

ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. CXIV.

An Act to augment the Salary of the Master of the Rolls in *Ireland*, and to enable His Majesty to grant an additional Annuity to such Master of the Rolls on the Resignation of his Office; and to regulate the Disposal of the Offices of the Six Clerks in the Court of Chancery in *Ireland*.

[28th *June* 1815.]

WHEREAS it is expedient that a further Augmentation should be made in the Salary of the Master of the Rolls in *Ireland*, and that further Provision should be made for Persons holding the Office of Master of the Rolls in *Ireland*, in the Event of their quitting the said Office; We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of *Great Britain* and *Ireland*, 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 and paid and payable to the Master of the Rolls in *Ireland*, out of and charged and chargeable upon the Consolidated Fund of *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 said Consolidated Fund, but with Preference to all other Payments which shall or may be hereafter charged upon or payable out of

Salary to the Master of the Rolls, 4,300l. per Annum;

the said Fund, such further and additional annual Sum as shall make up the whole Salary, Fees, and Pecuniary Profits belonging to the said Office of Master of the Rolls, the annual Sum of Four thousand three hundred Pounds free and clear of all Taxes and Deductions whatsoever; to be issued and paid Quarterly, in the like Manner and subject to the like Accounts, and to all such Provisions, Rules, and Regulations, as are directed by an Act passed in the Forty-first Year of His present Majesty's Reign, intituled *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*; the First Payment of such further and additional Sum to be made on the Twenty-fourth Day of *June* One thousand eight hundred and fifteen.

subject to the Regulation in 41 G. 3. c. 25.

II. 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 *Ireland*, to give and grant unto any Person who, having executed the said Office of Master of the Rolls in *Ireland*, shall at any Time after the passing of this Act resign the said Office, a further Annuity or yearly Sum of Six hundred Pounds *Irish* Currency; which said Annuity or yearly Sum shall be in addition to and in Augmentation of the Annuity or yearly Sum allowed to be given and granted to the Master of the Rolls in *Ireland*, under the Provisions of an Act made in the Parliament of *Ireland* in the Fortieth Year of the Reign of His present Majesty, intituled *An Act to enable His Majesty to grant Annuities to the Lord High Chancellor, and to the Judges of the Court of King's Bench, Master of the Rolls, Judges of the Courts of Common Pleas and Exchequer, Judge or Commissary of the Court of Prerogative, the Judge of the Court of Admiralty, the Chairman of the Quarter Sessions of the County of* Dublin, *and Assistant Barristers of the several other Counties, on the Resignation of their respective Offices; and to amend an Act, passed in the Thirty-sixth Year of His present Majesty, intituled 'An Act for increasing the Salaries of the Chief and other Judges of 'the Courts of King's Bench and Common Pleas, and of the Chief Baron 'and other Barons of the Court of Exchequer in this Kingdom;'* and in like Manner 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 resign 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 shall be charged and chargeable upon the Consolidated Fund of *Ireland*; and the said last recited Act of the Fortieth Year of His present Majesty's Reign, and all Clauses, Provisions, and Regulations therein contained, so far as the same are applicable, and are not hereby altered, shall be in force, and be applied to carry into Effect the Purposes of this Act in respect of the said additional Annuity.

Allowance to such Master of the Rolls, on Resignation, 600l. per Annum, in addition to the Sum given by Irish Act

40 G. 3. c. 69.

III. And whereas the Six Clerks in His Majesty's High Court of Chancery in *Ireland* have been accustomed at all Times to sell their Offices: And whereas it hath been customary that One Fifth Part of the Consideration of such Sale should be paid to the Use of the Master of the Rolls, or the Keepers or Guardians of the Rolls: And whereas by an Act passed in the Forty-ninth Year of His present Majesty's Reign, intituled *An Act for the further Prevention of the Sale and Brokerage of Offices*, it was among other Things enacted, that it should be lawful for the Persons then holding the Offices of Six Clerks of the Court of Chancery in *Ireland*, to proceed

Sale by Six Clerks in Chancery of their Offices.

