



ANNO QUINQUAGESIMO

GEORGI II. REGIS.

Cap. 164.

An Act for building certain Offices for the Examiners, Cursitors, Clerk of the Crown, and Clerks of the Petty Bag, of the High Court of Chancery ; and for making certain Regulations in the Examiner's Office of the said Court ; and for making Provision for such of the Examiners, Deputy Examiners, and Clerks, as from Length of Service, or from Age or Infirmary, are or shall be incapacitated from the due Execution of their Offices ; and for making Provision for other Officers of the said Court ; and for making other Payments in respect of the said Offices. [9th *June* 1810.]

WHEREAS the due Execution of the Office of Examiner of the High Court of Chancery, by Persons qualified and competent to discharge the important Duties of the said Office, is of the utmost consequence to the Administration of Justice, and the Interest of the Suitors of the said Court : And whereas the said Office hath heretofore been and is now held for Life, and Doubts are entertained whether there is anywhere competent Authority to remove the Person or Persons who now or hereafter may hold the said Office, if at any Time, by reason of Sickness, Infirmary, or other Cause, he or they should be unable or incompetent to discharge the Duties of the said Office : And whereas *Henry Flitcroft* Esquire, one of the Persons holding the said Office, is now and hath for a considerable

[*Loc. & Per.*]

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Time been a Lunatic Ward of the said Court of Chancery, and wholly incompetent to the Discharge of the Duties of the said Office : And whereas the Persons who have discharged the Duties of the said Office have frequently been engaged in other Employments and Pursuits, whereby Delays, Hindrances, and Impediments, and other Inconveniences have been occasioned to the Suitors of the said Court in the Prosecution of their Suits therein : And whereas it would be expedient that in future the Business of the said Office should be executed by the Persons holding the same in their own Persons, and that they should be expressly prohibited from acting as Counsel, Solicitors, Attornies, Clerks in Court, or Draftsmen, or as Agents or Clerks to any Person acting in any of those Capacities, or in any other Respect or Capacity in any way connected with the said Court of Chancery, or any Suit or Matter depending therein, or before the Lord High Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, or the said Court of Chancery ; and that the Business of the said Office should, as near as may be, be equally divided and go in Rotation amongst the Persons holding the said Office ; and that Witnesses on different Sides of the same Cause should be examined by different Examiners ; and it is reasonable that Compensation should be made to such of the present Examiners and Deputy Examiners as chuse to decline to continue their Service in the said Office, upon the Conditions and under the Restrictions hereby intended to be imposed upon them : And whereas the Fees and Emoluments of the said Office are (regard being had to the great Increase in the Necessaries of Life and the Expence of Living) not adequate to the Attendance, Trouble, and Importance of their Offices and to their Services ; and it would be for the Benefit of the Suitors of the said Court that adequate Provision should be made for the Persons who shall be appointed to discharge the Duties of the said Office : And whereas the Business of the Examiner's Office of the said Court of Chancery, and also of the Clerk of the Crown and the Clerks of the Petty Bag, is carried on in one and the same Building, in the Rolls Yard in the Liberty of the Rolls in the County of *Middlesex*, and the same is out of Repair, and insufficient for the necessary Accommodation of Witnesses whilst under Examination in the said Court, and for the Purposes of the said Office of Examiner and the other Offices there carried on : 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 Examiners of the said Court and their Clerks as from Age or Infirmary are or shall, in the Judgment of the said Court, be incapacitated to perform the Duties of their respective Offices ; and also that Provision should be made for putting the said Offices into proper and substantial Repair, or for rebuilding the same if necessary, and for other Payments and Expences incident to the said Office ; and that such other Regulations should be made respecting the said Office as are herein-after mentioned and contained : And whereas the Freehold of the said Premises or Part thereof is now vested in the Principal Examiners of the said Court, and in the Clerks of the Petty Bag, for their respective Lives, and during their Continuance in Office, for the Purposes of the said Office ; and it would be for the Benefit of the Suitors of the said Court that the Freehold of the said Premises should in future be vested in the Master of the Rolls and his Successors for the Purposes of the said Offices of the said Court of Chancery, and that proper Compensation should be made to the said Principal Examiners and to the Two junior Clerks of the Petty Bag, for their several Interests in the said Premises respectively : And whereas there appertains to the said Court of

