

ANNO PRIMO

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ties, or any other transferrable Securities for the Benefit of or belonging to the Suitors of the said Court, should be in like Manner transferred in Trust to attend the Orders of the said Court, to be made in the several Causes to which the same should respectively belong; and that the said Deputy Remembrancer should from Time to Time receive the Dividends or Interest to arise on all the said Securities, in order to apply the same for the Benefit of the Suitors, pursuant to the Orders of the said Court; and by the said Order, certain other Regulations were made for the Conduct of the said Deputy Remembrancer in the Sale and Transfer of such Stocks and Securities, and the Receipt of the Dividends and Interest thereon:

Effects, &c. of Suitors disposed of under recited Order.

And whereas several Effects of the Suitors of the said Court were and from Time to Time have been delivered into the Bank of *England* and elsewhere, and divers Stocks, Funds, and Annuities were and have been transferred from Time to Time in the Books of the Bank of *England*, *South Sea* Company, and *East India* Company, into the Name of the Deputy Remembrancer of the said Court for the Time being, and are now standing in the said Books in the Name of *Abel Moysey* Esquire, the present Deputy Remembrancer of the said Court; but no Declaration of Trust relating thereto has been made in the Books of the said several Companies, according to the said Order, and large Sums of Money or Securities for Money belonging to the said Suitors, are now in the Hands, Custody, or Power of the said *Abel Moysey*; and it is expedient that a fit and proper Person should be appointed to be Accountant General of the said Court, in whose Name all Effects, Stocks, Funds, Annuities, and Securities belonging to the said Suitors, might become and be from Time to Time securely vested for the Use of the said Suitors, and who might keep the Account of the Funds of the said Suitors, but who should have no Power to dispose of or otherwise intermeddle with such Funds, further or otherwise than as herein-after directed: 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,

No Money, &c. shall be paid to Deputy Remembrancer, under said Order, after the passing of this Act.

That from and after the passing of this Act, no Sum or Sums of Money, Stocks, Funds, or Securities whatsoever, belonging to the Suitors of the said Court, shall be paid or transferred to or become vested in the Deputy Remembrancer of the said Court, or the King's Remembrancer or his Deputy for the Time being, otherwise than as herein-after is directed; any thing in the said recited Order, or any Law, Usage, or Custom of the said Court to the contrary in anywise notwithstanding.

An Accountant General of the said Court shall be appointed by the Lord Chief Baron of the Exchequer.

II. And, to the End that the Accounts between the Suitors of the said Court of Exchequer and the Governor and Company of the Bank of *England*, and every other Body Politic or Corporate, or Company whom it may concern, may be more regularly and plainly kept, and the State of such Accounts be at all Times seen and known; be it enacted, That as soon as may be after the passing of this Act, there shall be appointed by the Lord Chief Baron of the said Court of Exchequer, by Writing under his Hand and Seal, to be duly enrolled among the Records of the said Court, one Person who shall

act and do all Matters and Things relating to the delivering, securing, and investing of the Money and Effects of the Suitors of the said Court, and the Payment, selling, and transferring of the same, and the keeping the Accounts with the Bank of *England*, or any other Body Politic or Corporate, or Company, and other Matters relating thereto; which said Officer so to be appointed shall be called, "The Accountant General of the Court of Exchequer," and such Person shall also be one of the Masters of the said Court, and shall hold such Offices during his good Behaviour in the said Offices; and Accounts shall be raised and kept causewise in the Books of the Bank of *England*, and of every other Body Politic or Corporate, or Company whom it may concern, to be respectively intituled "The Account of *A. B.* the Accountant General of the Court of Exchequer," for and on Behalf of the Suitors of the said Court, in like Manner as such Accounts are kept between the Accountant General of the Court of Chancery and the Bank of *England*, or any other Body Politic or Corporate, or Company; and all such Rules, Methods, and Directions as by this Act are prescribed to the Suitors of the said Court of Exchequer, or to the said Accountant General of the said Court, or to the Governor and Company of the Bank of *England*, or any other Body Politic or Corporate, or Company, or as shall or may be ordered or prescribed by the said Court of Exchequer, or by the Lord Chief Baron, or by the Baron to be nominated and appointed by His Majesty, under and by virtue of the Act hereinafter mentioned, from Time to Time, as to the delivering, securing, and investing, or the paying, selling, or transferring of the Monies, Stocks, Funds, Securities, and Effects of the Suitors of the said Court of Exchequer, shall be observed by the Suitors, the Governor and Company of the Bank of *England*, and every other Body Politic or Corporate, or Company, and the Accountant General, under the Provisions of this Act.

Accountant General not to meddle with the Suitors Money, but only keep Account with the Bank, &c.

III. And, to the End that all Misapplication or wasting of the Suitor's Money may be entirely prevented, be it therefore enacted, That the Accountant General of the said Court of Exchequer for the Time being shall not meddle with the actual Receipt of any of the Money or Effects of the Suitors of the said Court, but shall only keep the Account thereof with the Governor and Company of the Bank of *England*, and every other Body Politic or Corporate, or Company whom it may concern; and such Accountant General observing the Rules by this Act prescribed, or hereafter to be prescribed to him by the said Court of Exchequer, shall not be answerable for any Money or Effects which he shall not actually receive; and the Bank of *England*, or such other Body Politic or Corporate, or Company, shall be answerable for all the Monies and Effects of the Suitors which are or shall be actually received by them respectively.

Mortgages, &c. shall be taken, and remain in the Name of the Accountant General.

IV. And be it further enacted, That all Mortgages, Stocks, Funds, Annuities, and such other transferrable Securities, to be hereafter taken by the Directions of the said Court, or of the Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, for the Benefit of the Suitors, shall, if appointed to be taken in the Name of any Officer of the said Court, be taken in the Name of the said

said Accountant General; and that in all such transferrable Securities to be hereafter taken in his Name, the particular Trust shall be specified and inserted in the Security itself, and such other Rules and Methods of Proceeding shall be had and observed with respect to such transferrable Securities by the Accountant General and others, as in and by this Act are directed, or as shall be directed by the said Court of Exchequer, or by the Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, to be observed by the Accountant General for the Time being, and all other Persons respectively.

