

ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

****

CAP. LXXXIV.

An Act to provide for the Performance of the Duties of certain Offices connected with the Court of Chancery which have been abolished.

[28th *August* 1833.]

WHEREAS by an Act passed in the Second and Third Years of the Reign of His present Majesty, intituled *An Act to abolish certain Sinecure Offices connected with the Court of Chancery, and to make Provision for the Lord High Chancellor on his Retirement from Office*, it is provided that the following, amongst other Offices, (*videlicet*,) the Office of Keeper or Clerk of His Majesty's Hanaper, the Clerk of the Crown in Chancery, the Clerk of the Patents, the Clerk of the Custodies of Lunatics and Idiots, the Chaff Wax, the Sealer, the Clerk of the Presentations, and the Clerk of Dispensations and Faculties, shall utterly cease and determine from and after the Twentieth Day of *August* One thousand eight hundred and thirty-three; provided nevertheless, that the said Act should not be construed to determine any of the said Offices holden in Possession or Reversion by any Person appointed thereto on or before the First Day of *June* then last, until the Decease or Resignation of such Person: And whereas all the Persons holding the said Offices, except the Clerk of the Patents, were appointed to such Offices prior to the said First Day of *June* One thousand eight hundred and thirty-two: And whereas it is necessary that competent Persons shall be appointed for the Discharge of all or some of the Duties of the said Offices when and as such Offices shall become vacant; and it

2 & 3 W. 4. c. 111.

it is desirable that the Persons to be appointed to discharge the Duties of such Offices shall be paid by fixed Salaries for such their Trouble: 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 the Lord Chancellor, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, or other the Person or Persons for the Time being intrusted by virtue of the King's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found idiot, lunatic, or of unsound Mind, shall have as heretofore a Secretary, called "The Secretary of Lunatics;" and that from and after the Death, Resignation, or Removal of the Person now holding the Office of Clerk of the Custodies of Idiots and Lunatics, all and every the Duties of the said Office of Clerk of the Custodies of Idiots and Lunatics shall be performed by the said Secretary of Lunatics, in addition to such other Duties as such Secretary of Lunatics shall be required to perform by the Person or Persons by whom he shall be appointed; and all the Acts to be done by the said Secretary of Lunatics in performance of the said Duties of Clerk of the Custodies of Idiots and Lunatics shall in all respects have the same Force and Effect as if the same had been performed by the said Clerk of the Custodies or his Deputy: Provided always, that it shall be lawful for the Person or Persons intrusted as aforesaid to make such Rules and Regulations in regard to the Duties of such Secretary, including such Duties as he shall perform by virtue of this Act, and to alter or vary the same, as he or they shall think fit.

After Death, &c. of present Clerk of Custodies of Idiots and Lunatics, the Duties shall be performed by an Officer designated "The Secretary of Lunatics."

Proviso.

II. And be it further enacted, That the said Lord Chancellor, Lord Keeper, or Lords Commissioners for the Time being shall have as heretofore an Officer called "The Purse-bearer to the Lord Chancellor," and a certain other Secretary, called "The Secretary of Presentations;" and that from and after the Time and Times when and as the Offices before mentioned of Chaff Wax and Sealer, and each of them, shall respectively become vacant by the Death, Resignation, or Removal of the present respective Holders thereof, all and every the Duties of such several Offices shall be performed by the said Purse-bearer for the Time being; and that when and as the Offices of Clerk of the Presentations and of Clerk of Dispensations and Faculties, and each of them, shall respectively become vacant by the Death, Resignation, or Removal of the present respective Holders thereof, all and every the Duties of such several Offices shall be performed by the Secretary of Presentations for the Time being; and that all Acts to be done by the said Purse-bearer in performance of the Duties of Chaff Wax and Sealer shall in all respects have the same Force and Effect as if the same had been done by the said Officers called Chaff Wax and Sealer; and that all Acts to be done by the said Secretary of Presentations in performance of the said Duties of Clerk of the Presentations and Clerk of Dispensations and Faculties shall in all respects have the same Force and Effect as if the same had been done by the Clerk of the Presentations and the Clerk of Dispensations and Faculties.