Chancery certain other Officers, called the Usher and Court Keeper of the said Court of Chancery, who, among other Duties of their said Offices, have been required to furnish the said Court with Stationery and other Articles requisite and necessary for the Use of the said Court, and have been and are allowed to charge for the same a Per-centage thereon, over and above the Cost of the Articles so furnished, as Part of their Remuneration for undertaking and discharging their said Offices; and the same is an improper Mode of remunerating the said Officers, and is open to great and continual Abuse, and ought to be discontinued for the future, and that the said Officers should be remunerated in some other more fit and proper Manner: And whereas there also appertains to the said Court of Chancery certain other Officers called the Cursitors, who transact the Business of their said Office, and keep the Records of their said Office, in the First Floor of a certain Building, situate in *Chancery Lane*, many Years held and now holden by the said Officers as Tenants at Will thereof under a private Individual: And whereas the said Records are of considerable Importance, and by being kept in an Office so circumstanced are exposed to greater Risk than accords with the Importance of the said Records; and it is expedient that the same should be deposited and kept in some more safe and secure Place, and that a permanent Repository be provided for the same, and a proper Place be provided for transacting the Business of the said Office: And whereas the Proceedings of the said Court of Chancery have of late been frequently interrupted by various Persons improperly intruding themselves into the said Court, and there are not any, or however an insufficient Number of Persons in attendance on the said Court to prevent such Intrusion and Interruption, and it is expedient that the same should be prevented in future: And whereas by virtue of an Act 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, by virtue of the several Orders of the said Court made for that Purpose, taken out of the common and general Cash belonging to the Suitors of the said 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 thereby directed to be made and to be paid, and also the several other Payments directed to be made in and by the Two several Acts of the Forty-sixth Year of the Reign of His present Majesty, one of them intituled *An Act for making Provision for such Masters in Ordinary of the High Court of Chancery as from Age or Infirmary shall be desirous of resigning their Offices with the*
Approbation

Approbation of the said Court, and for augmenting the Income of the Masters in Ordinary of the said Court, and the other of such Acts intituled An Act to provide additional Salaries to the present Clerks in the Office of the Accountant General of the High Court of Chancery, and to provide additional Clerks for the said Office, with Salaries, and to make other Payments in respect of the said Office; and by the Act of the Forty-ninth Year of the Reign of His present Majesty, intituled An Act for making Provision for such of the Sub-Registrars or Deputy Registrars of the High Court of Chancery, as from Age or Infirmary 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 Register'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; 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 first-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 from many Years Experience it hath been found that there always hath been and there now is a very large Sum of Money belonging to the Suitors of the said Court of Chancery, which lies dead and unemployed in the Bank, beyond the Demands of the Suitors, and it will be of Benefit to the Suitors of the said Court that a further Sum of Money, Part of the Money lying dead and unemployed as aforesaid, should be placed out at Interest on Government or Parliamentary Securities, and the Interest thereof, or so much thereof as shall be necessary, applied for the Purposes herein-after mentioned; therefore 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 Cash belonging to the Suitors of the said Court of Chancery which now lies or which shall hereafter lie dead and unemployed in the Bank of England, a Sum, not exceeding Two hundred thousand Pounds, shall and may, by virtue of any Order or Orders of the said Court to be made for that Purpose, from Time to Time be placed out in one entire Sum or in Parcels, in the Name of the Accountant General of the said Court of Chancery, according to the general Rules and Orders of the said Court, on such Government or Parliamentary Securities as in and by such Orders shall be directed, to the Intent that the Interest and annual Produce arising from the Money so to be placed out may be applied for the Purposes herein-after mentioned; and that all such Government or Parliamentary Security or Securities when purchased shall be carried to the said Account, intituled Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery.

For placing out at Interest a certain Part of the Cash belonging to Suitors in the Court of Chancery.