All Acts done by Accountant General under Order of Court, declared to be valid.

V. And be it further enacted, That all Acts to be done by any such Accountant General for the Time being, under any Order or Orders, Decree or Decrees of the said Court of Exchequer, or of the Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, touching any Real or Personal Estate, Property, or Effects by this Act vested or intended to be vested in any such Accountant General, and in succeeding Accountants General, shall by force of this Act be deemed and taken to be valid and effectual to all Intents and Purposes whatsoever.

All Funds and Securities standing in the Name of the present Deputy Remembrancer, shall become vested in and transferred to the Account of the Accountant General, upon his Appointment.

VI. And be it further enacted, That when and so soon after the passing of this Act as any Person shall be appointed to be Accountant General of the said Court of Exchequer, all Stocks, Funds, Annuities, and Securities whatsoever, which at the Time of the Appointment of such Accountant General shall be standing in the Name of the said *Abel Moysey*, as the Deputy Remembrancer of the said Court, or of any Deputy Remembrancer of the said Court for the Time being, in the Books of the Bank of *England*, or in the Books of the *South Sea* Company, or in the Books of the *East India* Company, or in the Books of any Body Politic or Corporate or Company whatever; and all such Exchequer Bills or other Securities, which at any Time before the Appointment of such Accountant General shall have been transferred into or vested in the Name of, or shall be in the Custody or Power of the said *Abel Moysey*, or of the Deputy Remembrancer for the Time being, by or on behalf of any of the Suitors of the said Court, pursuant to the said herein-before recited Order, or any other Order or Decree of the same Court, or Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, or which shall have been purchased pursuant to any Decree or Order of the same Court, or Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, in the Name of the said *Abel Moysey*, or of any Deputy Remembrancer of the said Court; and all Real and Personal Estate, Effects, and Property whatsoever, which by virtue of the said herein-before recited Order, or any Order or Decree of the said Court of Exchequer, or Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, or by virtue of any Conveyance, Assignment, Transfer, Obligation or otherwise, shall at any Time before the Appointment of such Accountant General have been conveyed, assigned, or transferred, or made payable or secured to the said *Abel Moysey*, as Deputy Remembrancer, or to the Deputy Remembrancer of the said Court for the Time being, as such Deputy Remembrancer, and which shall not have been applied to the Trusts

and Purposes to which the same were applicable, under the Order or Direction of the said Court, shall immediately upon the Appointment of any Person to be such Accountant General of the said Court as aforesaid, under the Provisions of this Act, become, and the same are hereby declared to be vested in such Accountant General in right of his Office by force of this Act, and without any Act or Deed whatsoever to be done or executed by the said *Abel Moysey*, his Heirs, Executors, or Administrators, or by any Deputy Remembrancer of the said Court for the Time being, or by his Heirs, Executors, or Administrators, or any Person or Persons claiming under him, them, or any of them, notwithstanding any such Interest may have been vested in or conveyed, assigned, transferred, and made payable to or secured to the said *Abel Moysey*, or to such Deputy Remembrancer for the Time being, his Heirs, Executors, Administrators, and Assigns, or any of them, and shall and may be proceeded upon by and in the Name of such Accountant General, in right of his Office, by any Action or Suit at Law, or in Equity, or in any other Manner as the same might have been proceeded upon, by or in the Name or Names of the said *Abel Moysey*, or of such Deputy Remembrancer for the Time being, or his Heirs, Executors, or Administrators, and shall be subject to all such Trusts as the same were before respectively subject to; and all such Funds, Stocks, Annuities, and Securities, as shall at the Time of the Appointment of such Accountant General be standing in the Name of the said *Abel Moysey*, as Deputy Remembrancer as aforesaid, or of any Deputy Remembrancer of the said Court for the Time being, in the Books of the said Bank of *England*, *South Sea* Company, and *East India* Company, or in the Books of any Body Politic or Corporate, or Company, shall upon the Appointment of such Accountant General be carried by the proper Officers of the said Companies respectively to the Credit of the said Accountant General, as such Accountant General, in the Books of the said Bank of *England*, *South Sea* Company, *East India* Company, or other Body Politic or Corporate respectively; any thing in any Act or Acts of Parliament for the Creation or Regulation of any such Funds, Stocks, Annuities, or Securities, or any other Act or Acts to the contrary thereof, in anywise notwithstanding.

An Account of all Stock, Cash, Exchequer Bills, &c. in the Hands of the present Deputy Remembrancer, shall be made up, and such Cash, &c. shall be paid into the Bank, to the Account of the Accountant General.

VII. And be it further enacted, That when and so soon after the passing of this Act as any Person shall be appointed to be Accountant General of the said Court of Exchequer, pursuant to the Directions of this Act, the said *Abel Moysey*, the present Deputy Remembrancer of the said Court, or his Executors or Administrators, or any Deputy Remembrancer of the said Court, for the Time being, or his Executors or Administrators shall, without Delay, make up Accounts with such Accountant General, or any other Person thereto authorized by the said Court of Exchequer, or Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, of all Stocks, Funds, Annuities or Securities, which shall be standing in the Name of the said *Abel Moysey*, or any Deputy Remembrancer of the said Court for the Time being as such Deputy Remembrancer, in the Books of the Bank of *England*, *South Sea* Company, or *East India* Company, or in the Books of any other Body Politic or Corporate, or Com-

pany;

