the Rolls, Chief Juſtice of the Common Pleas, or Chief Baron of the Exchequer, and who ſhall reſpectively have reſigned the ſame, an Annuity or Yearly Sum of Money, not exceeding the Sum of Two thouſand five hundred Pounds; and to any Perſon who may or ſhall have executed the Office of Puiſne Judge of the Courts of King's Bench or Common Pleas, or of Baron of the Coif of the Court of Exchequer, and who

who ſhall have reſigned the ſame, an Annuity or yearly Sum of Money, not exceeding the Sum of Two thouſand Pounds; the ſaid ſeveral laſt mentioned Annuities to commence from and after the Period when the Perſon, to whom any ſuch Annuity or Yearly Sum of Money ſhall be granted as aforeſaid, ſhall have reſigned his ſaid Office, and to continue from thenceforth for and during the natural Life of the Perſon to whom the ſame ſhall be granted as aforeſaid; and every ſuch Annuity or Yearly Sum of Money ſhall be iſſued and payable out of, and charged and chargeable upon the Conſolidated Fund, next in Order of Payment to, and after paying, or reſerving ſufficient to pay, the ſaid ſeveral Annuities herein-before granted, and all ſuch Sum or Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, but with like Preference to all other Payments as aforeſaid; and the ſame ſhall from Time to Time be paid and payable Quarterly, free and clear of all Taxes and Deductions whatever, on the Four uſual Days of Payment in the Year before mentioned, in each and every Year, by even and equal Portions, the Firſt Payment thereof to be made on ſuch of the ſaid Days as ſhall next happen after ſuch Reſignation as aforeſaid of the Perſon to whom any ſuch Annuity or Yearly Sum of Money ſhall be granted: Provided always, That no ſuch Annuity or Yearly Sum of Money, granted to any Perſon having executed the Office of Chief Juſtice, Maſter of the Rolls, Chief Baron, Juſtice, or Baron of the Coif, of the ſaid Courts reſpectively, ſhall be valid, unleſs ſuch Chief Juſtice, Maſter of the Rolls, Chief Baron, Juſtice, or Baron reſpectively, ſhall have continued in One or more of the ſaid laſt mentioned Offices for the Period of Fifteen Years, or ſhall be afflicted with ſome permanent Infirmity, diſabling him from the due Execution of his Office, which ſhall be diſtinctly recited in the ſaid Grant.

No ſuch Grant to be valid unleſs the Party ſhall have continued in Office 15 Years, or ſhall be unable to execute the Office.

VIII. And be it further enacted, That it ſhall be lawful for the Commiſſioners of His Majeſty's Treaſury now being, and the High Treaſurer and Under Treaſurer of the Exchequer, and Commiſſioners of the Treaſury for the Time being, or any Three or more of them, and they are hereby authorized and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer, now and for the Time being, to make forth and paſs Debentures, from Time to Time, for the paying the ſaid ſeveral Annuities or Sums of Money, in Manner as aforeſaid, which ſhall become payable by virtue of any ſuch Letters Patent as aforeſaid, or which ſhall have been aſcertained to be payable upon ſuch Account, as is herein-before directed to be delivered, and as the ſame ſhall, from Time to Time, become due and payable, according to the true Intent and Meaning of this Act, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; which ſaid Warrants and Debentures, to be made forth and paſſed thereupon reſpectively, ſhall be ſufficient Authority to the ſeveral and reſpective Officers of the Receipt of the Exchequer now and for the Time being, for the Payment of all ſuch Annuities or Sums of Money at the reſpective Days in this Act before appointed for ſuch Payments, without any further or other Warrants to be ſued for, had, or obtained in that Behalf.

The Treaſury may, by Warrant, direct the Auditor of the Exchequer to paſs Debentures for Payment of the Annuities, without Fees.

IX. And be it further enacted, That after ſigning of any ſuch Warrants or Debentures reſpectively, the ſame ſhall be good, valid, and effectual

Warrants not determinable on the Death of His Majeſty, &c.

effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and ſhall not be determinable or revocable by or upon the Demiſe of His Majeſty, (whom God long preſerve), or any of His Heirs or Succeſſors, or by or upon the Death or Removal of any of the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer, or Under Treaſurer, or by or upon the Determination of the Power, Office or Offices of them, or any of them.

The Treaſury and Exchequer to do, without Fee, all Things herein directed.