For vesting the Freehold of the Examiner's Of-

II. And be it further enacted, That the Freehold of the Premises in the *Rolls Yard, Chancery Lane*, in the Liberty of the Rolls aforesaid, where the Business of the said Office of Examiners, and also of the Offices of the Clerk

Clerk of the Crown and the Clerks of the Petty Bag is now carried on, with its Rights, Members, and Appurtenances, and all other Premises, if any, which shall hereafter be purchased for the Purposes of the said Offices, together with all Buildings now or hereafter to be erected thereon, shall, from and after the passing of this Act, or the Purchase of such Premises, if any, be and the same are hereby vested in the Master of the Rolls, to hold to him and his Successors for the Time being, for the Use and for the Purposes of the said Offices, and subject to such Rules and Regulations, respecting the Use and Occupation thereof, and of the Rooms and Chambers thereunto belonging or therewith occupied, as the Court of Chancery shall from Time to Time order and direct, and to and for no other Use, Intent, or Purpose whatsoever.

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in the Rolls
Yard, in the
Master of the
Rolls for the
Time being.

III. And be it further enacted, That out of the Interest and Dividends arising from Securities purchased in pursuance of the said Act passed in the Thirty-second Year of the Reign of His present Majesty, and the several Acts therein mentioned, and to be purchased in pursuance of this Act, and carried to the said Account, intituled *Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery*, and also out of the Interest and Dividends of Securities purchased and to be purchased with Surplus Interest in pursuance of the said Acts or any of them, or in pursuance of this Act, and 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*, there shall be paid by virtue of any Order or Orders of the said Court of Chancery, (but subject and without Prejudice to the Payment of all Salaries and Sums of Money by the said several Acts passed in the Thirty-second, Forty-sixth, and Forty-ninth Years of the Reign of His present Majesty, and the Acts therein mentioned, or any of them, directed or authorized to be paid out of the said Interest and Dividends,) such Sum or Sums of Money as 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, shall in his and their Discretion deem necessary, and not exceeding the Sum of Twelve thousand Pounds, to be applied under the Direction of the said Court in providing proper Places for transacting the Business of the aforesaid Offices, while the Premises now used for such Purposes shall by reason of the rebuilding, repairing, or enlarging thereof be unfit for the Business of the said Offices to be transacted therein, and in erecting, building, and completing proper and convenient Offices wherein the Business of the said Examiners, Cursitors, Clerk of the Crown, and Clerks of the Petty Bag Offices, may respectively be permanently transacted, and the Records of their several Offices securely preserved; and in purchasing such Ground and Buildings thereon as shall be necessary or convenient for those Purposes, and in fitting up the said Offices with proper Repositories for the Records, Papers, Presses, Desks, and other Necessaries for the said several Offices; and also such further Sum or Sums of Money, either Yearly or in Gross, as shall be necessary for keeping the same Offices and Repositories in repair, and for insuring and keeping all the said Offices and Repositories insured from Loss or Damage by Fire, at such Insurance Office or Offices, and in such Manner and in such Name or Names, and for such Sum or Sums, as the said Court shall from Time to Time order and direct.

For paying
the Expences
of rebuild-
ing, &c. the
said Offices.

[*Loc. & Per.*]

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IV. And

Grounds purchased for the Use of the Offices of the Court of Chancery, vested in the Master of the Rolls for the Time being.

IV. And be it further enacted, That the Ground and Houses which (if any) shall be purchased for the Purposes aforesaid shall be conveyed to and vested in the Master of the Rolls, to hold to him and his Successors (Masters of the Rolls) for ever, in Trust for the Purposes in this Act mentioned, and that the same, together with all Buildings now or hereafter to be erected and built thereon, shall be and the same are hereby vested in the said Master of the Rolls, and his Successors in the said Office for the Time being for ever, in Trust to and for the Purposes in this Act mentioned, and for no other Use or Purpose whatsoever.

Buildings to be purchased or erected not to be converted into Residences, &c.

