'thereof; and it is expedient that the Legislature of the said Province should be enabled to 'make further Provisions in relation to such Reserves and Proceeds:' Be it 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, as follows:

Power to the Legislature of Canada to alter the Appropriation of the Clergy Reserves and the Proceeds thereof, and to make such other Provisions as shall seem meet.

I. It shall be lawful for the Legislature of the Province of *Canada*, from Time to Time, by any Act or Acts to be for that Purpose made and enacted in the Manner and subject to the Conditions required by the Act of the said Session of Parliament holden in the Third and Fourth Years of Her Majesty, Chapter Thirty-five, Sections Thirty-seven, Thirty-eight, and Thirty-nine, in respect of Acts made and enacted by such Legislature, to vary or repeal all or any of the Provisions of the said first-mentioned Act of Parliament for or concerning the Sale, Alienation, and Disposal of the said Clergy Reserves, and for or concerning the Investment of the Proceeds of all Sales then made or thereafter to be made of such Reserves, and for or concerning the Appropriation and Application of such Proceeds and Investments, the Interest and Dividends thereof, the Interest accruing on Sales on Credit of such Reserves, the Rent of such Reserves for the Time being unsold, and all other the Profits of or accruing from such Reserves, and (notwithstanding the said first-mentioned Act of Parliament) to make such other Provisions for or concerning the Sale, Alienation, or Disposal of the said Clergy Reserves and such Investments as aforesaid, and for or concerning the Appropriation and Application of such Clergy Reserves, Proceeds, Investments, Interest, Dividends, Rents, and Profits, as to the said Legislature may seem meet.

The said Legislature not authorized to interfere with existing Interests.

II. Provided, That it shall not be lawful for the said Legislature, by any Act or Acts thereof as aforesaid, to annul, suspend, or reduce any of the annual Stipends or Allowances which have been already assigned and given to the Clergy of the Churches of *England* and *Scotland*, or to any other Religious Bodies or Denominations of Christians, in *Canada*, (and to which the Faith of the Crown is pledged,) during the natural Lives or Incumbencies of the Parties now receiving the same, or to appropriate or apply to any other Purposes such Part of the said Proceeds, Investments, Interest, Dividends, Rents, and Profits as may be required to provide for the Payment of such Stipends and Allowances during such Lives and Incumbencies.

CAP. XXII.

An Act for making further Provision for the Execution of the Office of Examiner of the High Court of Chancery. [9th *May* 1853.]

'WHEREAS by an Act passed in the Fiftieth Year of the Reign of His late Majesty King *George* the Third, Chapter One hundred and sixty-four, it was amongst other 'things enacted, that the Persons to be in future appointed to the Office of Examiners of 'the High Court of Chancery should take and subscribe in open Court the usual Oaths of 'Supremacy and Abjuration, and also an Oath to the Purport or Effect therein set forth: 50 G. 3. c. 164.
'And whereas by an Act passed in the Session of Parliament held in the Fifteenth and 'Sixteenth Years of the Reign of Her present Majesty, Chapter Eighty-six, it was enacted, 15 & 16 Vict. c. 86.
'that the Mode of examining Witnesses in Causes in the said Court, and the Practice of 'the said Court in relation thereto, so far as such Practice should be inconsistent with the 'Mode therein-after prescribed by examining Witnesses, should be abolished, and that the 'Evidence of Witnesses to be adduced in Causes depending in the said Court might be taken 'orally, and that such oral Examination should take place in the Presence of the Parties, 'their Counsel, Solicitors, or Agents, and that the Witnesses so to be examined should be 'subject to Cross-examination and Re-examination, as therein directed: And whereas, by 'reason of the Alterations in the Practice of taking the Examination and Depositions of 'Witnesses established by the said last-recited Act, it is expedient that the Oath to be 'taken by the future Examiners of the said Court should be altered:' 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—

After passing of this Act, the Oath herein named to be taken by all Examiners.

I. From and after the passing of this Act every Examiner now and hereafter to be appointed shall and he is hereby required to take and subscribe in open Court, instead of the Oath set forth as aforesaid in the said first-recited Act, an Oath to the Purport or Effect following; (that is to say,)

'I *A.B.* do swear, That I will, according to the best of my Skill and Ability, truly and faithfully exercise and discharge the Office of an Examiner of the High Court of Chancery, whereunto I am now admitted, and truly, faithfully, and without Partiality to any or either of the Parties in the respective Causes take the Examinations and Depositions of all Witnesses examined before me, pursuant to and in conformity with the Rules and Regulations of the High Court of Chancery, now in force or hereafter to be provided for the Examination of Witnesses in Causes and other Proceedings depending in said Court.

'So help me GOD.'

Qualification of Examiners.

II. Any Person to be hereafter appointed to the Office of Examiner of the High Court of Chancery shall be a practising Barrister in some or One of the Courts of Law or Equity of not less than Seven Years standing in the Profession: Provided always, that nothing herein contained shall extend or apply to any Special Examiner who may be appointed under the Provisions of the said last-recited Act.

As to Payment of Salaries and retiring Pensions.

III. 'And whereas by the said last-recited Act, Section Sixty-five, Provision was made for the Payment of the Salaries of the Examiners of the said Court, and for their retiring Pensions, and Doubts have arisen respecting the Construction thereof, and it is expedient that such Doubts should be removed, and the Payment of the Salaries and retiring Pensions of Examiners appointed after the passing of the said Act provided for:' Be it therefore enacted, That it shall be lawful for the Lord Chancellor, and he is hereby empowered to order and direct to be paid to each Examiner of the High Court of Chancery appointed since the passing of the above-recited Act, or hereafter to be appointed, out of the Fund entitled "The Suitors Fee Fund," the annual Sum of One thousand five hundred Pounds in lieu and instead of the Sums now payable under the several Acts of Parliament now in force relating to the Salaries of the Examiners of the said Court, such annual Sum of One thousand five hundred Pounds to commence and be payable from the Appointment to Office of the Examiner so appointed or to be appointed; and that it shall be lawful for the Lord Chancellor to order to be paid to every such Examiner, out of the aforesaid Suitors Fee Fund, an Annuity not exceeding Three Fourths of the above-mentioned Sum, to commence and take effect immediately after the Period when such Examiner shall resign or vacate his Office, and to continue during the Period of his natural Life: Provided always, that no Annuity granted to any Person having executed the Office of such Examiner shall be valid unless such Person shall have held such Office for a Period of Twenty Years, and be not under Sixty-five Years of Age, or unless the Lord Chancellor shall be satisfied by Evidence to be laid before him that such Person is afflicted with some permanent Infirmity disabling him from the due Execution thereof: Provided also, that if at any Time any of the said Examiners shall hold any Office or Employment connected with any Court of Law or Equity, or under the Crown, or in any public Department under the Crown, and if the Salary attached to such Office or Employment, or any retiring Pension or Allowance in respect thereof, shall equal or exceed in Amount the retiring Pension payable under this Act, such last-mentioned retiring Pension shall, during the Continuance of such Examiner in such Office or Employment, or so long as he shall be in the Receipt of any retiring Pension or Allowance in respect thereof equal to or greater than his retiring Pension under this Act, cease to be payable to such Examiner; and if the Salary attached to such Office, or the retiring Pension in lieu thereof, shall be less than the Amount of such Examiner's retiring Pension under this Act, such retiring Pension under this Act shall be reduced by the Amount of such Salary, or of such retiring Pension or Allowance, as the Case may be.