X. And be it further enacted, That the Commiſſioners of the Treaſury now being, and the High Treaſurer, Chancellor, and Under Treaſurer, Chamberlains, and Barons of the Exchequer, and all others the Officers and Miniſters of the Court of Exchequer, and of the Receipt thereof, now and for the Time being, ſhall, and they are hereby authorized, and ſtrictly enjoined and required to do, without Fee or Reward, all ſuch Acts, Matters, and Things, as are herein-before directed and required, or ſhall be neceſſary to be done and performed by them, or any or either of them, in order to render this Act, and the ſeveral Payments hereby directed effectual.

The Receipts of the Annuitants to be ſufficient Diſcharges.

XI. And be it further enacted, That the Acquittance or Acquittances, Receipt or Receipts, of the ſaid Maſter of the Rolls, the Chief Baron of the Court of Exchequer, the Puiſne Judges of the Courts of King's Bench and Common Pleas, and Barons of the Coif of the Court of Exchequer reſpectively, and of all Perſons who ſhall have ſerved in any of the Offices before mentioned, and to whom any ſuch Annuities or Sums of Money ſhall have been granted as aforeſaid, ſhall be good and ſufficient Diſcharges from the Payment of the ſaid Sums of Money and Annuities reſpectively before mentioned, without any further or other Warrant to be ſued for or obtained in that Behalf; and that the ſaid ſeveral Annuities or Sums of Money, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions, and other Charges whatſoever; and in caſe any of the Officers of the Receipt of His Majeſty's Exchequer ſhall refuſe or neglect to pay any ſuch Annuity or Sum of Money, or any Part thereof, according to the true Intent and Meaning of this Act, or to do any Act neceſſary to enable any ſuch Maſter of the Rolls, Chief Baron, Puiſne Judge, or Baron of the Coif of the Exchequer, or any Perſon having ſerved in any of the Offices before mentioned, to whom any ſuch Annuity or Sum of Money herein-before mentioned ſhall have been granted as aforeſaid, to receive the ſame, then any ſuch Maſter of the Rolls, Chief Baron, Puiſne Judge, or Baron aforeſaid, or any ſuch other Perſon as aforeſaid, may, from Time to Time, ſue, proſecute, and implead ſuch Officers, or any of them, their Heirs, Executors, or Adminiſtrators, by Bill, Plaint, or Action of Debt, and ſhall and may recover Judgement, and ſue out Execution thereupon, againſt ſuch Officers reſpectively, their reſpective Heirs, Executors, or Adminiſtrators, for ſo much of any ſuch Annuity or Sum of Money reſpectively then due and owing, or any Part thereof, as ſhall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the Time or Times when ſuch Demand ſhall have been legally made for the Payment of any ſuch Annuity or Annuities, or Sums of Money, or any Part thereof, as aforeſaid, or for the Refuſal or Neglect to do any Act neceſſary to be done by any ſuch Officer or Officers reſpectively.

If the Officers of the Exchequer neglect to pay the Annuities, they may be ſued.

XII. And whereas it is expedient, that a further Augmentation ſhould be made to the Salaries of the Lords of Seſſion, Lords Commiſſioners of Juſticiary, and Barons of Exchequer, in that Part of *Great Britain* called *Scotland*, be it therefore enacted, That, from and after the Fifth Day of *July* One thouſand ſeven hundred and ninety-nine, there ſhall be iſſued, paid, and applied, in every Year, out of the Monies that ſhall ariſe from any of the Duties and Revenues in that Part of *Great Britain* called *Scotland*, which, by Acts made in the Seventh and Tenth Years of the Reign of Queen *Anne*, were charged or made chargeable with the Payment of the Fees, Salaries, and other Charges, allowed, or to be allowed, by Her Majeſty, Her Heirs and Succeſſors, for keeping up the Courts of Seſſion, Juſticiary, and Exchequer, in *Scotland*, the ſeveral Sums following, to the Judges after mentioned, as an Augmentation to their reſpective Salaries; (that is to ſay), the Sum of One thouſand Pounds to the Lord President of the Court of Seſſion for the Time being; the Sum of Five hundred Pounds to the Lord Juſtice Clerk for the Time being; the Sum of Four hundred and eighty Pounds to ſuch of the other Lords of Seſſion as ſhall be Lords Commiſſioners of Juſticiary for the Time being; the Sum of Two hundred and eighty Pounds to ſuch of the other Lords of Seſſion as ſhall not be Lords Commiſſioners of Juſticiary for the Time being; the Sum of One thouſand Pounds to the Lord Chief Baron of the Court of Exchequer in *Scotland* for the Time being; and the Sum of Two hundred and eighty Pounds to each of the other Barons of the Court of Exchequer for the Time being.

From *July* 5, 1799, an Augmentation ſhall be made to the Salaries of the Lords of Seſſion, &c. in *Scotland*.

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