V. Provided always, and be it further enacted, That the Buildings by this Act authorized to be purchased, erected, or built, or any Chamber or Room, Chambers or Rooms therein, or any Part or Parts thereof, shall not be used, occupied as, or converted to the Residence of any Individual or Individuals, Person or Persons, on any Pretence or Pretext whatsoever, but the same and all and every Chamber and Chambers, Room and Rooms therein, and every Part and Parts thereof, shall be used for the public Purpose and Purposes by this Act directed in respect of the same, and for no other Use or Purpose whatsoever.

Power to remove Officers.

VI. And be it further enacted, That it shall and may be lawful to and for the said Lord High Chancellor, Lord Keeper and Lords Commissioners for the Custody of the Great Seal for the Time being, to remove any Person or Persons holding or who hereafter shall hold the Office of Examiner of the High Court of Chancery, or of Clerk of such Examiner, from his or their said Office, when, by reason of permanent Sickness, Infirmary, or other Cause, he or they shall be unable or incompetent to discharge the Duties of the said Office.

Power to remove Mr. Flitcroft.

VII. And be it further enacted, That *Henry Flitcroft* Esquire, one of the Persons holding the said Office of Examiner, be and he is hereby removed from his said Office, he the said *Henry Flitcroft* being a Lunatic Ward of the said Court of Chancery, and wholly incompetent to discharge the Duties of the said Office.

Power to appoint additional Number of Examiners.

VIII. And be it further enacted, That in case it shall at any Time hereafter appear to the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the Time being, and to the Master of the Rolls for the Time being, that the Business to be done in the Office of the Examiners of the High Court of Chancery shall at any Time hereafter increase so that the same cannot be transacted and done by the Two Examiners of the said Court with that Facility which the Convenience of the Suitors of the said Court may require, it shall and may be lawful for the Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the Time being, to make an Order or Orders that other and not exceeding Two more Examiners and Two more Clerks of such Examiners shall be provided, and the Master of the Rolls for the Time being shall and he is hereby authorized and required, upon such Order or Orders being made, to appoint some fit and proper Person or fit and proper Persons to be such Examiner or Examiners, and some other fit and proper Person or fit and proper Persons to be such Clerk or Clerks, who shall upon their several Appointments be respectively entitled to take and have such Fees and Salary as to the Examiner and Clerk of an

Examiner of the said Court of Chancery does or shall of right appertain or belong, or be authorized to be directed to be paid by this present Act.

IX. And be it further enacted, That all Vacancies which shall hereafter occur in the Office of Examiner shall hereafter be filled up and appointed to in such and the same Manner as the same have heretofore been ; and that every future Examiner and Examiners shall and he and they are and is hereby required, before he or they act in the Execution of their respective Offices, to take and subscribe in open Court the usual Oaths of Supremacy and Abjuration, and also an Oath to the Purport and Effect following ; that is to say,

For providing other Examiners in case the present Officers resign.

‘ I *A. B.* do swear, That I will, according to the best of my Skill and Knowledge, truly and faithfully exercise and occupy the Office of one of the Examiners of His Majesty’s High Court of Chancery, whereunto I am now admitted, and truly, faithfully, and without Partiality to any or either of the Parties in the respective Causes, take the Examinations and Depositions of all and every Witness and Witnesses produced before and examined by me upon the Interrogatories filed with me, and that I will be attending as well to further the King’s Business as the same Causes, from Time to Time as Occasion shall require ; and that I will not publish, disclose, or make known to any Person or Persons whatsoever (except to the sworn Clerk appointed to copy the same) the Particulars, Purport, or Contents of all or any of the Depositions of the Witnesses or any of them to be taken by me, until Publication in the said Causes shall duly pass. So help me GOD.’

Oath.

And every future Clerk and Clerks to be appointed by virtue of this Act shall and he and they are and is hereby required, before he or they act in the Execution of their respective Offices, to take and subscribe before the Examiner by whom they shall respectively be appointed, and who is and are hereby authorized and empowered to administer the same, the usual Oaths of Supremacy and Abjuration, and also the following Oath :

Oath of the Copying Clerk.