pany; and that the said *Abel Moysey*, or any Deputy Remembrancer of the said Court for the Time being, his Executors or Administrators, shall also, without Delay, make out a true and perfect Schedule of all Cash, Exchequer Bills, Bonds, Mortgages, Tallies, Orders, and Effects whatsoever, deposited or remaining in his Custody, Power, or Disposal, or standing in his Name as Deputy Remembrancer, and of all Monies which shall have been paid into the said Bank of *England*, or to the said *Abel Moysey*, as Deputy Remembrancer as aforesaid, or any Deputy Remembrancer of the said Court for the Time being, under or by virtue of the said hereinbefore recited Order, or of any other Order, or any Decree of the said Court of Exchequer, or Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, belonging to the Suitors of the said Court, and which shall not have been invested in any such Stocks, Funds, or Annuities; and that the said *Abel Moysey*, or any Deputy Remembrancer of the said Court for the Time being, and his Executors or Administrators, shall swear to the Truth and Accuracy of such Schedule according to the best of his and their Knowledge and Belief; and the said *Abel Moysey*, or any Deputy Remembrancer of the said Court for the Time being, or his Executors or Administrators, shall, according to such Schedule, deliver and pay all such Cash, Exchequer Bills, Bonds, Mortgages, Tallies, Orders, and Effects, into the Bank of *England*, to the Credit and Account of the Person so to be appointed the Accountant General of the said Court of Exchequer; and at the Time of such Payment or Delivery, the said *Abel Moysey*, or any Deputy Remembrancer of the said Court for the Time being, their or his Executors or Administrators, shall receive, from One of the Cashiers of the Governor and Company of the Bank of *England*, a Receipt or Certificate, stating the Amount of such Cash, Exchequer Bills, Bonds, Mortgages, Tallies, Orders, and Effects, so delivered and paid into the said Bank; and such Receipt or Certificate, and such Schedule, shall be delivered into the said Court of Exchequer upon Oath, to be there filed and enrolled as the said Court, or the Lord Chief Baron of the said Court, or the Baron to be nominated and appointed as aforesaid, shall order or direct; and all such Stocks, Funds, or Securities, and also all such Cash, Exchequer Bills, Bonds, Mortgages, Tallies, Orders, and Effects, shall be carried to the Credit and Account of the said Accountant General of the said Court of Exchequer, and be placed causewise in the Books to be kept for that Purpose, or in such other Manner as shall be ordered by the said Court of Exchequer, or by the Lord Chief Baron of the said Court, or by the Baron to be nominated and appointed as aforesaid, and the said *Abel Moysey*, or any Deputy Remembrancer of the said Court, for the Time being, his Executors and Administrators, shall thereupon be indemnified and discharged of and from all Stocks, Funds, Annuities, Monies, Securities, Deposits, and Effects of the said Suitors, transferred to or vested in such Accountant General, or actually paid and delivered into the Bank of *England* as aforesaid.

On Death, Resignation, &c. of Accountant

VIII. And be it further enacted, That in all Cases in which by virtue of this Act, or of any Act of Parliament, Conveyance, Assignment, Transfer, Obligation, or Security, any Interest in Real or Personal

sonal Estate, Effects or Property, shall be vested in, conveyed, assigned, transferred, made payable to or secured to the Accountant General of the said Court of Exchequer for the Time being, as such Accountant General; and in respect of his Office, all such Real and Personal Estate, Effects, and Property whatsoever, upon the Death, Removal, or Resignation of each and every Accountant General of the said Court, from Time to Time and as often as the same shall happen, and the Appointment of a Successor shall take place, shall (subject to the same Trusts as the same were before respectively subject to) vest in the succeeding Accountant General, by force of this Act, and without any Act or Deed whatever to be done by the Accountant General resigning or removed, or by the Heirs, Executors, or Administrators of any Accountant General resigning, removed, or dying, or by any Person or Persons claiming under him, them, or any of them, and notwithstanding any such Interest may have been expressed to be vested in, conveyed, assigned, transferred, made payable to or secured to the Accountant General of the said Court, his Heirs, Executors, Administrators, and Assigns, or any of them, and shall and may be proceeded upon in the Name of such succeeding Accountant General, by any Action or Suit in Law or Equity, or in any other Manner, as the same might have been proceeded upon by or in the Name or Names of such Accountant General so resigning, removed, or dying, his Heirs, Executors, or Administrators.

General, all Property in the Suitors Money shall vest in his Successors.

IX. And be it further enacted, That whenever at any Time after the First Appointment of a Person to be Accountant General of the said Court of Exchequer as aforesaid, any Person or Persons shall be ordered by the said Court of Exchequer, or by the Lord Chief Baron of the said Court, or by the Baron to be nominated and appointed as aforesaid, to pay any Sum or Sums of Money, or any Exchequer Bills, Bills of Exchange, or other negotiable Securities, in any Cause or Matter before the said Court, into the Bank of *England*, to the Account of the Accountant General of the said Court, the Party upon whom the Order for Payment of such Money shall be made, shall, with the Privity of such Accountant General for the Time being, pay the same into the Bank of *England*, to the Account of the Accountant General of the said Court, and the Party so paying any such Sum shall take a Receipt for the same from One of the Cashiers of the said Bank of *England*, which Receipt shall be delivered to the said Accountant General of the said Court, who shall thereupon make and sign a Certificate of such Payment, which Certificate shall be countersigned by and shall be filed with the Clerk of the Reports herein-after directed to be appointed; and that whenever at any Time after the said Appointment of a Person to be Accountant General of the said Court as aforesaid, any Money shall by the said Court of Exchequer, or by the Lord Chief Baron of the said Court, or by the Baron to be nominated and appointed as aforesaid, be ordered to be invested in Government or other Securities, the Species of the particular Securities in which the same shall be directed to be invested shall be mentioned in the Order to be made for that Purpose; and in case any such Securities shall consist of Public Funds, Stocks, or Annuities, the same shall be transferred into the Name of the said Accountant General; and that every such Transfer shall contain a Declaration

All Payments of Money under Orders of the Court shall be made into the Bank, to the Account of the Accountant General.

Orders of the Court of Exchequer shall state in what Securities Money shall be invested.

