ANNO UNDECIMO

VICTORIÆ REGINÆ.

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CAP. X.

An Act for empowering certain Officers of the High Court of Chancery to administer Oaths and take Declarations and Affirmations.

[13th *April* 1848.]

WHEREAS by an Act passed in the Fifth and Sixth Years of the Reign of Her present Majesty, intituled *An Act for abolishing certain Offices in the High Court of Chancery in* England, the Clerk of Enrolments in Chancery and the Clerks of Records and Writs were empowered to administer Oaths and take Affirmations and Attestations of Honour: And whereas it is expedient that the Clerk of Enrolments in Chancery and Clerks of Records and Writs should be empowered to take such Declarations as herein-after mentioned: And whereas by an Act passed in the Tenth and Eleventh Years of the Reign of Her present Majesty, intituled *An Act for the Discontinuance of the Attendance of the Masters in Ordinary of the High Court of Chancery in the Public Office, and for transferring the Business of such Public Office to the Affidavit Office in Chancery*, it was amongst other things enacted, that certain Duties theretofore done and performed by the Masters in Ordinary in the Public Office should thereafter be done and performed by the Clerk of Affidavits and the Assistant Clerks of Affidavits in manner directed by the said Act,

5 & 6 Vict. c. 103.

10 & 11 Vict. c. 97.

and *William Thodey Smith* was thereby appointed the Second Assistant Clerk of Affidavits under the said Act: And whereas it is expedient that the Clerk of Affidavits and Assistant Clerks of Affidavits respectively should be empowered to administer such Oaths, and take such Declarations and Affirmations, and Attestations upon Honour, as herein-after mentioned: 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 from and after the passing of this Act it shall be lawful for every Clerk of Enrolments in Chancery and Clerk of Records and Writs to take any Declaration required for the Purpose of enrolling any Deed or other Document in Chancery.

Clerk of Enrolments and Clerks of Records and Writs may take Declarations.

Clerk of Affidavits and Assistant Clerks may administer Oaths and take Declarations.

II. And be it enacted, That from and after the passing of this Act it shall be lawful for every Clerk of Affidavits, Assistant Clerk, and Second Assistant Clerk of Affidavits of the High Court of Chancery, to administer all such Oaths, and take all such Declarations, Affirmations, and Attestations upon Honour, as can now be administered or taken, or at any Time hereafter may by any Act of Parliament be directed to be administered or taken, by or before a Master in Ordinary of the said Court.

Persons swearing or declaring before such Officers to be subject to Penalties for Perjury.

III. And be it enacted, That all Persons swearing, declaring, affirming, or attesting before any Clerk of Enrolments in Chancery, or Clerk of Records and Writs, or Clerk of Affidavits, or Assistant Clerk, or Second Assistant Clerk of Affidavits, under this Act, shall be liable to all such Penalties, Punishments, and Consequences for any wilful and corrupt false swearing, declaring, affirming, or attesting contained therein, as if the Matter sworn, declared, affirmed, or attested had been sworn, declared, affirmed, or attested before the High Court of Chancery or any of the Masters in Ordinary thereof.

Filling up Vacancies in Office of Second Assistant Clerk of Affidavits.

IV. And be it enacted, That as often as the Second Assistant Clerk of Affidavits or any of his Successors shall die or resign, or be removed from his Office, the Lord Chancellor shall have Power to appoint a Second Assistant Clerk of Affidavits in the Room of such one who shall so die, resign, or be removed.

Interpretation of "Lord Chancellor."

V. And be it enacted, That in construing this Act the Expression "the Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper and First Commissioner for the Custody of the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, for the Time being.

Act may be amended, &c.

VI. And be it enacted, That this Act may be amended or repealed by any Act to be passed during the present Session of Parliament.

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