‘ I *C. D.* do swear, That according to the best of my Skill and Knowledge I will truly and faithfully execute and exercise the Office of a Copying Clerk in the Office of *A. B.* one of the Examiners of His Majesty’s High Court of Chancery, whereunto I am admitted, so long as I shall continue in the said Office, and that I will be ready and attendant in the said Office to further His Majesty’s Business as need shall require ; and that I will also well and faithfully preserve and keep such of the King’s Records wherewith I shall be entrusted or whereunto I shall have Access ; and that I will not publish, disclose, or make known to any Person or Persons whatsoever the Particulars, Purport, or Contents of any Deposition or Depositions taken in the said Office, until Publication in the said Causes shall duly pass. So help me GOD.’

X. And be it further enacted, That the said Examiners and Clerks shall in their own proper Persons attend in the Office to be provided for them, during all such Time, and during such Hours in each and every Day, as the said Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, and the Master of the Rolls for the Time being, shall direct and appoint, and in their own proper Persons diligently, faithfully, and attentively employ themselves

Requiring Officers to attend their Duty in Person.

themselves in dispatching and transacting the Business of their respective Offices ; and that the said Examiners or any of them shall not examine any Person or Persons at or in any other Place or Places other than at and within the Office to be provided as herein-after mentioned, without the special Order of the said Court of Chancery for that Purpose first had and obtained, except during the Vacations, when they shall not be required by the Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, to be daily attending in their said Office ; and that such Examiners or Clerks, or any of them, shall not, at any Time during their Continuance in the said Office, act as Counsel, Solicitors, Attornies, or as Clerks in Court, or Draftsmen, either at Law or in Equity, or as Agents or Clerks to any Person or Persons acting in any or either of those Capacities, or in any other Respect or Capacity in any ways connected with the said Court of Chancery, in any Suit or Matter depending therein, or before the said Court, (save and except under Commissions from the said Court, during the Time the said Court of Chancery shall not be actually sitting,) but shall devote themselves respectively wholly and entirely to the Business of their respective Offices, without accepting or taking any other Business or Employment whatsoever, which shall or may in any Manner interfere therewith ; and that the said Examiners, and their Successors in the said Office, shall from and after the Fifth Day of *July* next be entitled to the Fees for the Business done by them in their said Office respectively, and each of the said sworn Clerks and their Successors shall have and be entitled to receive such Fees as shall be ascertained and settled by the said Court of Chancery, pursuant to the Directions for that Purpose herein-after contained.

For equally
dividing the
Business of
Examiner.

XI. And be it further enacted, That from and after the said Fifth Day of *July* next, the Business of the said Office shall be equally divided, as nearly as may be, between and among the said Examiners ; and that the Witnesses on different Sides of the same Cause shall (if the same be practicable) be examined by different Examiners, in such Manner and under and subject to such Rules and Regulations as the said Court shall think fit to order respecting the same.

For ascer-
taining and
settling the
Fees and
Emoluments.

XII. And be it further enacted by the Authority aforesaid, That it shall be lawful to and for the Lord High Chancellor of *Great Britain*, or Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, and the Master of the Rolls for the Time being, and they are hereby required from Time to Time as they shall see Occasion, to examine into, ascertain, and settle the Periods and Hours of Attendance of the said Examiners and their Clerks at and in the Offices herein provided for them, and also the Duties of the said Examiners and Clerks, and also the Distribution of the Business of the said Offices, and also the Fees and Emoluments which the said Examiners and their Clerks shall have and be entitled to receive from the Suitors of the said Court for the Business done by them respectively in or about the Execution of their said Offices, and to ordain a Table of such Fees, which shall be made an Order or Orders of the said Court of Chancery, and Copies thereof shall be affixed and set up in the Examiner's Office, Six Clerks' Office, and Register's Office of the said Court, and if any Examiner or Clerk to any Examiner shall have, take, or receive any Fees, Gratuities, or Emoluments whatsoever, from the Suitors of the said Court, not warranted or allowed by the said Order, such Examiner or Clerk so offending shall be liable to be removed from
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his said Office by the Court, and be incapable of ever thereafter holding any Office in or under the said Court.