49 G. 3. c. 126. against Sale of Offices.

proceed touching the Diſpoſal and Appointment of their ſaid Offices, in ſuch and the like Manner to all Intents and Purpoſes as had been accuſtomed; but that from and after the Death, Reſignation, or Removal of each of them, and the actual Appointment of any Perſon in the ſtead of the Perſons ſo dying, reſigning, or being removed, the Powers and Proviſions of an Act of the Fifth and Sixth Years of the Reign of King *Edward* the Sixth, againſt buying and ſelling of Offices, and of the ſaid recited Act of the Forty-ninth Year of His Majeſty's Reign, ſhould be applicable and applied to the Offices of Six Clerks in the ſaid Court of Chancery: And whereas by an Act paſſed in the Fifty-third Year of His preſent Majeſty's Reign, for amending the ſaid recited Act of the Forty-ninth Year of His preſent Majeſty's Reign, ſo far as relates to the Offices of the Six Clerks in the Court of Chancery in *Ireland*, it was enacted, that nothing in the ſaid Act of the Forty-ninth Year of His Majeſty's Reign contained, for preventing the Purchaſe, Sale, Exchange or Brokerage of Offices ſhould extend to any Purchaſes, Sales, or Exchanges of any Office or Offices of a Six Clerk or Six Clerks of the Court of Chancery in *Ireland*: And whereas it is expedient to make new Proviſion for the Appropriation of ſuch One Fifth Part of ſuch Purchaſe Money: And whereas if ſuch Maſter of the Rolls were to refuſe appointing the Perſon who ſhall agree for the Purchaſe of ſuch Office, without aſſigning any Cauſe for ſuch Refuſal, the Six Clerks might be prevented from obtaining the Benefit of the ſaid recited Act; for Remedy whereof, be it enacted, That from and after the paſſing of this Act it ſhall and may be lawful for the Six Clerks of the Court of Chancery in *Ireland*, from Time to Time reſpectively, to ſell, transfer, and diſpoſe of their Offices in the ſaid Court to ſuch Perſon and Perſons as ſhall be qualified to execute the Duties of ſuch Office, every ſuch Perſon being approved of by the Maſter of the Rolls for the Time being; and every ſuch Perſon ſhall pay into the Bank of *Ireland*, to the Credit and Account of the Teller of His Majeſty's Exchequer in *Ireland*, One clear Fifth Part, without Deduction or Defalcation, of the entire Conſideration or Purchaſe agreed to be paid or received upon every ſuch Sale, Transfer, or Diſpoſal, or in caſe the Conſideration of any ſuch Transfer or Diſpoſal ſhall not be a pecuniary Conſideration, every ſuch Perſon ſhall pay as aforeſaid the Sum of One thouſand two hundred Pounds; and the Teller of the ſaid Exchequer, upon Production of a Certificate, or accountable Receipt of the Caſhier or Caſhiers of the ſaid Bank, ſhall give a Receipt for any ſuch Sum, according to the Directions contained in an Act made in the laſt Seſſion of Parliament, intituled *An Act for the more effectual Regulation of the Receipts and Iſſues of His Majeſty's Treaſury, and for ſecuring the due Application of Money coming into the Hands of the Public Accountants in* Ireland.

53 G. 3. c. 129. amending 49 G. 3. c. 126. as to ſuch Six Clerks.

Six Clerks may ſell and diſpoſe of their Offices, the Purchaſer being approved of by the Maſter of the Rolls, and paying One Fifth Part (or 1,200l.) into the Bank, to Account of the Teller of the Exchequer.

54 G. 3. c. 83.

IV. And be it further enacted, That in caſe the Maſter of the Rolls ſhall refuſe or unneceſſarily delay to approve of any Perſon to whom any Six Clerk hath agreed or ſhall agree to ſell and diſpoſe of his Office of a Six Clerk, for want of Qualification or any other Cauſe, then and in ſuch Caſe it ſhall and may be lawful for ſuch Six Clerk to preſent a Petition in a ſummary way to the Maſter of the Rolls, verified by Affidavit, for the Purpoſe of obtaining ſuch Approbation; which Petition ſuch Maſter of the Rolls is required to hear moved in open Court with all reaſonable Diſpatch, and thereupon to make ſuch Order, purſuant to the Proviſions of this Act as ſhall appear fit; from which Order ſuch Petitioner may and ſhall be at Liberty to appeal to the Lord Chancellor or Lords Commiſſioners

In caſe of Refuſal of Maſter of the Rolls to approve the Perſon appointed, the Clerk may petition, with Appeal to the Lord Chancellor, who may finally approve.

miſſioners for the Cuſtody of the Great Seal of *Ireland*; and in caſe an Order ſhall be made on ſuch Appeal, approving of ſuch Perſon, the Maſter of the Rolls ſhall without further Delay, and he is hereby required to nominate and appoint the Perſon ſo approved of, to be a Six Clerk in the room of the Perſon ſo ſelling or reſigning: Provided always, that a ſufficient Acquittance ſhall be produced to the Maſter of the Rolls for the Time being, for the Payment of the Money hereby required to be paid into the Bank of *Ireland* as aforeſaid, before any Perſon ſhall be permitted to enter upon or exerciſe any ſuch Office of a Six Clerk upon any ſuch Sale, Transfer, or Diſpoſal as aforeſaid.

Proviſo for Vacancies by Death which may be ſupplied by Maſter of the Rolls without pecuniary Conſideration.

V. Provided always, and be it enacted, That nothing in this Act contained ſhall be deemed to extend to Vacancies by Death in any Office of a Six Clerk in the ſaid Court of Chancery, or to prejudice the Right of the Maſter of the Rolls, in the Event of a Vacancy by Death as aforeſaid, to appoint and fill up ſuch Vacancy without any Money or pecuniary Conſideration for ſo doing.

All Transfers of Six Clerks Offices ſhall be by Deed indented and inferted in Chancery.

VI. Provided alſo, and be it enacted, That before any Six Clerk ſhall be actually appointed in conſequence of any Sale or Transfer under the Proviſions of this Act, a Deed indented ſhall be duly executed between the Parties to the Contract for ſuch Sale or Transfer, containing fully and truly all and every the Terms of ſuch Contract; and that the Truth thereof ſhall be verified by the Affidavit of the reſpective Parties thereto, to be ſworn before one of the Maſters of the ſaid Court of Chancery, and to be filed in the ſaid Court; and that ſuch Deed ſhall be inrolled in the ſaid Court, upon producing the atteſted Copies of ſuch Affidavits.

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