ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

****

CAP. XC.

An Act to appoint Commissioners for inquiring into the Collection and Management of the Revenue in *Ireland*, and the several Establishments connected therewith. [10th *July* 1821.]

WHEREAS in pursuance of the Acts for the Union of *Great Britain* and *Ireland*, and of an Act made in the Fifty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to unite and consolidate into One Fund all the Public Revenues of* Great Britain *and* Ireland, *and to provide for the Application thereof to the General Service of the United Kingdom*, it has become expedient that the Collection and Management of the Public Revenues arising in *Great Britain* and *Ireland* respectively, should be assimilated and placed under the same Rules, Regulations, and Management, so far as the Circumstances of the respective Countries may admit; and that for such Purpose, a full and accurate Inquiry and Investigation, relating to the Management and Collection of the Revenues arising in *Ireland*, should be conducted under the Authority of Parliament; 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 the Right Honourable *Thomas Wallace*, *Thomas Frankland Lewis* Esquire, *John Charles Herries* Esquire, *William John Lushington* Esquire, and *Henry Berens* Esquire, shall be and they are hereby constituted and ap-

56 G. 3. c. 98.

Commissioners appointed for executing this Act.

pointed to be Commissioners for carrying this Act into Execution, and for making the Inquiries intended by this Act, and shall be called "The Commissioners of Inquiry into the Collection and Management of the Public Revenue arising in *Ireland*."

Vacancies may be supplied by His Majesty.

II. And be it further enacted, That in case of any Vacancy or Vacancies by Death or Resignation of any One or more of the Commissioners named in this Act, or to be appointed by virtue of this Act, it shall and may be lawful for His Majesty, His Heirs and Successors, to nominate and appoint such Person or Persons as His Majesty, His Heirs or Successors, may think proper, (not being a Member or Members of the House of Commons), to supply such Vacancy or Vacancies; and every Person so nominated and appointed shall be subject to all such Rules, Regulations, and Restrictions, and shall have all such and the like Powers and Authorities for carrying this Act into Execution, to all Intents and Purposes whatever, as if such Person had been named in this Act.

Members of House of Commons appointed Commissioners of Inquiry, shall not vacate their Seats.

III. And be it further enacted, That the Appointment of any Person named in this Act, or of any other Person, being a Member of the House of Commons, to be a Commissioner of Inquiry under this Act, shall not make void the Election of any such Person respectively, nor shall any new Writ issue for a new Election in consequence of the Acceptance of any such Appointment; and that the Appointment of any Person to be such Commissioner of Inquiry shall not be deemed or taken to be an Appointment to a new Office or Place of Profit under the Crown; and that any Person by this Act appointed to be One of the Commissioners of Inquiry under this Act, shall not be thereby disabled from sitting or voting as a Member of the House of Commons, nor shall be thereby rendered incapable of being elected a Member of the House of Commons; any thing in any Act or Acts to the contrary in anywise notwithstanding.

Oath of Commissioners.

IV. And be it further enacted, That every Commissioner nominated in this Act, or who shall be appointed at any Time by virtue of this Act, shall, before he shall act as such Commissioner in carrying this Act into Execution, take an Oath before the Chancellor of the Exchequer, or before the Chief Baron or any One of the Barons of the Court of Exchequer in *England* or *Ireland* for the Time being, (which Oath the said Chancellor of the said Exchequer, and the said Chief Baron and Barons respectively, is and are hereby authorized and required to administer); and such Oath shall be in the Words or to the Effect following:

'I *A. B.* do swear, That I will faithfully, impartially, and truly, according to the best of my Skill and Judgment, execute the several Powers and Trusts vested in me by an Act made in the Second Year of the Reign of King *George* the Fourth, intituled '*An Act to appoint Commissioners for inquiring into the Collection and Management of the Revenue in* Ireland, *and the several Establishments connected therewith*, according to the true Tenor and Purport of the said Act. So help me GOD.'

V. And

Commissioners may appoint Secretary, Clerks, and Officers.

V. And be it further enacted, That it shall and may be lawful for the said Commissioners of Inquiry, or any Three or more of them, and they are hereby authorized to appoint and employ such Secretary, Clerks, Officers, and Messengers as they shall think requisite, and to administer and give to every of the said Secretary, Clerks, and Officers respectively, an Oath, for his true and faithful Demeanour in all things relating to the due Performance of the Trust reposed in him by the said Commissioners, and in all other things touching the Execution of this Act; and the said Secretary, Clerks, and Officers are hereby respectively required faithfully to execute and perform the Trusts in them severally and respectively reposed, without taking any thing for such their Service, other than such Salary or Reward as the said Commissioners or any Three or more of them shall direct and appoint in that Behalf pursuant to this Act.

