

ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. I.

An Act to empower the Auditor of the Exchequer to conſtitute a Truſtee for the Execution of the ſaid Office in the Caſe therein mentioned.

[7th *February* 1806.]

WHEREAS it is expedient that the Auditor of the Receipt of His Majeſty's Exchequer and Writer of the Tallies thereof ſhould, if appointed by His Majeſty to the Office of Lord High Treaſurer, or One of the Commiſſioners of the Treaſury, be enabled to accept and hold the ſaid Office of Lord High Treaſurer or One of the Commiſſioners of the Treaſury, without incurring any Forfeiture of His ſaid Office of Auditor, and that for that Purpoſe and in that Caſe he ſhould be empowered to nominate and conſtitute a Truſtee for executing his ſaid Office of Auditor and Writer of the Tallies for ſo long a Time as he ſhould himſelf continue to hold the Office of Lord High Treaſurer, or One of the Commiſſioners of the Treaſury; 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, whenever His Majeſty ſhall think fit to appoint any Perſon enjoying the Office of Auditor of the Receipt of the Exchequer and Writer of the Tallies thereof, to hold, enjoy, and execute the Office of Lord High Treaſurer, or One of the Commiſſioners of the Treaſury, ſuch Auditor ſo appointed to hold, enjoy, and execute the

Auditor of the Exchequer when appointed a Lord of the Treaſury, to appoint a Truſtee to execute the Office of Auditor, &c.

Office of Lord High Treaſurer or One of the Commiſſioners of the Treaſury, ſhall be empowered and he is hereby authorized and directed, as ſoon as may be after the Acceptance of the ſaid laſt mentioned Office, to nominate and conſtitute, by Deed or Inſtrument under his Hand and Seal, ſome fit and ſufficient Perſon to hold and execute in Truſt for him the ſaid Auditor the ſaid Office of Auditor of the Receipt of the Exchequer and of Writer of the Tallies thereof, and for him, and in his Name, and for his Benefit, to receive ſuch Emoluments and Salary thereto appertaining as might lawfully be received by the ſaid Auditor; and the ſaid Truſtee is hereby authorized and directed to execute and perform all Manner of Things that to the ſaid Office of Auditor of the Receipt and Writer of the Tallies do or ought to appertain, in as full a Manner as he the ſaid Auditor might or ought to do, and ſubject to the ſame Controul, Direction, and Reſponſibility, according to the Law, Uſage, Courſe, or Conſtitution of the Exchequer, as the ſaid Auditor; and all and every Act or Proceeding of the ſaid Truſtee in the Execution of the ſaid Office, ſubject to ſuch Controul, Direction, and Reſponſibility as aforeſaid, ſhall be as good, valid, and legal, to all Intents and Purpoſes whatſoever, as if they had been the Acts and Proceedings of the ſaid Auditor.

Truſtee being approved of by the Chancellor of the Exchequer ſhall take the Oaths herein mentioned.

II. Provided always, and be it enacted, That the ſaid Truſtee ſo appointed as aforeſaid ſhall, before he enters upon the Execution of the ſaid Truſt, be preſented together with the ſaid Appointment or Inſtrument to the Chancellor of the Exchequer for the Time being for his Approbation, and upon being approved of by the ſaid Chancellor of the Exchequer ſhall take the Oaths of Allegiance and Supremacy, and alſo an Oath well and truly to execute the ſaid Truſt, according to the true Intent and Meaning of this Act, and according to the Laws, Uſage, Courſe, and Conſtitution of the Exchequer; which Oaths aforeſaid the ſaid Chancellor of the Exchequer in ſuch Caſe is hereby empowered and directed to adminiſter to him: Provided always, that the ſaid Deed of Truſt ſhall be and continue in force for ſo long as the ſaid Auditor ſhall continue to hold and enjoy the Office of Lord High Treaſurer or One of the Commiſſioners of the Treaſury, and no longer; and that, upon the Death, Reſignation, or other legal Avoidance of ſuch Truſtee, it ſhall and may be lawful for the ſaid Auditor to appoint another Truſtee for the ſame Purpoſe, in like Manner and with the ſame Powers and Authorities, and ſubject to the ſame Obligations and Duties, as is and are herein-before ſpecified, given, and directed.

Acceptance of the Office of Truſtee not to vacate the Seat of any Member.

III. Provided alſo, and be it further enacted, That the Acceptance of the ſaid Office of Truſtee ſhall not vacate the Seat of any Member returned to ſerve in Parliament.

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