

ANNO QUADRAGESIMO PRIMO

GEORGII III. REGIS.

CAP. XXV.

An Act for the better Regulation of the Office of Master of the Rolls, in that Part of the United Kingdom called *Ireland*; and for augmenting the Salary annexed to the said Office.

[18th *April* 1801.]

Preamble.

WHEREAS it is expedient that the Office of Master of the Rolls, in that Part of the United Kingdom called *Ireland*, should be made a Judicial Office and assistant to the Lord High Chancellor of *Ireland*; but the same being, by an Act passed in the Parliament of *Ireland*, in the Tenth Year of the Reign of His late Majesty King *Henry* the Seventh, now held only at the King's Will and Pleasure, it is expedient that His Majesty should be empowered to regulate the said Office, and that the Salary thereof should be augmented; be it therefore 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, it shall be lawful for His Majesty, His Heirs and Successors, by any Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, to grant the Commission of Master of the Rolls of that Part of the United Kingdom called *Ireland*, for the Time being, unto any Person *quam diu se bene gesserit*; and to provide that such Commission shall continue and remain in full Force during the good Behaviour of the Person holding the said Office, notwithstanding any Demise of His Majesty (whom God long preserve) or of any of His Heirs or Successors, any Law, Usage, or Practice to the contrary thereof in anywise notwithstanding;

His Majesty may grant the Commission of Master of the Rolls in *Ireland*, and provide that it shall remain in force during the good Behaviour of the Possessor.

Such Master of the Rolls may make Orders and Decrees, which shall be valid, but subject to be discharged, &c. by the Lord Chancellor, and not enrolled till signed by him;

standing; and that the Master of the Rolls so appointed shall have full Power and Authority to make Orders and Decrees, on all Matters and Causes now depending, or which shall hereafter be depending, in the Courts of Chancery of that Part of the United Kingdom called *Ireland*; and that all such Orders and Decrees shall be deemed and taken to be valid Orders and Decrees of the said Court of Chancery; but subject nevertheless, in every such Case, to be discharged, reversed, or altered, by the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal of *Ireland* for the Time being; and so as no such Orders or Decrees be enrolled till the same shall be signed by the said Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal.

and His Majesty may provide that he may make Orders in all Matters respecting Bankrupts, subject to the like Controul.

II. And be it further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, in any such Patent, to provide that the said Master of the Rolls shall have full Power and Authority to make Orders, in all Matters touching the Execution of the Laws respecting Bankrupts in that Part of the United Kingdom called *Ireland*; and that all such Orders shall be of the like Force and Effect as if made by the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal of *Ireland* for the Time being; subject nevertheless to be discharged, reversed, or altered, by the said Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal.

There shall be paid Quarterly, out of the Consolidated Fund of *Ireland*, so much as will make up the Salary and Profits of the Master of the Rolls, 3,500*l.* annually.

III. And be it further enacted, That, from and after the passing of this Act, where any such Commission as aforesaid shall be granted by His Majesty, His Heirs and Successors, pursuant to the Provisions of this Act, there shall be issued, paid, and payable, out of and charged and chargeable upon the Consolidated Fund in that Part of the United Kingdom called *Ireland*, (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 be hereafter charged upon or payable out of the said Fund), to the Master of the Rolls as aforesaid, to whom such Powers shall be granted as aforesaid, as an Augmentation of his Salary, so much Money as will make up his Salary and pecuniary Profits belonging to his said Office, the annual Sum of Three thousand five hundred Pounds; which said Sum of Money to be issued in pursuance of this Act, shall from Time to Time from thenceforth be payable and paid Quarterly, free and clear of all Taxes and Deductions whatsoever, on every Twenty-fifth Day of *March*, Twenty-fourth Day of *June*, Twenty-ninth Day of *September*, and Twenty-fifth Day of *December*; the First Payment thereof, or of such Proportion thereof as shall have accrued from the Date of such Grant of such Office as aforesaid, to be made on the First of the said Days which shall next happen after the Grant of such Office shall actually have been made under and by virtue of this Act.

