CAP. CXXII.

An Act for making Provision for the Lord High Chancellor of *England* in lieu of Fees heretofore received by him. [16th *August* 1832.]

'WHEREAS by an Act made and passed in the Fifty-eighth
58 G. 3. c. lxxx. 'Year of the Reign of King *George* the Third, intituled *An*
'*Act to provide additional Salaries to the present Clerks in the*
'*Report Office of the High Court of Chancery, and to provide ad-*
'*ditional Clerks for the said Office, and for making further Provision*
'*for the Clerks in the said Office*, and of the several Acts therein
'mentioned or referred to, divers Sums of Money have been, by
'virtue of several Orders of the said Court of Chancery, from Time
'to Time taken out of the common and general Cash belonging
'to the Suitors of the High Court of Chancery which lay dead
'and unemployed in the Bank of *England*, and have been placed
'out in the Name of the Accountant General of the said Court
'on Government or Parliamentary Securities, and such Govern-
'ment or Parliamentary Securities have been in pursuance of the
'said Acts carried to an Account intituled "Account of Monies
'"placed out for the Benefit and better Security of the Suitors of
'"the High Court of Chancery," and out of the Dividends and
'Interest of the Securities purchased in pursuance of the said se-
'veral Acts several annual Sums and Salaries to the Master of the
'Report Office, and to the Registrars and Entering Clerks, and to
'their Clerks, and several other Payments thereby directed to be
'made and paid, have been from Time to Time made and paid;
'and the surplus Interest and annual Produce arising from the said
'Securities beyond what was sufficient to answer the several Pay-
'ments thereby and by the several other Acts therein mentioned
'or referred to directed to be made and paid, and also the Interest
'produced from the Securities purchased with such surplus Interest
'and annual Produce, have been from Time to Time, in pursuance
'of the said last-mentioned Act, laid out in the Purchase of Go-
'vernment or Parliamentary Securities in the Name of the Ac-
'countant General of the said Court, and placed to the Credit
'of an Account intituled "Account of Securities purchased with
'"surplus Interest arising from Securities carried to an Account
'"of Monies placed out for the Benefit and better Security of the
'"Suitors of the High Court of Chancery:" And whereas by an
'Act passed in the Fifty-third Year of the Reign of His late
53 G. 3. c. 24. 'Majesty King *George* the Third, intituled *An Act to facilitate*
'*the Administration of Justice*, it is enacted, that out of the common
'and general Cash belonging to the Suitors of the Court of Chan-
'cery, which did then or should thereafter lie dead and unemployed
'in the Bank of *England*, the said Court was empowered from
'Time to Time to order any Sum not exceeding Sixty thousand
'Pounds to be placed out, in One Sum or in Parcels, in the Name
'of the Accountant General of the said Court, on Government or
'Parliamentary Securities, and that such Securities should be car-
'ried to the said Account intituled Account of Monies placed out
'for the Benefit and better Security of the Suitors of the High
'Court of Chancery, and should be made Part of the same Ac-