XIII. Provided always, and be it further enacted, That in case any of the Examiners or sworn Clerks for the Time being shall be afflicted with any temporary Illness or Infirmary which shall be likely for a short Time to prevent them from discharging the Duty of their Offices respectively, and the same shall be made to appear to the Satisfaction of the Master of the Rolls for the Time being, and that the Business of the Suitors of the said Court of Chancery shall be delayed or prejudiced by the Absence of any such Examiners or Clerks during such their temporary Illness or Infirmary, it shall and may be lawful for the said Examiners or Clerks respectively, with the Approbation of the Master of the Rolls for the Time being, to appoint some fit and proper Person to officiate for such Examiner or Clerk for any Space of Time during such their temporary Illness or Infirmary, not exceeding Three Months, and such Person first taking the Oath appointed to be taken by an Examiner or Clerk, the Oath herein above prescribed to be taken, according as they shall be deputed to act as an Examiner or Clerk respectively.

Power to appoint temporary Examiners.

XIV. And be it further enacted, That it shall and may be lawful for the Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, to appoint any Number of Persons, not exceeding Four, to attend upon the said Court of Chancery wheresoever and at all Times whensoever the said Court shall be sitting, and that the said Persons so to be appointed shall be removable at the Will and Pleasure of the said Lord High Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal, and shall whilst they continue to be so appointed diligently attend from the opening of the said Court during the whole Time of the Sitting of the said Court, for the Purpose of preserving Order among the Persons present in the said Court, and to prevent insane and other disorderly Persons from intruding themselves into the said Court.

Power to appoint Persons to keep Order in the Court.

XV. 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, there shall be paid (but subject as aforesaid), by virtue of any Order or Orders of the said 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 Committee of the Estate of *Henry Flitcroft* Esquire, a Lunatic Ward of the said Court of Chancery, one of the Principal Examiners of the said Court, the yearly Sum of Three hundred Pounds, for and during the Term of his natural Life, as a Compensation for depriving him of his said Office of Principal Examiner; to *James Dancer* Gentleman, who has been Thirty-five Years and upwards one of the Deputy Examiners of the said Court, by reason of the Length of his Services, and on account of his great Age and Infirmities, the yearly Sum of Three hundred Pounds for his Life; and to *John Smith*, *John Nursey Dancer*, and *John Alexander Berrey*, Gentlemen, the Three other Deputy Examiners respectively, or to such of them as shall decline to continue in the said Office upon the Terms herein prescribed, or as shall not

For paying of Salaries, &c.

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be continued to be employed in the said Office, as a Compensation for depriving them of their said Office, the yearly Sum of Two hundred Pounds each, for their respective Lives; and to each of the Examiners of the said Court for the Time being, the yearly Sum of Three hundred Pounds; and to each of the Persons to be appointed to keep Order among the Persons attending the said Court, and to prevent the Intrusion of disorderly Persons therein, the yearly Sum of Forty Pounds; and to the Usher of the said Court for the Time being, the yearly Sum of Three hundred Pounds; and to the Court Keeper of the said Court for the Time being, the yearly Sum of Ninety Pounds; and to each of the Two junior Clerks of the Petty Bag, for and during the Term of their respective Lives or Continuance in the said Office, the yearly Sum of Fifteen Pounds each, as a Compensation and in lieu of the Rent which such Two junior Clerks of the Petty Bag have hitherto received for such Part of the aforesaid Premises as have been hitherto occupied by the Clerk of the Crown, and also a proportionable Part of such quarterly Payments as shall accrue due between the last quarterly Payment thereof and the Time of the Death or other Removal of such Examiner, Clerk, or Officer of the Court; such Payments to the Usher and Court Keeper of the said Court of Chancery to be a full Compensation and Satisfaction to them respectively for any Profit or Advantage they, from and after the said Fifth Day of *April* One thousand eight hundred and ten, may derive from finding and supplying the said Court and Officers thereunto belonging with Parchment, Stationery, and Necessaries supplied by them respectively for the Use of the Court; the First quarterly Payment of the several Sums aforesaid to the several Persons aforesaid to commence and be computed from the Fifth Day of *April* One thousand eight hundred and ten.

