ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

C A P. CXLV.

An Act for enabling His Majesty to grant Annuities to the Judges of the Courts of Session, Justiciary, and Exchequer in *Scotland*, upon the Resignation of their Offices. [2d *July* 1808.]

WHEREAS by an Act, passed in the Thirty-ninth Year of the Reign of His present Majesty, intituled, *An Act for the Augmentation of the Salaries of the Judges in 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 the Resignation of their respective Offices*, it is enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, to give and grant unto any Person who may have executed the Office of Chief Justice of the Court of King's Bench, or shall have executed the Office of the Master of the Rolls, Chief Justice of the Common Pleas, or Chief Baron of the Exchequer, or of Puisne Judge of the Court of King's Bench or Common Pleas, or of Baron of the Coif of the Court of Exchequer respectively, certain Annuities therein mentioned, upon the Resignation of their several Offices: And whereas by the said in part recited Act, passed in the Thirty-ninth Year of the Reign of His present Majesty, it is further enacted, that the Successor of every such Person so dying or resigning should be entitled to have and receive from all Persons whatsoever, such Salaries

39 G. 3. c. 110.

and Profits as ſhould 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: And whereas it is reaſonable and expedient that Annuities ſhould in like manner be granted to the Judges of the Courts of Seſſion and Juſticiary, and to the Barons of the Court of Exchequer in *Scotland*, upon the Reſignation of their reſpective Offices; and alſo that the Succeſſor of every ſuch Judge ſhould in like Manner be entitled to have and receive ſuch Salaries and Profits as may ariſe and become due from the Death or Reſignation of his Predeceſſor: May it therefore pleaſe 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 it ſhall and may be lawful for His Majeſty, His Heirs and Succeſſors, by His Majeſty's Sign Manual, to give and grant unto any Perſon who ſhall have executed the Office of Lord Preſident of the ſaid Court of Seſſion, or of the Lord Juſtice Clerk, or of the Chief Baron of the Court of Exchequer in *Scotland*, or of any Judge or Lord of Seſſion, or of any Lord Commiſſioner of Juſticiary, or of a Baron of the ſaid Court of Exchequer, as well before as after the paſſing of this Act, and who ſhall have reſpectively reſigned any ſuch Office, an Annuity or yearly Sum of Money, not exceeding Three-fourth Parts of the Salary appertaining to each ſuch Office at the Period of the Reſignation thereof; and every ſuch Annuity or yearly Sum of Money ſhall 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 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 paid out of the Monies that ſhall ariſe from any of the Duties and Revenues in *Scotland*, which by Acts made in the Seventh and Tenth Years of the Reign of Her Majeſty Queen *Anne*, were charged or made chargeable with 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*; and every ſuch Annuity or yearly Sum of Money ſhall be paid and payable, free of all Taxes and Deductions whatſoever, (Property Tax excepted) at ſuch and the ſame Times and in ſuch and the ſame Manner as the Salaries of the Judges of the ſaid Courts of Seſſion, Juſticiary, and Exchequer, are now paid and payable: Provided always, that no ſuch Annuity or yearly Sum of Money, granted to any Perſon having executed the Office of Lord Preſident of the Court of Seſſion, Lord Chief Baron of the Court of Exchequer, Lord Juſtice Clerk, Judge or Lord of Seſſion, Lord Commiſſioner of the Court of Juſticiary, or Baron of the Court of Exchequer reſpectively, ſhall be valid, unleſs ſuch Lord Preſident, Lord Chief Baron, Lord Juſtice Clerk, Judge or Lord of Seſſion, Lord Commiſſioner of the Court of Juſticiary, or Baron of Exchequer reſpectively, ſhall have continued in one or more of the ſaid 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.

His Majeſty may grant Annuities to the Judges of the Court of Seſſion and Barons of Exchequer on their Reſignation.

Conditions on which Annuities ſhall be granted.

Succeſſors of Judges, &c.

II. And be it further enacted, That the Succeſſor of every Perſon who ſhall have executed the Office of Lord Preſident of the ſaid Court of

Seſſion, or of the Chief Baron of the Court of Exchequer, in *Scotland*, or of the ſaid Lord Juſtice Clerk, or of a Judge or Lord of Seſſion, or of a Lord Commiſſioner of the ſaid Court of Juſticiary, or of a Baron of the ſaid Court of Exchequer, ſhall be entitled to have and receive, and there ſhall be iſſued and paid to ſuch Succeſſor, out of the Monies ariſing from any of the Duties and Revenues charged or made chargeable with keeping up the Courts of Seſſion, Juſticiary, and Exchequer, in *Scotland* as aforeſaid, ſuch Salary as ſhall have ariſen and ſhall have become due from the Death or Reſignation of his Predeceſſor, in like Manner as if his Letter Patent or Commiſſion had borne Date the Day next ſubſequent to the Day of the Death or Reſignation of his Predeceſſor.

to receive their Salaries from the Death or Reſignation of their Predeceſſors.

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