'count; and out of the Interest and Dividends of all or any of 'the Securities purchased out of the said common and general 'Cash, in pursuance of the several former Acts therein mentioned 'or referred to, purchased and to be purchased in pursuance of 'the now-reciting Act, there should be paid, by the Governor and 'Company of the Bank of *England*, by virtue of any Orders to be 'made by the said Court for that Purpose, amongst other yearly 'Payments thereby directed, the net yearly Sum of Five thousand 'Pounds to the Vice Chancellor of *England* for the Time being; 'and it was thereby further enacted that the Lord Chancellor, 'Lord Keeper or Lords Commissioners of the Great Seal for the 'Time being, should, from the Time a Vice Chancellor should be 'appointed, pursuant to the now-reciting Act, out of the Fees and 'Emoluments belonging to and received in respect of the Custody 'of the Great Seal or otherwise, pay or cause to be paid to the 'Governor and Company of the Bank of *England* the net yearly 'Sum of Two thousand five hundred Pounds, by quarterly Pay-'ments; and that all such Sums of Money, when so paid, should 'be carried to the Account of the Interest and Dividends of the 'several Securities standing in the Name of the Accountant Ge-'neral therein-before mentioned or referred to, and be applied to 'all the Purposes to which such Interest and Dividends then were 'or might be applicable: And whereas the yearly Sum of Five 'thousand Pounds is now paid and payable to the Lord Chancellor, 'Lord Keeper or Lords Commissioners of the Great Seal, for 'the Time being, at His Majesty's Exchequer, and it is expedient 'that such yearly Payment should from and after the Fifth Day 'of *January* last cease and be no longer payable: And whereas 'the Clerk of the Crown, the Clerk of the Letters Patent, the 'Secretary of Fines, and the Purse Bearer to the Lord Chan-'cellor, Lord Keeper and Lords Commissioners of the Great Seal, 'for the Time being, or their several and respective Deputies, 'Clerks, or Agents, have from Time to Time and do now receive 'various Fees and Emoluments which are due and of right payable 'for Business done and transacted by them in or by virtue of their 'respective Offices, to and for the Use and on the Account of the 'Lord High Chancellor, Lord Keeper and Lords Commissioners 'of the Great Seal of *Great Britain*, for the Time being, which 'Mode of Remuneration is very uncertain, as well as derogatory 'to the Dignity of such Office, and it is expedient that a more 'certain and adequate Provision should be made for the Lord 'Chancellor, Lord Keeper or Lords Commissioners, in lieu and 'stead of such Fees, and that the annual Payment of Two thousand 'five hundred Pounds, so by the last-recited Act directed to be 'made and paid by the Lord Chancellor, Lord Keeper or Lords 'Commissioners of the Great Seal, for the Time being, in the 'Manner and for the Purposes thereby directed and provided, 'should, from and after the Fifth Day of *January* One thousand 'eight hundred and thirty-two, cease and be no longer payable, 'and that the annual Sum of Five thousand Pounds thereby di-'rected to be paid to the Vice Chancellor of *England* out of the 'Interest and Dividends of the several Stocks, Funds, and Secu-'rities standing in the Name of the Accountant General of the 'Court of Chancery to the Two several Accounts first herein-

'before mentioned, should, from and after the Fifth Day of *April* 'One thousand eight hundred and thirty-two, be no longer paid 'or payable out of such Interest and Dividends: And whereas it 'is expedient that a further Sum, out of the common and general 'Cash belonging to the Suitors of the said Court, now lying dead 'and unemployed in the Bank of *England*, should be laid out and 'invested in the Public Stocks, Funds, and Securities, and carried 'to the Account herein-after mentioned, the better to answer and 'satisfy, by and out of the Dividends and Interest thereof, the se-'veral annual Payments hereby and by any and every former Act 'and Acts of Parliament now or hereafter to be subsisting and 'payable thereout;' 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, That out of the common and general Cash belonging to the Suitors of the Court of Chancery, which now lies or shall hereafter lie dead and unemployed in the Bank of *England*, a Sum not exceeding the Sum of One hundred and fifty thousand Pounds shall and may, by virtue of any Order or Orders of the said Court 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 said Court, according to the General Rules and Orders of the said Court, on such Government or Parliamentary Securities as by such Order or Orders shall be directed; and such Securities shall be carried to the said first-mentioned Account intituled Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery, and shall be made and form Part of the same Account.

150,000*l.* to be carried to the Fund for Benefit of the Suitors of the Court of Chancery.

Power to change the Securities.

II. And be it further enacted, That it shall and may be lawful for the Lord Chancellor, by any Order or Orders of the said Court of Chancery, to change the Security or Securities to be purchased pursuant to this Act, or any Part or Parts thereof, for other Government or Parliamentary Securities, and again to change such Securities respectively from Time to Time, and to give all necessary Directions for such Purposes.

Money placed out to be called in, if required for answering the Demands of Suitors.

III. Provided always, and be it further enacted, That if at any Time hereafter the Whole or any Part of the Money so to be placed out and invested pursuant to this Act shall be wanted to answer any of the Demands of the Suitors of the said Court of Chancery, then and in such Case the said Court may and shall direct the same or any Part thereof to be called in, or the Securities on which the same shall be placed to be disposed of, 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.