Allowance to
the Usher
and Court
Keeper.

XVI. 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, there shall also be paid (but subject as aforesaid), by virtue of any Order or Orders of Chancery to be made for that Purpose, at such Time or Times as shall be mentioned and specified in such Orders respectively, to the Usher and Court Keeper of the said Court respectively, such Sum or Sums of Money as the said Court of Chancery shall find to have been really and *bonâ fide* paid, laid out, or expended by the Usher or Court Keeper of the said Court, or either of them, in the Purchase of Parchment, Stationery, and other necessary Articles found and supplied by them or either of them for the Use of the said Court and of the Officers thereunto belonging.

Regulating
the Mode of
supplying the
Court and
Offices of
Chancery
with Parch-
ment and
Stationery.

XVII. Provided always, and be it further enacted, That it shall and may be lawful for the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal for the Time being, and he and they is and are hereby respectively authorized from Time to Time, when and as often as he or they shall see Occasion, to order and direct that such Parchment, Stationery, and other Necessaries shall be supplied by any Person or Persons other than such Usher or Court Keeper, or either of them, and to make such Rules, Orders, and Regulations for the Supply and furnishing of the same, as to him or them shall from Time to Time seem meet; and that upon Proof being made before and to the Satisfaction of One of the Masters of the said Court, by Examination upon Oath (which Oath the said Master is hereby authorized and required to administer), and such other

Evidence as the Occasion may require, that the Articles so supplied and furnished were necessary and proper to be furnished and supplied, and that the Sums respectively charged for the same are respectively the fair Market Price for the same, to order and direct that, out of the Interest and Dividends of the said Government or Parliamentary Securities purchased and to be purchased as aforesaid, there shall also be paid, but subject as aforesaid, by virtue of any Order or Orders of the said Court of Chancery to be made for that Purpose, to such Person or Persons and at such Time and Times as shall be respectively mentioned in such Orders, such Sum and Sums of Money as shall be found by the said Master to have been properly charged for such Supply as aforesaid.

XVIII. And be it further enacted, That it shall and may be lawful for the Lord High Chancellor of *Great Britain*, or the Lord Keeper or the Lords Commissioners for the Custody of the Great Seal of *Great Britain*, by any Order or Orders of the High Court of Chancery to be made from Time to Time on a Petition presented to him or them for that Purpose by any of the said Examiners or their Clerks who shall have acted in the Capacity of Examiner or Clerk in the said Office for the Space of Thirty Years, or in case any of the Examiners of the said Court or their sworn Clerks for the Time being shall happen to be afflicted with any permanent Infirmary disabling him from the due Execution of his Office, then and in either of such Cases 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 Examiner of the said Court, or Clerk to such Examiner, any of the Examiners of the said Court or their Clerks who shall have been Thirty Years in the said Office, or who shall, in the Judgment 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 then and in either of the above Cases, 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 the Sum of Three hundred Pounds, to any Examiner or Examiners, and not exceeding the Sum of One hundred Pounds to any sworn Clerk or Clerks to any Examiner, 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 Examiner, or Clerk to any Examiner, who shall be removed from the Office of Examiner or Clerk to such Examiner for such Causes as aforesaid, or any of them; in which Order or Orders the Cause or Ground 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 Examiner, or Clerk to such Examiner, from the Period when he shall have so resigned or 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 Examiner, or Clerk of such Examiner, so removed or incapacitated, some other able and sufficient Person shall be appointed

Providing a Salary for superannuated Examiners and Clerks.

to

to be Examiner, or Clerk to such Examiner, in the Manner prescribed by this Act.

Power for incapacitated Person to sell Houses, &c.