Declaration of Trust, in the Books of the said Bank of *England*, that such Funds, Stocks, or Annuities, are so transferred in trust to attend the Orders of the said Court of Exchequer; and in case any such Securities shall consist of *East India* Bonds, Exchequer Bills, Tallies or Orders, the same shall be delivered into the Bank of *England*, and placed to the Account of the Accountant General of the said Court, in the Books of the said Bank, as herein-before directed, subject to the Orders of the said Court of Exchequer; and if any of the Securities shall consist of Stocks or Annuities of the Bank of *England*, the *East India* Company or *South Sea* Company, or any other Body Politic or Corporate, such Stock or Annuities shall be transferred into the Name of such Accountant General, and that every such Transfer shall contain an Entry or Declaration of Trust in the Books of the respective Companies, that such Stocks or Annuities are so transferred in trust to attend the Orders of the said Court of Exchequer; and the said Accountant General shall take a Certificate thereof from the proper Officer of the Company whom it may concern, and shall deliver such Certificate into the Bank, in order that one of the Cashiers of the Bank may receive the Dividends thereupon; and the said Accountant General shall make a Report or Certificate of all such Securities to the said Court of Exchequer, which Report or Certificate shall be filed with the Clerk of the Reports, and shall specify the Dates and Numbers of such Bonds, Tallies, and Orders, and the Quantities of such Stocks or Annuities, and the Time of the Transfer of such Stocks or Annuities into the Name of such Accountant General.

East India Bonds, Exchequer Bills, &c. shall be delivered into the Bank; and Certificates of East India Stock, &c. taken by Accountant General;

who shall report on such Securities.

X. And be it further enacted, That One of the Cashiers of the Bank of *England* shall at all Times hereafter, from Time to Time, receive all Interest due upon all Exchequer Bills, and other Securities, delivered in or deposited at the said Bank on account of the said Accountant General, and also all the Principal Money becoming due on such Exchequer Bills, or, if so directed by the said Accountant General, shall receive new Exchequer Bills in lieu of any Exchequer Bills becoming payable; and shall also receive all Principal Money becoming due on any Bills of Exchange or negotiable Securities, so delivered in or deposited at the said Bank on account of the said Accountant General, and one of the Cashiers of the said Bank shall likewise receive all the Dividends of all such Stocks, Funds, or Annuities, transferrable at the said Bank, or in the Books of the *East India* Company, or *South Sea* Company, or of any other Body Politic or Corporate, as shall at any Time be transferred into or standing in the Name of the said Accountant General; and the said Accountant General shall for that Purpose authorize and empower one of the Cashiers of the said Bank to receive such Interest and Dividends, and all such Principal Money, or to receive such new Exchequer Bills; and all such Interest and Dividends and Principal Money or new Exchequer Bills, when so received, shall be from Time to Time placed to the Credit of such Accountant General, and entered causewise in the said Account, so to be kept in his Name in the Books of the Bank of *England*.

Bank shall receive all Interest of Funds, and Principal of Exchequer Bills, and carry the same to the Credit of Accountant General.

XI. And

How Money shall be repaid out of the Bank by Draft of the Accountant General.

XI. And be it further enacted, That whenever any Money belonging to the Suitors of the said Court, or any other Person or Persons, received by the Bank of *England*, pursuant to the Directions of this Act, shall by any Decree or Order of the said Court of Exchequer, or of the Lord Chief Baron of the said Court, or of the Baron to be nominated and appointed as aforesaid, be directed to be paid out to any Party or Parties, in any Cause or Matter, or to any other Person or Persons, the Clerk in Court, Solicitor, or Agent for such Party, or other Person, shall attend the said Accountant General with an Office Copy of such Decree or Order, and of any Report to which such Decree or Order may refer, as specifying the Money to be so paid; and the said Accountant General shall forthwith make a Certificate thereof, to be filed by the Clerk in Court, or Solicitor for the Party, with the Clerk of the Reports herein-after directed to be appointed; and the said Accountant General shall, by Note under his Hand, draw on the Bank for so much Money as shall be so directed to be paid, upon Check Paper, fairly written and signed by the said Accountant General, which Note shall be compared with such Certificate, and the Decree or Order, and also the Report, if any, under which such Certificate shall have been made, and when so compared, such Note shall be countersigned by the Clerk of the Reports, and entered by him in a Book to be kept for that Purpose, and shall be a sufficient Authority to the Bank of *England* to pay such Money to the Person or Persons mentioned in such Note, or to such Person as he, she, or they, by Indorsement thereon, shall order to receive the same, as likewise to write off the Amount of such Money from the Account of the Accountant General, to be kept in the Books of the said Bank; but when any Sum of Money shall be directed to be paid out of such Money so to be received by the Bank to any Suitor, or any other Person or Persons for Interest or Maintenance, the said Accountant General shall, by such Note under his Hand, upon Check Paper, without any Certificate, draw on the Bank for the same, and such Note being signed by the Accountant General, and countersigned by the Clerk of the Reports, as is before directed, shall be a proper Authority for the Bank to pay the same: Provided always, that every such Note as aforesaid, which shall be drawn and signed under the Provisions of this Act, shall be limited to be paid within One Calendar Month after Date, and if it be not paid within such Time such Note shall be void.

How Securities deposited in the Bank shall be delivered out under Orders of the Court, &c.

XII. And be it further enacted, That whenever any Security or Securities deposited or to be deposited at the Bank of *England*, under the Directions of this Act, shall be directed by Order of the said Court of Exchequer, or of the Lord Chief Baron thereof, or by the Baron nominated and appointed as aforesaid for the Time being, to be delivered out of the said Bank, for any Purpose whatever, a Certificate shall be made out by the Clerk of the Reports, under the Direction of the said Court of Exchequer, or of the Lord Chief Baron of the said Court, or of the Baron nominated and appointed as aforesaid, stating the Nature and Amount of the Securities to be delivered out, together with the Numbers, Dates, and Sums of such Securities or Security, and the Name of the Cause or Matter wherein the same are or is directed to be delivered out, and the Person to whom

whom the same are or is delivered, which Certificate shall be entered by the Clerk of the Reports in a Book to be kept by him for that Purpose, and shall be delivered by the Clerk in Court or Solicitor employed in the Cause or Matter to the said Accountant General, who shall countersign the same; and such Certificate so countersigned shall be a sufficient Voucher and Authority to the proper Officer at the said Bank of *England*, to deliver over such Security or Securities, and to enter the Delivery of such Security or Securities in the Account of the said Accountant General, kept in the Books of the said Bank.

