ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

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C A P. CXVII.

An Act to provide for the Custody of certain Monies paid in pursuance of the Standing Orders of either House of Parliament by Subscribers to Works or Undertakings to be effected under the Authority of Parliament. [16th *August* 1838.]

WHEREAS it is expedient to provide for the Custody of any Sums of Money paid in pursuance of any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or of the Commons in Parliament assembled, by Subscribers to Works or Undertakings to be made under the Authority of an Act of Parliament: Be it therefore enacted by the Queen'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 in all Cases in which any Sum of Money is required by any Standing Order of either House of Parliament, either now or hereafter to be in force, to be paid by the Subscribers to any Work or Undertaking which is to be executed under the Authority of an Act of Parliament, if the Director or Person or Directors or Persons having the Management of the Affairs of any such proposed Work or Undertaking, or any Five

Authority to deposit.

of them, shall apply to the Chairman of the Committees of the House of Lords with respect to any such Money required by any Standing Order of the Lords Spiritual and Temporal in Parliament assembled, or to the Speaker of the House of Commons with respect to any such Money required by any Standing Order of the Commons in Parliament assembled, the said Chairman or the said Speaker may, by Warrant or Order under his Hand, direct that such Sum of Money shall be paid in manner herein-after mentioned; that is to say, into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer in *England*, if the Work or Undertaking in respect of which the Sum of Money is required to be paid is intended to be executed in that Part of the United Kingdom called *England;* or into the Bank of *England* in the Name and with the Privity of the said Accountant General, or into any of the Banks in *Scotland* established by Act of Parliament or Royal Charter in the Name and with the Privity of the Queen's Remembrancer of the Court of Exchequer in *Scotland*, at the Option of the Person or Persons making such Application as aforesaid, in case such Work or Undertaking is intended to be executed in that Part of the United Kingdom called *Scotland;* or into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, in case such Work or Undertaking is intended to be made or executed in that Part of the United Kingdom called *Ireland;* and every such Application as aforesaid to the said Chairman or Speaker shall be made in Writing, and be signed by the Director or Directors, or Person or Persons having the Management of the said Work or Undertaking, or by any Five of them; and therein shall be stated the Name or Description of such Work or Undertaking, and Name and Place of Abode or the Names and Places of Abode of such Director or Directors, Person or Persons, and the Sum of Money required to be paid, and the Bank and Name into and in which the same is to be paid; and such Particulars shall also be set forth in every such Warrant or Order; and such Warrant or Order shall be a sufficient Authority for the Accountant General of the said Court of Exchequer in *England*, the Queen's Remembrancer of the Court of Exchequer in *Scotland*, and the Accountant General of the Court of Chancery in *Ireland* respectively, to permit the Sum of Money directed to be paid by such Warrant or Order to be placed to an Account opened or to be opened in his Name in the Bank mentioned in such Warrant or Order.

Payment of Deposit.

II. And be it enacted, That it shall be lawful for the Person or Persons named in such Warrant or Order, or the Survivors or Survivor of them, or any Five of them, to pay the Sum of Money mentioned in such Warrant or Order into the Bank mentioned in such Warrant or Order in the Name and with the Privity of the Officer or Person in whose Name such Sum shall be directed to be paid by such Warrant or Order, to be placed to his Account there *ex parte* the Work or Undertaking mentioned in such Warrant or Order; and every such Sum so paid in, or the Securities in or upon which the same may be invested as herein-after mentioned, shall there remain until the same or such Securities as aforesaid shall be paid out of such Bank in pursuance of the Provisions of this Act: Provided always,

that

that every Sum paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer under the Provisions of this Act shall be paid in and placed to his Account there pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Money and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and pursuant to the General Orders of the said Court, and without Fee or Reward; and every Sum paid into the Bank of *Ireland* in the Name and with the Privity of the Accountant General of the Court of Chancery in *Ireland*, under the Provisions of this Act, shall be paid in and placed to his Account pursuant to the Method prescribed by an Act made and passed in the Parliament of *Ireland* in the Twenty-third and Twenty-fourth Years of the Reign of His late Majesty King *George* the Third, intituled *An Act for the better securing the Monies and Effects of the Suitors of the Court of Chancery and Exchequer, by depositing the same in the National Bank, and to prevent the forging and counterfeiting any Draft, Order, or other Voucher for the Payment or Delivery of such Money and Effects, and for other Purposes*, and pursuant to the General Orders of the said Court, and without Fee or Reward.

1 G. 4. c. 35.

23 & 24 G. 3. (I.)

III. And be it enacted, That if the Person or Persons named in such Warrant or Order, or the Survivor or Survivors of them, or any Five of them, desire to have invested any Sum so paid into the Bank of *England* or the Bank of *Ireland*, the Court in the Name of whose Accountant General the same may have been paid, on a Petition presented to such Court in a summary Way by him or them, may order that such Sum shall, until the same be paid out of Court in pursuance of this Act, be laid out in the Three *per Centum* Consolidated or Three *per Centum* Reduced Bank Annuities, or any Government Security or Securities.

Investment of Deposit.

IV. And be it enacted, That on the Termination of the Session of Parliament in which the Petition or Bill for the Purpose of making or sanctioning any such Work or Undertaking shall have been introduced into Parliament, or if such Petition or Bill shall be rejected or finally withdrawn by some Proceeding in either House of Parliament, or shall not be allowed to proceed, or if an Act be passed authorizing the making of such Work or Undertaking, and if in any or either of the foregoing Cases the Person or Persons named in such Warrant or Order, or the Survivor or Survivors of them, or the Majority of such Persons, apply by Petition to the Court in the Name of whose Accountant General the Sum of Money mentioned in such Warrant or Order shall have been paid, or to the Court of Exchequer in *Scotland* in case such Sum of Money shall have been paid in the Name of the said Queen's Remembrancer, the Court in the Name of whose Accountant General or Queen's Remembrancer such Sum of Money shall have been paid shall, by Order, direct the Sum of Money paid in pursuance of such Warrant or Order, or the Stocks, Funds, or Securities in or upon which the same are invested, and the Interest

Repayment of Deposit.

or

or Dividends thereof, to be transferred and paid to the Party or Parties so applying, or to any other Person or Persons whom they may appoint in that Behalf; but no such Order shall be made in the Case of any such Petition or Bill being rejected, or not being allowed to proceed, or withdrawn, unless it be proved by the Certificate of the Chairman of Committees, if the said Petition or Bill was rejected or not allowed to proceed, or withdrawn in its Passage through the House of Lords, or of the said Speaker, if the said Petition or Bill was rejected or not allowed to proceed or withdrawn during its Passage through the House of Commons, that the Petition or Bill has been either so rejected, or not allowed to proceed, or so withdrawn by some Proceeding in one or other House of Parliament; which Certificate the said Chairman or Speaker shall grant on the Application in Writing of the Person or Persons or the Majority of the Persons named in such Warrant or Order, or the Survivor or Survivors of them; and every such Certificate shall be conclusive Proof of such Rejection, or not Proceeding, or Withdrawal.

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