ANNO SEXTO

GEORGII IV. REGIS.

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C A P. LX.

An Act to amend an Act of the Fourth Year of His present Majesty's Reign, for the better Administration of Justice in the Equity Side of the Court of Exchequer in *Ireland*. [22d *June* 1825.]

WHEREAS by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled *An Act for the better Administration of Justice in the Equity Side of the Court of Exchequer in* Ireland, it is amongst other things enacted, that from and after the Commencement of that Act there should be Two Chief Examiners at the Equity Side of the said Court, who should perform the several Duties mentioned and specified for them in the Tables in that Behalf to the said Act annexed; and that the said Two Examiners should be appointed by the Chief Baron of the said Court, by Deed to be by him duly executed and enrolled in the said Court: And whereas Two Examiners have been accordingly duly appointed by the Chief Baron, from among the Four former Examiners of the said Court: And whereas the said Two Examiners so appointed have since the First Day of *August* One thousand eight hundred and twenty-three duly performed all the Duties of their Office; but it has been found that the Total Amount of the Fees received by them, under and according to the Provisions of the said Act, and the Tables in that Behalf thereto annexed, has been an inadequate Remuneration to such Examiners for devoting their whole Time to the Execution of the Duties of their said Office: And whereas it is expedient that further Regulations should be made with respect to such Office, and that an adequate Provision should be made for such Two Examiners, as herein-after provided; 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,

4 G. 4. c. 70.

 That

Examiners shall hold their Office during Good-behaviour, but removable by the Court on Complaint, &c.

That the Office of Chief Examiners at the Equity Side of the said Court shall be held by the Persons who have been appointed thereto, and by such Persons as shall hereafter be appointed to the said Office, during their Good-behaviour therein; provided always, that it shall and may be lawful to and for the said Court of Exchequer, upon Complaint duly made, and after full Inquiry into the alledged Grounds thereof, by Affidavit, or otherwise, as the said Court shall think fit, to remove the said Examiners, or either of them, or any future Examiner from his Office, for any Offence or Misconduct therein which such Court shall deem deserving of such Punishment; and thereupon such Officer shall cease to hold or be entitled to such Office.

Examiners shall receive out of Consolidated Fund sufficient to make up (with Fees) 800*l.* a Year.

II. And be it further enacted, That from and after the passing of this Act there shall be issued, paid, and payable, out of, and charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *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 same, to each of the said Two Chief Examiners at the Equity Side of the Court of Exchequer in *Ireland*, such Sum and Sums of Money as, together with the Fees received and paid, and to be henceforth received and paid to each of them, under the Provisions of the said recited Act, after deducting out of such Fees the Monies paid by the said Examiners respectively to Copying Clerks, and for other necessary Official Expences, shall be sufficient to make the yearly Salary and Emoluments of each of the said Two Examiners amount to the Sum of Eight hundred Pounds, clear of all Deductions whatsoever, commencing from the First Day of *August* One thousand eight hundred and twenty-three, and shall be paid and payable in manner herein-after mentioned.

Examiners shall deliver Accounts of Amount of Fees received.

III. And be it further enacted, That the Two Chief Examiners at the Equity Side of the said Court of Exchequer shall, within One Calendar Month next after the passing of this Act, deliver and transmit to the Barons of the said Court of Exchequer One or more Account or Accounts, signed with their Names and in their proper Hand-writing respectively, wherein they shall, either jointly or severally, as they shall think proper, state all and every Sums and Sum of Money received by them respectively, or by any Clerk or Clerks or other Person or Persons for their Use, or by or under their Authority, or with their Privity or Permission respectively, or for which they or any Person or Persons on their Behalf respectively shall have given Credit, for or on account or by reason of the Fees or pecuniary Profits of, or by or under colour of the said Offices of Chief Examiners at the Equity Side of the said Court of Exchequer, and of the Sums from Time to Time paid by them respectively thereout to Copying Clerks, and for other Official Expences, from and after the First Day of *August* One thousand eight hundred and twenty-three, up to the Fifth Day of *April* One thousand eight hundred and twenty-five; and that within Fourteen Days after the Fifth Day of *July* One thousand eight hundred and twenty-five, and in like Manner within Fourteen Days next after the Tenth Day of *October*, the Fifth Day of *January*, the Fifth Day of *April*, and the Fifth Day of *July* in each and every Year, such Two Chief Examiners,

from Time to Time, for the Time being, shall deliver and transmit to the Barons of the said Court of Exchequer a like Account of all and every Sum and Sums of Money so received in the Quarter of a Year ending on the said Days respectively; and the Barons of the said Court, or any Two of them, shall examine the said Accounts respectively; and such Barons, or any Two of them, shall certify such Amount to the Vice Treasurer of *Ireland* for the Time being, in such Form as to the said Barons shall seem fit and proper, upon the Examination on the Oaths of each of such Two Chief Examiners of the said Court, and of such Clerk or Clerks or other Persons as shall be produced before the said Barons or any Two of them, by the said Officers or either of them, or as the said Barons shall think fit to examine touching the same; and which Oaths such Barons or any Two of them are hereby authorized and empowered and required to administer.

Which shall be examined and certified to Vice Treasurer, by the Barons of the Exchequer, after Inquiry on Oath.