XIX. And be it further enacted, That it shall and may be lawful to and for the Right Honourable the Master of the Rolls and the Honourable Society of *Serjeants' Inn*, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and for all Executors or Administrators, Husbands, Guardians, Committees, and other Trustees whatsoever, for and on behalf of themselves, their Heirs and Successors, and also for Tenants for Life of Estates in Settlement, if of Age, other than Females Covert, and for the Guardians for such Tenants for Life as may be Infants, and the Husbands of such Tenants for Life as may be Females Covert, for and on behalf of themselves, and all Infants, Issue unborn, Lunatics, Idiots, Females Covert, or under any other Disability, and also for all Persons who are or shall be seised or possessed of or interested in any Houses, Buildings, Lands, Tenements, Hereditaments, Easements, or Privileges, which may be convenient for the Site of or for a Way to the Offices and Repositories to be built in pursuance of this Act, to treat, contract, and agree for the Sale of all and every such Houses, Buildings, Lands, Tenements, Hereditaments, Easements, and Privileges, for the Purposes aforesaid, and to grant, sell, and convey the same for the Purposes aforesaid; and that all Contracts, Agreements, Sales, and Conveyances which shall be so made shall be valid to all Intents and Purposes, any Law, Statute, Usage, Settlement, Will, Custom, or other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and the Master of the Rolls and the said Honourable Society of *Serjeants' Inn*, and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees, Executors, Administrators, Husbands, Guardians, Committees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue or in pursuance of this Act.

Application of Compensation Money when amounting to 200*l*.

XX. And be it further enacted, That if any Money shall be agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporation, Guardians, Committees, Trustees, Female Covert, Infant, Lunatic, or other incapacitated Person or Persons, such Money shall, if the same amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, according to the general Rules and Orders of the said Court, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall

shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXI. Provided always, and be it further enacted, That if any Money so agreed to be paid for any Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under his or their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two or more Trustees, to be nominated by the Person or Persons making such Option, (such Nomination to be signified in Writing under the Hands of the nominating Parties,) in order that such Principal Money and the Dividends arising thereon may be applied in any Manner hereinbefore directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If under 200l.
and exceeding 20l.

XXII. Provided also, and be it further enacted, That where such Money so agreed to be paid as next before mentioned shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as they shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

If under 20l.

XXIII. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the said Accountant General, in pursuance of this Act, for the Purchase of any Lands, Money to be

Where any
Question
shall arise
touching
the Title to
Money to be

paid, the
Persons who
may be in
Possession
shall be
entitled
thereto.

Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of any such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court
of Chancery
may order
Expences of
Purchases to
be paid by
the Trustees.

XXIV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act; and it shall and may be lawful to and for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid out of the Interest and Dividends of the said Government or Parliamentary Securities purchased and to be purchased as aforesaid, in the same Manner as the Expences of building the said Offices and Repositories are hereby directed to be paid.

Expences of
this Act pro-
vided for.

XXV. 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.

For placing
out Surplus
Monies on
Securities.

XXVI. 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 to be placed out pursuant to this Act, and which Securities are 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 Acts and the several other Acts herein-before mentioned, and the Purposes of this Act, shall from Time to Time be placed out on Government or Parliamentary Securities,

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.

XXVII. And be it further enacted, That it shall be lawful to and for the Lord High Chancellor of *Great Britain*, or Lord Keeper or Lords 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.

Securities
may be
changed.

XXVIII. 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, or to be placed out in pursuance of this Act, 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 of such Money to be called in, and the Securities in which the same and 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.

If further
Money want-
ed, the High
Court of
Chancery
may call in
Securities.

XXIX. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice, delay, hinder, or prevent any Reform or Abolition of all or any of the Offices herein mentioned, by any Person or Persons having Authority to reform or abolish the same, and that in case the same or any of them shall at any Time hereafter be abolished for which any Salaries or Salary is or are hereby provided, or for which any Apartments are hereby provided, such Salary shall cease and be no longer payable, and the Apartments or Offices so provided shall be hereafter used in such Manner and for such Purposes as the Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, shall direct or appoint.

This Act not
to prevent
Reform in
the Offices,
&c.

XXX. 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.

Public Act.