An Account of the Income of the Master of the Rolls shall be delivered Quarterly to the Lord High Treasurer of *Ireland*;

IV. And be it further enacted, That every such Master of the Rolls for the Time being, or such Officer as he shall appoint, shall, as soon as conveniently may be after the Fifteenth Day of *March*, Fourteenth Day of *June*, Nineteenth Day of *September*, and Fifteenth Day of *December*, commencing on such of the said Days as shall happen next after such Grant of such Office as aforesaid, deliver to the Lord High Treasurer or Commissioners of the Treasury for the Time being of *Ireland*, an Account, signed by such Master of the Rolls, of his clear Salary after the

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 him in reſpect of the Execution of his ſaid Office of Maſter of the Rolls aforeſaid, between the Day on which ſuch Maſter of the Rolls ſhall have entered upon his Office in purſuance of ſuch Grant as aforeſaid, and the Day upon which ſuch Account is directed to be delivered by virtue of this Act; and a like Account ſhall be delivered, in like Manner, in every ſucceeding Quarter, ending on the Fifteenth Day of *March*, Fourteenth Day of *June*, Nineteenth Day of *September*, and Fifteenth Day of *December*, of the Salaries and Fees and pecuniary Profits which ſhall have been received or were payable to him, in reſpect of his Office, from the Day to which the laſt Account delivered in was made up for the preceding Quarter aforeſaid.

and in whatever Sum it ſhall be leſs than 875*l. per* Quarter, it ſhall be iſſued.

V. And be it further enacted, That in whatever Sum the whole Amount which ſhall have been received or was payable to any ſuch Maſter of the Rolls as aforeſaid in reſpect of his ſaid Office within the Quarter comprized in any ſuch Account, ſhall be leſs than the clear Sum of Eight hundred and ſeventy-five Pounds, the ſame ſhall be the Sum to be iſſued for the Quarter in which the ſaid Account ſhall be delivered, and ſhall be computed and aſcertained ſo as to make up the Whole of the Salary and pecuniary Profits of ſuch Maſter of the Rolls as aforeſaid, to the Quarterly Sum before mentioned; and ſuch Sum ſhall be iſſued accordingly as if the Sum ſo to be aſcertained had been ſpecifically mentioned in this Act.

The Executors of any Maſter of the Rolls who ſhall die, and any Perſon that ſhall reſign the Office, ſhall be entitled to a Proportion of the Salary and Profits, at the Rates above-mentioned, during their executing it; but if more has been received, the Exceſs ſhall be paid to the Succeſſor.

VI. Provided always, and be it enacted, That if any Perſon having ſuch Grant of the Office of Maſter of the Rolls as aforeſaid, ſhall die, or reſign the ſame, then 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 ſuch of the ſaid Days appointed for delivering in ſuch Accounts as aforeſaid 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 in caſe of Reſignation, or the Executors or Adminiſtrators of ſuch Predeceſſor deceaſed, as the Caſe may be; and ſuch Succeſſor and his Predeceſſor in caſe of Reſignation, and the Executors and 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 Quarter 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 Succeſſor of every ſuch Perſon, ſo much as the Sums ſhall exceed the Sums to which ſuch Perſon ſo dying or reſigning ſhall be entitled according to the Rates aforeſaid.

The Succeſſor of every ſuch Perſon dying or reſigning, to be entitled to receive the Salaries and Profits ariſing from the Time of either Event.

VII. And be it 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 the Office of ſuch Maſter of the Rolls aforeſaid, in like Manner as if his Grant or Patent had borne Date the Day next ſubſequent to the Day of the Death or Reſignation of his Predeceſſor.

The Maſter of the Rolls may appoint a Deputy, who muſt be approved by the Lord Chancellor.

VIII. And be it enacted, That the Maſter of the Rolls ſo to be appointed ſhall and may have Power and Authority to appoint a proper and ſufficient Officer to execute ſuch Part of the Duties of the ſaid Office as have been heretofore performed by Deputy, ſuch Officer firſt to be approved by the Lord Chancellor, or Lord Keeper or Lords Commiſſioners for the Cuſtody of the Great Seal of *Ireland* reſpectively, for the Time being, by Inſtrument under the Hand and Seal of ſuch Lord Chancellor, Lord Keeper, or Lords Commiſſioners reſpectively.

His Majeſty may remove any Maſter of the Rolls upon an Addreſs of Parliament.

IX. Provided always, and be it further enacted, That it may be lawful for His Majeſty, His Heirs and Succeſſors, to remove any Maſter of the Rolls upon an Addreſs of both Houſes of Parliament of the United Kingdom of *Great Britain* and *Ireland*.

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