How Stock shall be transferred under Orders of the Court.

XIII. And be it further enacted, That whenever any Stock in the Books of the Bank of *England*, *South Sea* Company, *East India* Company, or any Company, or Body Politic or Corporate, shall be ordered by the said Court of Exchequer, or by the Lord Chief Baron of the said Court, or by the Baron nominated and appointed as aforesaid, to be sold, or to be transferred to any Person or Persons, a Certificate of the Decree or Order directing such Sale or Transfer shall be signed by the said Clerk of the Reports, who shall certify under his Hand to the said Accountant General what Stock he is by such Decree or Order to sell or to transfer, and in case of a Transfer to whom such Transfer is to be made; which Certificate shall be entered by the Clerk of the Reports in a Book to be kept by him for that Purpose; and the Clerk in Court, or Solicitor in the Cause, shall carry such Certificate to the said Accountant General, who shall, within One Week, or at the then next opening of the respective Companies Books, attend in Person and deliver the same, or cause the same to be delivered, to the proper Officer of such Company, and transfer such Stocks, or give sufficient Authority to some other Person so to do, according to such Certificate; and such Certificate is hereby declared to be a sufficient Authority for making such Transfer or Transfers as shall, by the Decree or Order mentioned in such Certificate, be required to be made in Execution of the said Decree or Order.

The Bank, &c. shall make Transfer according to Certificates, &c. produced.

XIV. And be it further enacted, That the proper Officer of the Bank of *England*, *East India* Company, *South Sea* Company, or any other Company, or Body Politic or Corporate, whom it may concern, shall and do from Time to Time permit and suffer every such Transfer as is required by this Act to be made by the Accountant General for the Time being, upon the Production of the several Certificates of the several Decrees or Orders of the said Court of Exchequer for such Purpose, signed and attested as by this Act is directed and required.

Court of Exchequer or Lord Chief Baron empowered to make Orders for carrying this Act into Execution.

XV. And for the better and more effectually carrying this Act into Execution, be it further enacted, That it shall and may be lawful to and for the said Court of Exchequer, or for the Lord Chief Baron thereof, or other Baron to be nominated and appointed as aforesaid, and the said Court, or Lord Chief Baron or other Baron to be nominated and appointed as aforesaid, are hereby authorized and empowered from Time to Time to make all such further Orders and Regulations as the said Court shall deem necessary and proper for

effectuating all or any of the Purposes herein-before expressed: Provided always, that when any such Orders and Regulations shall be made, a true Copy thereof shall be made by the Clerk of the Reports, and signed by him, and transmitted to the said Accountant General, who shall cause a true Copy of such Copy, signed by him, to be transmitted to the Governor or Deputy Governor of the Bank of *England*, or to any other Company, Body Politic or Corporate, whom it may concern, who, after receiving a Copy of such Orders and Regulations, shall cause the same to be observed in the same Manner as if any such Orders and Regulations had originally formed a Part of this Act.

Suitors Cash in the Bank to be common Cash.

XVI. And to the End that no Suitor or Suitors of the said Court of Exchequer may be delayed in Payment of any Money due to him, her, or them, but that every one may receive his or her full Demand whensoever he or she shall apply for the same, in the most easy and expeditious Way; be it therefore enacted, That all the Money and Cash now deposited and to be deposited in or paid to the said Bank of *England*, on account of the Suitors of the said Court of Exchequer, or any of them, or by Order of the said Court, shall be and be accounted and taken to be one common and general Cash, and shall be promiscuously issued and issuable when and as the said Court of Exchequer shall direct.

57 G. 3. c. 18.

XVII. And whereas under and by virtue of an Act, made in the Fifty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to facilitate the hearing and determining of Suits in Equity in His Majesty's Court of Exchequer at* Westminster, in consequence of the great Increase of the Proceedings in the Common Law Side of the said Court of Exchequer, the Lord Chief Baron of the said Court for the Time being, or in case of his Sickness or other unavoidable Absence, any Baron of the said Court nominated and appointed by His Majesty, is empowered to hear and determine all Causes, Matters, and Things which shall be at any Time depending in the said Court of Exchequer as a Court of Equity, whether the rest of the Barons of the said Court shall be sitting or not: And whereas by the Course and Practice of the said Court of Exchequer for many Years, the Person holding the Office of Deputy to the King's Remembrancer has taken the Minutes of all Decrees and Orders of the said Court, as well in Matters of Revenue as in Proceedings on the Equity Side of the said Court, and hath also been employed in reporting to the Court his Opinion upon the several Matters referred to him: And whereas in consequence of the Division of the Business of the said Court, pursuant to the said last recited Act of the Fifty-seventh Year of the Reign of His said late Majesty, it hath become expedient that there should be Two joint Officers to perform the said Duties on the Equity Side of the said Court, in all Suits and Matters between Subject and Subject; be it therefore enacted, That it shall and may be lawful for the Lord Chief Baron of the said Court of Exchequer for the Time being, and he is hereby authorized, empowered, and required, to nominate and appoint, by Writing under his Hand and Seal, to be enrolled among the Records of the said Court, Two fit and proper Persons, being Barristers at Law of not less than Five Years standing, to

The Lord Chief Baron to appoint Two Barristers (the Accountant General being One), to be Masters of the Court of

Exchequer, and both shall act in Person in taking Minutes of Decrees, &c. and receiving References on Accounts, &c. on the Equity Side of the Court.