Repeal of so much of 53 G. 3. c. 24. as relates to Payments to be made by the Bank and by the Lord Chancellor to the Vice Chancellor.

IV. And be it further enacted, That so much of the said Act made and passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for facilitating the Administration of Justice*, as enacts, that out of the Interest and Dividends of all or any of the Securities purchased out of the common and general Cash in pursuance of former Acts, and to be purchased in pursuance of that Act, there shall be paid by the Governor and Company of the Bank of *England* the net yearly Sum of Five thousand Pounds to the Vice Chancellor of *England* for the

Time being, and so much of the said Act as directs that the Lord Chancellor, Lord Keeper, or Lords Commissioners for the Time being should, from the Time a Vice Chancellor should be appointed as therein mentioned, out of the Fees and Emoluments belonging to and received in respect of the Custody of the Great Seal, or otherwise, pay or cause to be paid to the Governor and Company of the Bank of *England* the net yearly Sum of Two thousand five hundred Pounds, in manner therein mentioned, shall be and the same is hereby repealed; and all quarterly Payments of the said annual Sum of Two thousand five hundred Pounds which are or would have accrued due thereon shall from and after the Fifth Day of *January* last cease and be no longer paid or payable.

10,000*l.* per Annum to be in future paid out of Suitors Fund to the Lord Chancellor.

V. And be it further enacted, That out of the Interest and Dividends that have arisen or may hereafter arise from the Government or Parliamentary Securities now or hereafter to be placed to the said Two several above-mentioned Accounts, intituled "Account "of Monies placed out for the Benefit and better Security of the "Suitors of the High Court of Chancery," and "Account of "Securities purchased with surplus Interest arising from Securities "carried to an Account of Monies placed out for the Benefit and "better Security of the Suitors of the High Court of Chancery," there shall be paid by the Governor and Company of the Bank of *England*, without any Draft from the Accountant General of the said Court, (but subject and without Prejudice to the Payment of all Salaries and Sums of Money by any former Act directed or authorized to be paid thereout,) the net yearly Sum of Ten thousand Pounds to the Lord Chancellor, or Lord Keeper or Lords Commissioners of the Great Seal of *Great Britain*, for the Time being, as and for a yearly Salary, to be paid from Time to Time quarterly, free and clear of and from all Taxes, Deductions, or Abatements whatsoever out of the same or any Part thereof, and to commence and be computed from the Eleventh Day of *January* One thousand eight hundred and thirty-two, and to be from thenceforth payable quarterly on the Eleventh Day of *January*, the Eleventh Day of *April*, the Eleventh Day of *July*, and the Eleventh Day of *October* in every Year, by equal Portions, the first quarterly Payment thereof to be paid and payable as due on the Eleventh Day of *April* now last past; and that if any Lord Chancellor, or Lord Keeper or Lords Commissioners of the Great Seal, for the Time being, shall die or resign, the Executor or Administrator of the Lord Chancellor, or Lord Keeper or Lords Commissioners, so dying, and the Lord Chancellor, or Lord Keeper or Lords Commissioners, so resigning, shall be entitled to receive and shall be paid such proportionable Part of the Salary aforesaid as shall have accrued during the Time that such Person or Persons shall have executed the Office of Lord Chancellor, or Lord Keeper or Lords Commissioners, since the last quarterly Payment thereof; and that the succeeding Lord Chancellor, or Lord Keeper or Lords Commissioners, shall be entitled to receive a like Portion of the Salary as shall be accruing or shall accrue from the Day of the Death or Resignation of the preceding Lord Chancellor, or Lord Keeper or Lords Commissioners.

Officers to account for Fees.