Treasury may issue Money for Payment of Secretary, Clerks, &c.

VI. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, to direct the Issue of any Sum or Sums of Money to such Person or Persons as the said Commissioners of Inquiry, or any Three or more of them, shall, by Writing under their Hands, appoint to receive the same, out of any Part of the Public Monies remaining in the Receipt of His Majesty's Exchequer, which Sums so issued shall be employed for the Payment of such Secretary, Clerks, Officers, and Messengers, and in defraying all other necessary Charges in or about the Execution of the Powers of this Act, in such Manner as the said Commissioners of His Majesty's Treasury shall direct; and all such Sums shall be accounted for by the Person or Persons to whom the same shall be issued, according to the Course of His Majesty's Exchequer, without any Fees or other Charges to be taken or demanded for the Issuing or Payment of the same, or for the passing the said Accounts.

Three Commissioners to be a Quorum. Chairman.

VII. And be it further enacted, That any Three or more of the said Commissioners of Inquiry for the Time being, shall and may execute the several Powers vested in such Commissioners by this Act; and that the first named Commissioner in this Act shall be President; and that in his Absence, the Commissioner whose Name stands next in the Order of Nomination in this Act of those who shall be present, shall for that Turn be President; and if the Commissioners present at any Meeting shall be equally divided in Opinion in respect to any Matter to be by them discussed, then and on every such Occasion the President, or in his Absence the Commissioner acting as such, shall have two Voices, or the casting Vote. Casting Vote.

Commissioners may meet and send for Persons, Books, and Papers.

VIII. And be it further enacted, That for the better Execution of this present Act, the said Commissioners of Inquiry shall and may, and they are hereby authorized to meet and sit from Time to Time, and in such Place or Places as they shall find most convenient, with or without Adjournment; and to send their Precept or Precepts, under their Hands and Seals, or under the Hands and Seals of any Three of them, to any Person or Persons whomsoever, and for all such Accounts, Returns, Records, Books, Papers, Deeds, Writings, or Documents in any way relating to the Public Revenue,

Revenue, or the Revenue of the Crown of any Description whatsoever arising in *Ireland*, as shall by the said Commissioners be deemed necessary for carrying into Execution the Inquiries authorized by this Act.

Powers of Commissioners for inquiring into Receipt, Management, and Expenditure of the Revenues of Ireland.

IX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of Inquiry herein-before named, or to be appointed by virtue of this Act, or any Three or more of them, and they are hereby empowered and authorized to call before them by such Precept or Precepts as aforesaid, and to examine upon Oath, (or Affirmation in the Case of Quakers), all or any and every of the Commissioners, Postmasters General, Collectors, Receivers, and other Officers, superior or subordinate, or other Persons whomsoever, who are or may have been or may be any ways concerned or employed, or engaged in, or connected with, or who may derive any Emolument from the Collection, Receipt, or Management of the several Branches of the Public Revenue, or the Revenue of the Crown arising in *Ireland*, touching or concerning any Matters or Things whatsoever, which the said Commissioners of Inquiry shall deem necessary for the Execution of the Powers vested in them by this Act; and the said Commissioners of Inquiry, or any One of such Commissioners, Three or more being present, are and is hereby authorized and empowered to administer such Oath or Affirmation to all such Persons respectively; and all and every such Persons and Person are and is hereby required and directed to attend the said Commissioners of Inquiry, or any Three of them, at such Time and Times, Place and Places as shall be appointed, and to answer upon Oath or Affirmation as aforesaid, all Questions which shall be put to them by the said Commissioners, or any of them, and also to make and give such Accounts and Returns, and to produce all such Records, Accounts, Returns, Books, Papers, Deeds, Writings, or Documents whatever, as the said Commissioners of Inquiry shall require to be made and given, or to be produced by any such Person or Persons, and as shall be in the Possession, Custody, or Power of such Person or Persons respectively; and to observe and execute all such Orders and Directions as the said Commissioners of Inquiry, or any Three of them, shall make or give for the Purposes aforesaid.

Commissioners of Inquiry empowered to issue Warrants for apprehending and committing to Prison Persons neglecting to attend, &c.