to be and be called Masters of the said Court of Exchequer, and that One of such Masters shall be the Accountant General of the said Court as herein-before mentioned; and that such Two Masters shall hold the said Offices during their good Behaviour therein, and not be in anywise subject to the Orders or Control of the King's Remembrancer of the said Court or his Deputy; and that each of the said Masters of the said Court shall act jointly or severally as the said Court or Lord Chief Baron or other Baron to be nominated and appointed as aforesaid, from Time to Time shall direct, in all Matters of Reference from the Court or Lord Chief Baron or other Baron to be nominated and appointed as aforesaid, and Proceedings relating thereto, in all Suits and Matters on the Equity Side of the said Court between Subject and Subject; and it shall be the Duty and Office of the said Masters to attend the said Court, and the Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, in their own proper Persons and not by Deputy, and to take the Minutes of all Orders and Decrees which shall be made by the said Court or by the Lord Chief Baron thereof, or by the Baron to be nominated and appointed as aforesaid, as well in Matters of Revenue as on the Equity Side of the said Court, which Orders or Decrees shall be afterwards drawn and ingrossed by the Clerks in Court in each respective Cause or Suit, and shall and may be corrected, either in Form or Substance, by such Masters respectively, at the Instance of any of the Parties affected by any such Order or Decree, according to the Minutes taken by such Masters respectively, pursuant to the Directions of the said Court, or of the said Lord Chief Baron or the Baron to be nominated and appointed as aforesaid, and shall be afterwards entered by the King's Remembrancer amongst the Records of the said Court, pursuant to the antient Course thereof; and it shall also be the Office and Duty of such Masters respectively to receive all such References on Matters of Account, and on all other Matters and Things on the Equity Side of the said Court, as shall be made and referred to them by the said Court of Exchequer, or by the Lord Chief Baron, or by the Baron to be nominated and appointed as aforesaid, and to report thereon to the said Court, or the Lord Chief Baron, or to the Baron to be nominated and appointed as aforesaid, in such Manner as heretofore was used and accustomed to be done by the Person holding the Office of Deputy Remembrancer, or as shall be directed and ordered by the said Court, or by the Lord Chief Baron, or by the Baron to be nominated and appointed as aforesaid, from Time to Time, and in all Things to do, execute, and perform all such Duties as Masters of the Equity Side of the said Court as they shall be required to do, by any Order or Orders to be for that Purpose from Time to Time made by the said Court, or by the Lord Chief Baron, or by the Baron to be nominated and appointed as aforesaid.

Oath of Office to be taken by the Master.

XVIII. And whereas by the antient Law and Custom of the said Court of Exchequer an Oath hath been always administered to and taken by the King's Remembrancer and Deputy Remembrancer of the said Court; be it enacted, That the Two Masters so to be appointed under this Act, shall before acting in the said Offices

respectively take and subscribe the following Oath, in the Presence of the Lord Chief Baron, or One of the Barons of the said Court; (that is to say),

'YOU do swear, That you will well and truly serve for the King our Sovereign Lord, in the Office of One of the Masters of this His Majesty's Court of Exchequer at *Westminster*, to which you are appointed; you shall true Entry make of the Minutes of all Orders, Decrees, Awards, and other Matters and Things pronounced by the said Court, or by the Lord Chief Baron of the said Court, or by any Baron thereof to be nominated and appointed by His Majesty under and by virtue of an Act made in the Fifty-seventh Year of the Reign of King *George* the Third, for facilitating the hearing and determining of Suits in Equity in the said Court of Exchequer, and which ought to be entered in the said Office, and that with all convenient Speed; you shall not take of any Person or Persons, by Promise, Gift, Reward, or otherwise, whereby the King's Majesty may lose or be hindered, or by which the Right may be let or hindered to any manner of Person or Persons; and all other Things belonging to your said Office to do, you shall well and truly do without Fraud or Guile. So help you GOD.'

In case of Illness, &c. of the Accountant General, the Court may order the other Master to act for him in that Office.

XIX And be it further enacted, That in case it shall happen at any Time that the Accountant General of the said Court of Exchequer for the Time being shall by Illness or any other Cause be prevented from attending to the Duties of the said Office of Accountant General, then and in every such Case, it shall and may be lawful for the said Court of Exchequer, or Lord Chief Baron or Baron to be nominated and appointed as aforesaid, by any Order or Orders to be made for that Purpose, to direct the other Master of the said Court for the Time being, either generally or specially, to execute and perform all or any of the Duties of the said Accountant General in his Name, and in such Manner and under such Regulations as shall be directed and contained in such Order or Orders to be made for that Purpose; and the Person so to be appointed shall be called Accountant General of the Court of Exchequer, *pro tempore*, and shall be so described in all Acts to be done by him in the Execution of the Duties of the said Office.

Appointment and Duty of Clerk to the said Two Masters.

XX. And whereas it will be greatly for the Advantage of the Suitors of the said Court, and a great Assistance to the Masters so to be appointed, that some one or more experienced Person or Persons should be appointed to be Clerk or Clerks to the said Masters; be it enacted, That it shall be lawful for the said Two Masters from Time to Time, and they are hereby required by Writing under their respective Hands, to appoint some fit and proper Person or Persons to be their Clerk or Clerks; and that such Person or Persons so to be appointed shall have and receive all such Fees for executing the said Duties as have been usually received by the present Clerk of the said *Abel Moysey*; such Fees to continue to be paid until and unless some Order touching such Fees shall be made by the said Court; and in case the Two Masters shall not agree in such Appointment,

the Lord Chief Baron shall appoint a proper Person or Persons to be such Clerk or Clerks.

Appointment and Duty of the Keeper of Reports and Certificates.