VI. And be it further enacted, That it shall and may be lawful to and for the Clerk of the Crown, the Clerk of the Letters Patent, the

the Secretary of Fines, and the Purse Bearer to the Lord Chancellor, for the Time being, and their Successors in the said several Offices, and each and every of them, and their several and respective Deputies, Clerks, or Agents, to have, receive, and take all and every the Fees and Emoluments which have been accustomed to be paid, and which are of right to be paid and payable and received by them respectively by virtue of their said several Offices or Appointments, or any of them, for the Use and on the Account of the Lord Chancellor, Lord Keeper or Lords Commissioners of the Great Seal, for the Time being, which shall hereafter accrue due and become payable, or which shall have accrued due and become payable since the Eleventh Day of *January* One thousand eight hundred and thirty-two, for the Business done by them respectively in their said Offices; and that such Fees and Emoluments as have accrued and been received between the said Eleventh Day of *January* and the Eleventh Day of *July* One thousand eight hundred and thirty-two shall be forthwith accounted for and paid by them respectively into the Bank of *England*, in the Name of the Accountant General of the said Court, to an Account to be intituled "An Account of Fees formerly payable to the Lord Chancellor;" and that such Fees and Emoluments which have or shall accrue due and payable from and after the Eleventh Day of *July* One thousand eight hundred and thirty-two shall in like Manner be accounted for and paid as aforesaid once in every Three Months; and that such Fees shall on each Payment be verified by the Oath of the accounting Party; and such Payment into the Bank to the said last-mentioned Account shall be certified by the Accountant General of the said Court to the Lord Chancellor, or in such other Manner as he shall by any Order of the said Court direct.

Investment of Money paid in to the Account of Fees.

VII. And be it further enacted, That it shall and may be lawful for the Lord Chancellor, by any Order or Orders of the said Court for that Purpose, from Time to Time to order and direct that the Money so paid in to the said Account of Fees formerly payable to the Lord Chancellor be from Time to Time invested in the Purchase of Parliamentary or Government Securities, to be placed to the Account intituled "Account of Securities purchased with "surplus Interest arising from Securities carried to an Account of "Monies placed out for the Benefit and better Security of the "Suitors of the High Court of Chancery."

Annuities to be henceforth payable to certain Officers of Chancery in lieu of Fees.

VIII. 'And whereas certain Salaries, Perquisites, and Allow-'ances have been heretofore payable by His Majesty's Letters 'Patent to the Lord High Chancellor, and charged upon the Office 'of the Keeper or Clerk of His Majesty's Hanaper in Chancery, 'and the said Keeper or Clerk of the Hanaper has been accustomed 'to collect and receive certain Fees for the Use of the Lord 'Chancellor for the Time being, but which Salaries, Perquisites, 'Allowances, and Fees it is desirable should cease to be payable to 'the said Lord Chancellor from the Fifth Day of *January* last: 'And whereas by the Provisions of a certain Act of Parliament 'passed in the Second Year of the Reign of His present Majesty, 'intituled *An Act to establish a Court in Bankruptcy*, it is enacted, 'that certain Compensations shall be made to the Clerk of the 'Hanaper and other Officers of the Lord Chancellor and of the 'High Court of Chancery, for the Loss of Fees under the Opera-

