CAP. LIV.

An Act for making Provision for the Dispatch of the Business now done by the Court of Exchequer in *Scotland*. [23d *June* 1832.]

'WHEREAS by an Act passed in the Sixth Year of the Reign of Queen *Anne*, intituled *An Act for settling and establishing a Court of Exchequer in the North Part of* Great Britain *called* Scotland, it was enacted, that from and after the Fifth Day of *May* One thousand seven hundred and eight a Court of Exchequer in *Scotland* should be and by Authority of that Act was thereby erected, constituted, and established in and for *Scotland*, and that such Court should be and was thereby enacted to be a Court of Record, Revenue, and Judicature for and within *Scotland*, as therein mentioned: And whereas by an Act passed in the Forty-eighth Year of His Majesty King *George* the Third, intituled *An Act for enabling His Majesty to grant Annuities to the Judges of the Court of Session, Justiciary, and Exchequer of* Scotland, *upon the Resignation of their Offices*, it was enacted, that it should be lawful for His Majesty to grant unto any Person who should have entered the Office of Chief Baron of the said Court of Exchequer in *Scotland*, or of a Baron of the same Court, and who should have resigned any such Office, an Annuity or yearly Sum of Money not exceeding Three Fourth Parts of the Salary appertaining to such Office at the Time of the Resignation thereof, and that every such Annuity or yearly Sum should commence from and after the Period when the Person to whom any such Annuity or yearly Sum should be granted as aforesaid should have resigned his Office, and to continue from thenceforth for his natural Life, payable out of the Duty and Revenues in *Scotland*, as therein mentioned; provided always, that no such Annuity or yearly Sum should be so granted to the said Chief Baron or Barons of the said Court unless he or they should have continued in One or more of the said Offices for the Space of Fifteen Years, or be afflicted by some permanent Infirmity disabling him from the due Execution of his Office, which should be distinctly recited in the said Grant: And whereas by an Act passed in the First Year of the Reign of His present Majesty, intituled *An Act for uniting the Benefits of Jury Trials in Civil Causes with the ordinary Jurisdiction of the Court of Session, and for making certain other Alterations and Reductions in the Judicial Establishments in* Scotland, it was enacted, that as Vacancies should occur in the Office of the Baron of the said Court of Exchequer, the same should not be filled up until the Number of such Barons should be reduced so that the said Court should consist of the Lord Chief Baron and One Baron only: And whereas, with a view to render the Administration of Justice in Matters of Revenue in *Scotland* less expensive, it is expedient that on the Retirement or Decease of the said Lord Chief Baron of Exchequer, or any of the other Barons of the said Court, no Successors should be appointed to their respective Offices, and that fit Provisions should be made for the Performance of the Duties of their respective Offices, and also for facilitating the

6 Ann. c. 53.

48 G. 3. c. 145.

1 W. 4. c. 69.

'Retirement of the said Lord Chief Baron and other Barons of 'the said Court:' 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 from and after the passing of this Act, upon the Retirement or Decease of the present Lord Chief Baron or any of the present Barons of the said Court, no Successor shall be appointed to their respective Offices.

No Successors to be appointed to the present Barons.

II. And be it further enacted, That from and after the Retirement or Decease of any of the existing Judges of the said Court of Exchequer all the judicial and other Duties now discharged by the said Court, or by any of the Judges thereof, shall be discharged by the remaining Judges of that Court, or the last remaining Judge thereof, as the Case may be.

Discharge of Duties of the Court upon Retirement or Death of the several Barons.

III. And be it further enacted, That from and after the Retirement or Decease of the last remaining Baron or Chief Baron, all the Duties and Powers which are by this Act directed to be discharged and performed by and vested in such last remaining Baron or Chief Baron shall be transferred to, discharged, and performed by and vested in such one of the Judges of the Court of Session (such Judge not being one of the Judges of the Court of Justiciary) as His Majesty shall from Time to Time be pleased to name; and such Judge shall have full Power and Authority to try all such Suits and Causes in the said Court of Exchequer, either in Term or out of Term, as he shall appoint: Provided nevertheless, that nothing in this Act contained shall abridge or alter the Jurisdiction or Powers of the said Court of Exchequer.