XXI. And whereas it is expedient that there should be some fit and proper Person appointed to be Keeper of the Reports and Certificates now filed in the said Court, or which shall hereafter be filed in the said Court, for the Purposes of this Act; be it enacted, That it shall and may be lawful for the Lord Chief Baron of the said Court of Exchequer for the Time being, and he is hereby authorized and required by Writing under his Hand and Seal, to be enrolled among the Records of the said Court, to appoint one fit and proper Person to be Keeper of such Reports and Certificates, who shall be called "The Clerk of the Reports," and who shall at all Times examine and countersign all Certificates, Checks, and Drafts by this Act required to be signed by the Accountant General; and shall receive all such Certificates, and also all Reports and Certificates made by either of the said Masters, and shall duly file the same Certificates and Reports, and shall receive the Fees due to the Clerk in Court on filing and copying the same, *videlicet*, Three Shillings and Four-pence for filing, and Eight-pence *per* Folio for copying the same; and shall duly and regularly account to the Clerk in Court for such Fees, and shall do all such other Matters and Things with respect to the Certificates and Checks of the said Accountant General, and with respect to the Certificates, Reports, and other Business of the said Two Masters; and shall duly and regularly attend at such Times and Places as shall from Time to Time be ordered, required, and directed by any Order or Orders to be made by the said Court of Exchequer, or by the Lord Chief Baron thereof from Time to Time for that Purpose; and in case the said Clerk of the Reports shall by Illness or any other Cause be prevented from attending to the Duties of the said Office, then and in every such Case it shall and may be lawful for the said Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid for the Time being, to order and direct some other fit and proper Person to execute and perform all such Duties as are required to be done by the Clerk of the said Reports, who shall be called "Clerk of the Reports *pro tempore*."

65,000*l.* of Suitors Cash in the Bank may be placed by the Court on Government Securities.

XXII. And whereas there is now, and from many Years Experience it hath been found that there always hath been, a very large Sum of Money belonging to the Suitors of the said Court of Exchequer, which lies dead and unemployed in the Hands of the Deputy Remembrancer of the said Court, over and besides what hath been necessary to answer the Demands of the said Suitors; be it therefore enacted, That out of the Cash which shall be paid into the Bank of *England* by the said *Abel Moysey*, according to the Directions for that Purpose herein-before contained, and out of the Cash which shall thereafter lie dead and unemployed in the Bank of *England*, belonging to the Suitors of the said Court of Exchequer, a Sum not exceeding Sixty-five thousand Pounds, shall and may, by virtue of any Order or Orders of the said Court, or Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, 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 Court of Exchequer,

in such Government or Parliamentary Securities as in and by such Order or Orders shall be directed, and shall be carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the Court of Exchequer, to the Intent that the Interest and annual Profits arising from the Money so to be placed out as aforesaid, may be applied for the Purposes herein-after mentioned; and it shall be lawful for the said Court of Exchequer, or Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid, from Time to Time, to change the Security or Securities on which the said Monies shall be placed, as the said Court shall think expedient.

Interest to be received by the Bank, and Salaries paid thereout to the Accountant General and Masters, and their Clerks.

XXIII. And be it further enacted, That the Interest and annual Profits arising and to be produced from the said Securities, shall from Time to Time be received by the Governor and Company of the Bank of *England*, and placed to the Credit of an Account to be raised in the Books kept there for the Suitors of the said Court, under the Title of "Account of Interest arising from Monies placed out for the Benefit and better Security of the Suitors of the Court of Exchequer, in pursuance of an Act of the First Year of the Reign of King *George* the Fourth;" and that out of such Interest Money and annual Profits there shall be paid, in the First Place, the Costs and Expences attending or relating to the passing of this Act, and that out of the Remainder of such Interest or Profits there shall be paid, by quarterly Payments, the annual Sum of Two thousand one hundred Pounds, which Payment shall be made by the Governor and Company of the Bank of *England*, by virtue of any Order or Orders of the Court of Exchequer, or of the Lord Chief Baron or other Baron to be nominated and appointed as aforesaid, to be made for that Purpose, *videlicet*, to the Accountant General of the Court of Exchequer, in his joint Capacity of Accountant General and Master, the Sum of One thousand Pounds, over and above his Fees as Master, and to the other of the said Two Masters the Sum of Seven hundred Pounds, over and above his Fees as Master, and to One or Two Persons who shall be Clerk or Clerks of the said Two Masters, the Sum of One hundred Pounds, over and above his or their Fees as such Clerk or Clerks, and to the Clerk or Keeper of the Reports and Certificates the yearly Salary of One hundred and fifty Pounds, and to the Clerk of the said Accountant General the yearly Salary of One hundred and fifty Pounds, over and besides his Fees as such Clerk to the said Accountant General, reserving to the First and Second Secondaries, their sworn Clerks and their Clerks, their accustomed Fees, which have been lawfully taken for filing and copying such Reports and Certificates, *videlicet*, Three Shillings and Four-pence for filing, and Eight-pence *per* Folio for copying such Reports and Certificates; all which said Salaries shall be over and above the Fees of the said respective Offices, to be ascertained and authorized in Manner herein-after mentioned, and shall commence from the Time or Times to be appointed for that Purpose by any Order or Orders of the said Court of Exchequer, or of the Lord Chief Baron, or other Baron to be nominated and appointed as aforesaid; and the Residue of the Interest and annual Profits arising and to be produced from the said Securities shall be carried to a separate Account in the Name of the said Accountant General, to be intituled "The Redemption Fund of the Suitors of the Court

Court of Exchequer," and shall from Time to Time be laid out under the Orders of the said Court of Exchequer, or of the Lord Chief Baron of the said Court, or of the Baron nominated and appointed as aforesaid, in the Purchase of Bank Three *per Centum* Annuities, in the Name of the said Accountant General; and the Interest and annual Profits arising therefrom shall be applied from Time to Time in the same Manner, so as by Accumulation to create a Fund for Repayment to the common and general Cash of the Suitors of the said Court of Exchequer of the said Sum of Sixty-five thousand Pounds, herein-before directed to be taken from such common and general Cash, and as a Security for Repayment thereof.

Surplus Fees, exceeding the Sums herein specified, to be paid into the Bank, and applied as herein directed.