IV. And be it further enacted, That in whatever Sum the whole Amount which shall have been received by or payable to the said Two Chief Examiners, in respect of their said Offices, between the said First Day of *August* One thousand eight hundred and twenty-three, and the said Fifth Day of *April* One thousand eight hundred and twenty-five, (after deducting thereout the Sums paid to Copying Clerks, and other necessary Official Expences, as aforesaid), shall be less than what will make the annual Salary or pecuniary Profits of each of the said Two Chief Examiners amount to a Sum at the Rate of Eight hundred Pounds a Year to each of such Examiners, the same shall be the Sums to be issued and paid to them respectively, out of the said Consolidated Fund, for the Period between the said First Day of *August* One thousand eight hundred and twenty-three, and the said Fifth Day of *April* One thousand eight hundred and twenty-five; and that from and after the said Fifth Day of *July* One thousand eight hundred and twenty-five, in whatever Sum the whole Amount which shall have been received or shall have been payable to each of the said Two Chief Examiners, in respect of their said Offices, within the Quarter of a Year ending on the said Fifth Day of *July* One thousand eight hundred and twenty-five, or within any subsequent Quarter of a Year comprised in any such Account (after deducting thereout the Sums paid for Official Expences, as aforesaid), shall be less than the clear Sum of Two hundred Pounds for each of the said Two Chief Examiners, the same shall be the Sums to be issued for the Quarter for which such Account shall be delivered, and shall be computed and ascertained so as to make up the whole of the Salary and pecuniary Profits of each of the said Two Chief Examiners to the Quarterly Sum of Two hundred Pounds; and every such Certificate of the said Barons shall be produced to and entered at the Office of the Vice Treasurer of *Ireland*; and the Sums payable under or by virtue of such Certificate shall be issued and paid out of the said Consolidated Fund, as if the Sums so to be ascertained had been specifically mentioned and set forth in this Act.

Sums requisite to make up Deficiency of 800*l.* a Year, from Aug. 1, 1823, to April 5, 1825, and 200*l.* quarterly afterwards, shall be issued accordingly.

V. Provided always, and be it enacted, That whenever and so often as it shall appear, by any Account to be delivered by any Chief Examiner at the Equity Side of the said Court of Exchequer, in pursuance of this Act, and by the Certificate of the Barons of the said Exchequer,

Any Excess above 200*l.* quarterly shall be paid by Examiners into the Ex-

chequer, and carried to Consolidated Fund.

Exchequer, or any Two of them, to be made in pursuance of this Act, that the Sums received by or payable to any such Chief Examiner, in any Quarter of a Year ending on such Days as aforesaid, (after deducting thereout the Sums paid to Copying Clerks, and other necessary Official Expences as aforesaid) shall exceed the clear Sum of Two hundred Pounds, the Examiners who shall deliver in such Account as aforesaid shall, within Seven Days next after the Date of such Certificate, pay or cause to be paid into the Receipt of the Exchequer in *Ireland* the Amount of all such Sum and Sums of Money as shall have been so received by or payable to him, exceeding such Sum of Two hundred Pounds, and which Sums so to be paid shall be carried to and made Part of the said Consolidated Fund.

100*l.* a Year out of Consolidated Fund to each Examiner for One Assistant Clerk.

VI. And be it further enacted, That each of the Two Chief Examiners of the said Court shall employ One Chief or Assistant Clerk to superintend the preparing of all Office Copies, and otherwise to aid in the Discharge of the Duties of their said Office; which Clerks so to be employed, before they shall act as such, shall take and subscribe the Oath in that Behalf directed by the said recited Act of the Fourth Year of His Majesty's Reign; and that from and after the Fifth Day of *July* One thousand eight hundred and twenty-five there shall be issued and paid out of the said Consolidated Fund, by such Quarterly Payments as aforesaid, to each of such Examiners, the further annual Sum of One hundred Pounds, as and for the Salary and Remuneration of each such Chief or Assistant Clerk, who shall be so employed as aforesaid, clear of all Deductions.

Examiners empowered to administer Oaths to Witnesses.

VII. And whereas no Power is given by the said recited Act of the Fourth Year of His present Majesty's Reign, to the Examiners at the Equity Side of the said Court of Exchequer, to administer an Oath to any Witness or Witnesses who shall be produced to be examined before them; and it is meet and expedient that such Examiners should be authorized to swear the different Witnesses who may be examined before them, and to administer the necessary Oaths and Affirmations for that Purpose; be it therefore enacted, That from and after the passing of this Act, it shall and may be lawful to and for any and every Chief Examiner at the Equity Side of the said Court of Exchequer for the Time being, and he and they is and are hereby respectively authorized, empowered, and required to swear and take the Affirmation of all and every such Witnesses and Witness as shall be produced or attend before such Examiners respectively to be examined, and to administer the necessary Oaths and Affirmations for that Purpose; and that the Depositions of all and any and every such Witnesses and Witness shall be of the same Force, Validity, and Effect, and shall and may be filed, used, and acted upon, as fully and effectually, to all Intents and Purposes whatsoever, as if such Witnesses or Witness had been sworn or had affirmed before the said Court of Exchequer, or any of the Barons thereof.

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