X. And be it further enacted, That if any Person or Persons summoned to appear before the said Commissioners of Inquiry, or any Three of them, shall wilfully neglect or refuse to appear before the said Commissioners, or any Three of them, or to make or give, or to bring or produce any Accounts or Returns, or any Records, Books, Papers, Deeds, Writings, or Documents relating to any of the Matters and Things herein-before mentioned, which shall be in the Possession, Custody, or Power of such Person or Persons, and which such Person or Persons shall have been required by such Summons to make, or give or produce, or shall refuse to be sworn, or being Quakers, shall refuse to affirm, or being sworn, or being Quakers, having affirmed, shall refuse to answer, or shall be found to prevaricate in any Answers to any Question or Questions put by the said Commissioners of Inquiry, or any of them, touching, concerning, or relating to any Matter or Thing which the said Commissioners of

Inquiry are by this Act authorized to inquire into, then and in every such Case it shall and may be lawful to and for the said Commissioners of Inquiry, or any Three of them, and they are hereby authorized and empowered to make and issue their Warrant or Warrants, under their Hands and Seals, or under the Hands and Seals of any Three of them, for taking and apprehending and bringing before them any such Person or Persons; and if the said Commissioners shall deem it necessary for the effectual Execution of the Purposes of this Act, it shall be lawful for the said Commissioners, or any Three of them, by like Warrant under their Hands and Seals, to commit any such Person or Persons so brought or being before them, to such Prison as the said Commissioners of Inquiry, or any Three of them, shall think fit, there to remain without Bail or Mainprize until such Person or Persons shall submit to be examined touching and concerning all Matters and Things necessary for the Execution of the Powers given by this Act, or to make such Production of such Accounts, Returns, Records, Books, Papers, Deeds, Writings, or Documents as aforesaid, as the Case may require; and if any Person who shall so wilfully neglect or refuse to appear, or to make, give, or produce any such Accounts or Returns, or any such Records, Books, Papers, Deeds, Writings, or Documents, or to be sworn, or to affirm, or to answer, or who shall be found to prevaricate in answering as aforesaid, shall hold any Office, Place, or Employment whatever, in any way relating to or connected with the Collection or Management of the Revenue in *Ireland*, it shall and may be lawful for the said Commissioners of Inquiry, or any Three of them, by an Order under their Hands and Seals, or under the Hands and Seals of any Three of them, to direct that such Person who shall so neglect or refuse to appear, or to make, give, or produce any such Accounts, or Returns, or Records, Books, Papers, Deeds, Writings, or Documents, or to be sworn, or to affirm, or to answer, or who shall prevaricate in answering as aforesaid, shall be suspended from the Exercise of the Duties of such Office, Place, or Employment, until the Commissioners of His Majesty's Treasury shall think fit, by an Order under their Hands, to direct that such Suspension shall be removed; and that immediately upon and from such Order of the said Commissioners of Inquiry, every such Person shall be actually suspended from the Exercise of the Duties of his Office, Place, or Employment, until such Time as such Order of Suspension shall be removed as aforesaid; and in every Case of such Commitment or Suspension as aforesaid, the said Commissioners of Inquiry shall forthwith report the Circumstances of the Case to the Lord Lieutenant, or other Chief Governor or Governors of *Ireland*, and the Commissioners of His Majesty's Treasury.

Officers refusing to answer may be suspended.

XI. And be it further enacted, That the said Commissioners of Inquiry under this Act shall from Time to Time at their Discretion, and whenever they shall be thereunto required by the Commissioners of His Majesty's Treasury, or any Three of them, and as soon as convenient after the Determination of their Examinations and Proceedings by virtue of this Act, without any further Requisition, make a Report or Reports in Writing, of their Proceedings from Time to Time,

Commissioners of Inquiry shall make Reports to Treasury, to be laid before the King and Parliament, with Obser-

vations and Plans for Improvement.

Time, under the Hands and Seals of the said Commissioners of Inquiry, or any Three of them, to the Commissioners of His Majesty's Treasury, to be laid before His Majesty and both Houses of Parliament within One Month after the first Meeting of Parliament; and the said Commissioners of Inquiry shall, in such Report or Reports, from Time to Time state such Observations, and make such Suggestions as shall occur to them for assimilating the Mode of charging, managing, and collecting the several Branches of the Public Revenue, or of the Revenue of the Crown in *Ireland*, to the Mode practised in *Great Britain*, or for otherwise securing and improving the due Collection thereof, by Modification of Duties or in any other way that they may deemed expedient; and also respecting the Application of such Revenues, previous to the Payment thereof into His Majesty's Exchequer; and for the regulating or abolishing of any Offices, Places, or Employments in the several Departments connected with the Receipt, Collection, or Management of the said Revenues, or of any Expences, Disbursements, Fees, Gratuities, Perquisites, or Emoluments of any such Offices, Places, or Employments of any Description whatsoever respectively.

Persons giving false Evidence, guilty of Perjury.

XII. And be it further enacted, That if any Person or Persons shall, upon his, her, or their Examination before the said Commissioners of Inquiry, or any Three of them, wilfully and corruptly give false Evidence, every such Person so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in force and effect Persons guilty of wilful and corrupt Perjury are subject and liable to.

Continuance of Act.

XIII. And be it further enacted, That this Act shall be and continue in force from the passing thereof for the Term of Two Years, and from thence until the End of the then next Session of Parliament.

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