XXIV. Provided always, and be it enacted, That if at any Time the Fees received by such Accountant General shall exceed the Sum of One thousand five hundred Pounds in any one Year, so that the Whole of the Salary and Fees of such Accountant General shall exceed Two thousand five hundred Pounds, or if the Fees received by such Master, not being Accountant General, shall exceed the Sum of One thousand three hundred Pounds in any one Year, so that the Whole of the Salary and Fees of such Master shall exceed Two thousand Pounds a Year, then and in either of such Cases respectively the Amount of all Fees and Sums of Money, exceeding such Sums of One thousand five hundred Pounds and One thousand three hundred Pounds respectively, shall, by the said Accountant General and the said Master respectively, be paid into the Bank of *England*, in the Name of the Accountant General to the Account herein-before mentioned, called the Redemption Fund of the Suitors of the said Court, and shall be applied in such Manner as all other Sums paid to the Account of such Redemption Fund are by this Act required and directed to be applied; and for the ascertaining the yearly Amount of all such Fees, the said Accountant General and Master respectively shall once in every Year within the First Three Days of *Michaelmas* Term in each Year, deliver into the said Court of Exchequer an Account, under the Hand and signed with the Name of such Accountant General and Master respectively, of the Amount of Fees received by them respectively in the Year ending on the First Day of *October* then next preceding; and in case it shall appear by such Account that the Amount of such Fees shall exceed the said Sum of One thousand five hundred Pounds or One thousand three hundred Pounds respectively, the said Court of Exchequer, or the Lord Chief Baron or other Barons to be nominated and appointed as aforesaid, shall make an Order for the Payment of the Surplus beyond such Sum into the Bank of *England*, to the Account of the said Redemption Fund, in manner aforesaid; and it shall be lawful for the said Court, or for the Lord Chief Baron or other Baron to be nominated and appointed as aforesaid, to make any such Order or Orders, with respect to the ascertaining the Amount of such Fees, and the Payment of such Surplus, as to such Court shall seem fitting and expedient.

Such Sum of 65,000*l.* shall be called in,

XXV. Provided always, and be it further enacted, That if at any Time hereafter the Whole or any Part of the said Sum of Sixty-five thousand Pounds shall be wanted to answer any of the Demands of

the Suitors of the said Court of Exchequer, then and in such Case the said Court may and shall direct the Whole or any Part of the Surplus, Interest, and Annual Profits herein-before directed to be carried to the Redemption Fund Account, and also the Whole or any Part of the said Sum of Sixty-five thousand Pounds, as the Case shall require, to be called in, or the Securities on which the same shall be placed to be sold or disposed of, and the Produce thereof to be carried to the Account of the common and general Cash of the Suitors of the said Court, 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 requisite, to pay the Suitors.

XXVI. And be it further enacted, That such Fees, and no other, shall be taken in the Offices of the said Accountant General, and Two Masters, as shall be ascertained and authorized by any Order or Orders to be for that Purpose from Time to Time made by the said Court of Exchequer; and that if any Person belonging, or who shall hereafter belong to the said Offices or any of them, shall presume to take any other Fee on account of any Business relating to the said Offices respectively, than such as shall be so ascertained and authorized, every such Person shall be deemed guilty of Extortion, and shall and may be liable to be prosecuted for the same by Indictment or Information, or upon Complaint thereof made to the said Court of Exchequer, shall be punished for the same as for a Contempt of the Court.

Court of Exchequer shall order what Fees may be taken in the Offices of the Accountant General and Two Masters.

XXVII. And be it further enacted, That if any Person or Persons shall at any Time after the passing of this Act forge or counterfeit, or procure to be forged or counterfeited, or willingly aid or assist in the forging or counterfeiting, the Name or Hand-writing of any Accountant General of the said Court of Exchequer, or any Lord Chief Baron, or any of the Barons of the said Court, or of the Clerk of the Reports, or of any of the Cashiers of the said Governor and Company of the Bank of *England*, or of any Officer of any other Body Politic or Corporate, or Company, whom it may concern, to any Certificate, Report, Entry, Indorsement, Transfer, Declaration of Trust, Note, Direction, Authority, Receipt, Instrument, or Writing whatsoever, for or in order to the receiving or obtaining any Money or Effects of any of the Suitors of the said Court of Exchequer; or shall forge or counterfeit, or procure to be forged or counterfeited, or wilfully aid or assist in forging or counterfeiting any Certificate, Report, Entry, Indorsement, Transfer, Declaration of Trust, Note, Direction, Authority, Receipt, or any Instrument or Writing in form of a Certificate, Report, Entry, Indorsement, Declaration of Trust, Note, Direction and Authority, Receipt, Instrument, or Writing made or given by such Accountant General, Clerk of the Reports, or any of the Cashiers of the Governor and Company of the Bank of *England*, or shall utter or publish any such, knowing the same to be forged or counterfeited, or shall claim or demand Payment of any Sum or Sums of Money therein mentioned, with Intent to defraud any Person or Persons, or Body Politic or Corporate, or any Public Company whomsoever, then every such Person and Persons so offending,

Punishing Persons forging the Hand-writing of the Accountant General, &c. to a Certificate to receive the Suitors Effects in the Bank.

ing, being thereof lawfully convicted, shall be and is hereby declared and adjudged to be guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Saving the Rights of the King's Remembrancer, or his Deputy, and the respective Clerks, in Matters not provided for by this Act.

XXVIII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to affect, alter, or diminish any Rights, Privileges, or Emoluments of the King's Remembrancer of the said Court or his Deputy, or the Two Secondaries, or the sworn Clerks, or the Clerks in their respective Divisions, in respect of or in relation to any Matters or Things to be done by the said King's Remembrancer or his Deputy, or the said Two Secondaries, or the said sworn Clerks, or the Clerks in their respective Divisions, not especially provided for by this Act; any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Expences of passing this Act.

XXIX. And be it further enacted, That out of the Interest and Dividends of the said Government or Parliamentary Securities, 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 any Order or Orders of the said Court of Exchequer, or of the Lord Chief Baron or other Baron to be nominated and appointed as aforesaid, to be made for that Purpose.

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