2 W. 4. c. 56.

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'tion of the said Act, and that it shall be lawful for the Lords 'Commissioners of His Majesty's Treasury to ascertain the Amount 'of the lawful Fees and Emoluments of the said Officers, and to 'award an Annuity or Annuities of such an Amount and for such 'Term as the Lords of the Treasury shall find to be a fair and 'reasonable Compensation for the Loss to be sustained by all or 'any of the Officers aforesaid by the Abolition of the said Fees; 'and that such Annuity or Annuities shall be paid out of the 'Fund mentioned in the said Act, to be entitled "The Secre-'tary of Bankrupts Compensation Account:" And whereas the 'said Keeper or Clerk of His Majesty's Hanaper, the Six Clerk 'Comptroller of the Hanaper, the Sealer, the Officer called the 'Chaff Wax, and the Examiner of the Letters Patent, have sus-'tained a Loss by the Abolition of the said Fees, and such 'Officers have heretofore received and retained their Fees out of 'the Public Monies heretofore passing through their Hands of the 'said Keeper or Clerk of the Hanaper;' be it enacted, That from and out of the Public Monies passing through the Hands of the said Keeper or Clerk of His Majesty's Hanaper in Chancery, and from and out of the same Fund as the said Allowances to the said Lord Chancellor have heretofore been paid to the said Lord Chancellor for the Time being, there shall be paid by the said Keeper or Clerk of His Majesty's Hanaper, in every Year, into the Bank of *England*, to the Credit of the Accountant General of the High Court of Chancery, to the Account to be entitled "The Secretary of Bankrupts Compensation Account," such a Sum of Money as shall be equal to the Annuities or Annuity which the said Lords of the Treasury shall find to be from Time to Time payable to the said Keeper or Clerk of the Hanaper, the Six Clerk Comptroller of the Hanaper, the Sealer, the Chaff Wax, and the Examiner of the Letters Patent, during such Time as the said Lords of the Treasury shall find that such Annuities or Annuity ought to be paid to the said several Officers respectively; provided that such Sum so to be paid to the said Accountant General for the Purposes aforesaid shall be certified annually by the said Lords of the Treasury, and shall in no One Year exceed the Amount which in any such Year but for this Act would have been payable to the Lord Chancellor for the Time being, for the Salaries, Perquisites, Allowances, and Fees aforesaid.

Such Annuities to be payable half-yearly.

IX. And be it further enacted, That the said Payments to be made by the said Keeper or Clerk of the Hanaper to the said Accountant General, for the Purposes aforesaid, and all and every Annuities and Annuity payable out of the said Account to be entitled "The Secretary of Bankrupts Compensation Account," shall respectively commence and become due from the Eleventh Day of *January* last, and shall be paid and payable by equal half-yearly Payments, and that if any or either of the Officers or Persons to whom the said Annuities or either of them shall be due or payable for the Time being shall resign or die, such Officer or Person so resigning, and the Executor or Administrator of such Officer or Person so dying, shall be entitled to receive and shall be paid such proportionable Part of their respective Annuities as shall have accrued during the Time that such Person or Persons shall have executed such respective Office since the last half-yearly

Payment, and that the Person or Persons succeeding to any such Office or Offices shall be entitled to receive such proportionate Part of their said respective Annuities as shall accrue from the Death or Resignation of the Person or Persons so dying or resigning.

Receipts of Accountant General to be a sufficient Discharge.

X. And be it further enacted, That the Receipt and Receipts of the said Accountant General shall be a good and sufficient Acquittance and Discharge to the Keeper or Clerk of His Majesty's Hanaper in Chancery for the Time being, for the Payment of the Sums aforesaid, and shall be taken, acknowledged, and received as such by the Commissioners for auditing Public Accounts.

Perquisites heretofore received by Lord Chancellor from Clerk of Hanaper to cease.

XI. And be it further enacted, That the Salaries, Perquisites, Allowances, and Fees heretofore payable as aforesaid by the said Keeper or Clerk of the Hanaper to the Lord Chancellor shall, with such Deductions as have been heretofore made therefrom, cease to be payable to the Lord Chancellor as from the Fifth Day of *January* One thousand eight hundred and thirty-two, and that the same from and after that Day shall be paid to or retained by the said Keeper or Clerk of the Hanaper for the Time being, and shall be appropriated in the same Manner as all Public Monies received in the said Office in discharge of the various Claims thereupon, the said Keeper or Clerk debiting himself in his Public Accounts with the Receipt of the said Fees.

1,199*l.* 5*s.* 6*d.* paid to the Lord Chancellor as a Portion of his Salary, to be repaid, and form Part of the Consolidated Fund.

XII. 'And whereas there has been paid to the Lord Chancellor, 'at the Exchequer, on account of the Salary usually payable out 'of the Civil List Revenue, the Sum of One thousand one hundred 'and ninety-nine Pounds Five Shillings and Sixpence, being the 'Proportion of the same due from the Eleventh Day of *January* 'to the Fifth Day of *April* One thousand eight hundred and 'thirty-two: And whereas the Salary hereby granted is directed to 'commence and be payable from the Eleventh Day of *January* 'One thousand eight hundred and thirty-two, and it is therefore 'expedient that the said Sum so received as aforesaid should be 'repaid;' be it therefore enacted, That the said Sum of One thousand one hundred and ninety-nine Pounds Five Shillings and Sixpence shall be repaid by the Lord Chancellor into the Exchequer, and shall be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*.