After Retirement or Death of the last Baron Duties to be discharged by a Judge of the Court of Session.

IV. And be it further enacted, That if at any Time after the passing of this Act the Number of the Barons of the said Court shall be reduced, or after the Retirement or Decease of the last remaining Baron as herein-before mentioned, then and in such Case it shall and may be lawful, during the Indisposition or Absence of the Baron and Barons of such Court to which the same shall be reduced, or of the Judge of the Court of Session to be appointed to try the Suits and Causes in the said Court as herein-before mentioned, to and for the Judge of the Court of Session officiating as Lord Ordinary upon the Bills for the Time being to grant Warrant for the issuing of all Commissions to find Debts, and Fiats for the issuing of all Writs and Extents and other Process issuable out of the said Court of Exchequer, and also to revise such Signatures for the granting of Crown Charters, as may be of an urgent Nature and require Dispatch, in like Manner and to as full Force and Effect as the Lord Chief Baron or other Barons of the said Court are now by Law authorized to do; any Law, Practice, or Custom to the contrary hereof in anywise notwithstanding.

Power given to Judge of the Court of Session to grant Warrant for issuing Commissions.

V. And be it enacted, That from and after the passing of this Act the said Provision in the said recited Act of the Forty-eighth Year of the Reign of His late Majesty King *George* the Third contained, making Fifteen Years official Service or some permanent Infirmity a necessary Condition to the granting the Annuities or yearly Sums of Money therein mentioned, shall not extend to the present Lord Chief Baron of the said Court or to the other

As to the Annuities to be granted to the Chief and other Barons.

present Barons of the said Court who shall resign their Offices: Provided nevertheless, that the Annuity or yearly Sum of Money to be granted to the said Lord Chief Baron by virtue of the said Act or of this Act shall not exceed the Sum of Two thousand Pounds *per Annum*, and that the Annuities or yearly Sum of Money to be granted to each of the other Barons who shall retire shall not exceed One thousand five hundred Pounds *per Annum*.

Salary to Judge of the Court of Session to be appointed in place of the Barons of Exchequer.

VI. And be it enacted, That in consideration of the Services to be performed by the Judge of the Court of Session to whom the Duties and Powers of the present Lord Chief Baron and Barons of Exchequer are to be transferred, it shall be lawful for His Majesty to grant Warrants for paying to the said Judge a Salary or yearly Sum of Money not exceeding the Sum of Six hundred Pounds; which Sum of Money shall be payable out of the same Fund from which the Salaries of the present Lord Chief Baron and other Barons are now payable.

CAP. LV.

An Act to apply the Sum of Four Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and thirty-two.

[23d *June* 1832.]

'Most Gracious Sovereign,

'WE, Your Majesty's most dutiful and loyal Subjects, the 'Commons of the United Kingdom of *Great Britain* and '*Ireland*, in Parliament assembled, towards making good the 'necessary Supplies which we have cheerfully granted to Your 'Majesty in this Session of Parliament, have resolved to give and 'grant unto Your Majesty the Sum herein-after mentioned;' and do therefore most humbly beseech Your Majesty that it may be enacted; and be it 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 there shall and may be issued and applied, for or towards making good the Supply granted to His Majesty for the Service of the Year One thousand eight hundred and thirty-two, the Sum of Four Millions, out of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the Commissioners of His Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland* now or for the Time being, or any Three or more of them, or the Lord High Treasurer of the United Kingdom of *Great Britain* and *Ireland* for the Time being, are or is hereby authorized and empowered to issue and apply the same accordingly.

There shall be applied, for the Service of the Year 1832, 4,000,000*l.* out of the Consolidated Fund.

The Treasury may cause 4,000,000*l.* of Exchequer Bills to be made out in manner prescribed by 48 G. 3. c. 1.

II. And be it further enacted, That it shall and may be lawful for the Commissioners of His Majesty's Treasury or any Three or more of them for the Time being, from Time to Time, by Warrant under their Hands, to cause or direct any Number of Exchequer Bills to be made out at the Receipt of His Majesty's Exchequer at *Westminster* for any Sum or Sums of Money not exceeding in the whole the Sum of Four Millions; and such Exchequer Bills shall be made out in the same or like Manner, Form, and Order, and according to the same or the like Rules