Charges formerly payable for Land Tax, &c. on the Office of Lord Chancellor to cease from 5th Jan. last.

XIII. 'And whereas there are charged upon and made payable by the Lord Chancellor for the Time being certain Duties 'of Land Tax, and otherwise, in respect of his said Office, and 'it is intended that the Salary hereby provided for the said Lord 'Chancellor shall be free of all Charge;' be it enacted, That all Taxes, Rates, and Charges heretofore payable by the Lord Chancellor for the Time being in respect of his said Office, for Land Tax, or otherwise howsoever, shall cease to be payable from the Fifth Day of *January* now last.

Payment of Costs of this Act, and of Proceedings under same.

XIV. And be it further enacted, That out of the Interest arising from Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery, and Interest arising from Securities purchased with surplus Interest arising from Securities carried to an Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery, the Costs and Charges incurred in procuring and passing this Act, and of all Proceedings had or to be had in pursuance thereof, or

under

under the same, shall be paid by the Governor and Company of the Bank of *England*, by virtue of an Order or Orders of the High Court of Chancery to be made for that Purpose, but subject and without Prejudice to the Payment of all Salaries and other Sums of Money which by the several Acts herein-before mentioned or referred to, or any other Act heretofore made, are directed and authorized to be paid thereout.

Powers given in this Act to Lord Chancellor may be used by his Successors.

XV. And be it further enacted, That the Powers and Authorities given in this Act to the Lord High Chancellor shall and may be exercised in like Manner and are hereby given to the Lord Chancellor, Lord Keeper or Lords Commissioners for the Custody of the Great Seal respectively, for the Time being.

CAP. CXXIII.

An Act for abolishing the Punishment of Death in certain Cases of Forgery. [16th *August* 1832.]

'WHEREAS by an Act passed in the First Year of His present Majesty's Reign, intituled *An Act for reducing into One Act all such Forgeries as shall hereafter be punished with Death, and for otherwise amending the Laws relative to Forgery*, it was provided, that if any Person should after the Commencement of that Act be convicted of any Forgery or other Offence therein named or described, for which he would at the Time of the passing of that Act have been liable to the Punishment of Death, he should not suffer Death for the same, unless the same should be made punishable with Death by that Act: And whereas by the Law and Practice now prevailing in *Scotland* and in *Ireland* the Penalty of Death may be awarded, in certain Cases, for Forgery, for uttering counterfeit Instruments, and for false Personation: And whereas it is expedient to abolish the Punishment of Death for Offences of that Nature, except so far as relates to Wills and certain Powers of Attorney, as herein-after mentioned;' 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, That where any Person shall after the passing of this Act be convicted of any Offence whatsoever for which the said Act enjoins or authorizes the Infliction of the Punishment of Death, or where any Person shall after the passing of this Act be convicted in *Scotland* or *Ireland* of any Offence now punishable with Death, which Offence shall consist wholly or in part of forging or altering any Writing, Instrument, Matter, or Thing whatsoever, or of offering, uttering, or disposing of any Writing, Instrument, Matter, or Thing whatsoever, knowing the same to be forged or altered, or of falsely personating another, then and in each of the Cases aforesaid the Person so convicted of any such Offence as aforesaid, or of procuring or aiding or assisting in the Commission thereof, shall not suffer Death, or have Sentence of Death awarded against him, but shall be transported beyond the Seas for the Term of such Offender's Life.

1 W. 4. c. 66.

Persons hereafter convicted of Crimes punishable with Death under recited Act shall not suffer Death, but shall be transported for Life.

This Act not to extend to Punishments

II. Provided always, and be it enacted, That notwithstanding any thing herein-before contained this Act shall not be construed to