The Duties of Chaff Wax and Sealer, as Vacancies occur, shall respectively be performed by the Purse-bearer.

Duties of Clerk of Presentations and Clerk of Dispensations and Faculties, as Vacancies occur, shall respectively be performed by Secretary of Presentations.

III. And

Clerk of the Crown in Chancery, and Clerk of the Patents to be appointed by the Crown as Vacancies occur.

III. And be it further enacted, That it shall and may be lawful for His Majesty, His Heirs and Successors, from Time to Time under Their Royal Sign Manual to nominate and appoint fit Persons to fill the said several other before-mentioned Offices of Clerk of the Crown in Chancery and Clerk of the Patents, as Vacancies may from Time to Time occur therein; and that such Persons so to be nominated and appointed shall hold their respective Offices during good Behaviour, notwithstanding the Demise of His Majesty or any of His Heirs or Successors, any thing in the said recited Act to the contrary notwithstanding.

Apportionment of Salaries.

IV. And be it further enacted, That from and after the said Twentieth Day of *August* One thousand eight hundred and thirty-three as to the said Office of Clerk of the Letters Patent, and from and after the Death, Resignation, or Removal respectively of the several Holders of the said other Offices, there shall be paid to the Clerk of the Crown in Chancery the yearly Salary of Eight hundred Pounds; to the Clerk of the Patents the yearly Salary of Four hundred Pounds; to the Secretary of Lunatics, for Expences attending the Office of Clerk of the Custodies of Idiots and Lunatics, the yearly Sum of Two hundred Pounds; to the Purse-bearer the yearly Sum of Fifty Pounds for the Expences of the Office of Chaff Wax, and for the Expences of the Office of Sealer the like yearly Sum of Fifty Pounds; and to the Secretary of Presentations, for the Expences of the Office of Clerk of the Presentations, the yearly Sum of Fifty Pounds, and for the Expences of the Office of Clerk of Dispensations and Faculties the like yearly Sum of Fifty Pounds.

Regulations of Office and Salary of Clerk of the Hanaper.

V. And be it further enacted, That from and after the Time when the Office of the Keeper or Clerk of the Hanaper shall become vacant by the Death, Resignation, or Removal of the present Holder thereof, all and every the Duties of the said Office of Keeper or Clerk of the Hanaper shall be performed by the Clerk of the Crown in Chancery, to be appointed by virtue of this Act; and all Acts to be done by the said Clerk of the Crown in performance of such last-mentioned Duties shall in all respects be of the same Force and Effect as if the same had been done by the said Keeper or Clerk of the Hanaper; and that there shall be paid to the said Clerk of the Crown for the said Duties of Keeper or Clerk of the Hanaper the yearly Salary of Two hundred Pounds: Provided always, that if the said Office of the now Keeper or Clerk of the Hanaper shall become vacant before any Vacancy shall occur in the Office of the now Clerk of the Crown, that then and in such Case only the Duties of the said Office of Keeper or Clerk of the Hanaper shall be performed by the Deputy of the now Clerk of the Crown, until a Vacancy shall occur in the Office of the said now Clerk of the Crown, in the same Manner as if such Deputy were Clerk of the Crown appointed by virtue of this Act, and that there shall be paid to such Deputy for the said Duties of Keeper or Clerk of the Hanaper the aforesaid yearly Salary of Two hundred Pounds.

Salaries to be in full Satisfaction of Duties.

VI. And be it further enacted, That the said several Salaries shall be taken in full Satisfaction for the Duties of the said Offices respectively, and of all Expences incident to the Performance thereof.

VII. And

Fees to be accounted for and paid into His Majesty's Exchequer, and made Part of Consolidated Fund.

VII. And be it further enacted, That it shall and may be lawful for the several Persons who by virtue of this Act shall hereafter hold or perform the Duties of the said several Offices of Keeper or Clerk of the Hanaper, Clerk of the Crown in Chancery, Clerk of the Patents, Clerk of the Custodies of Lunatics and Idiots, Chaff Wax, Sealer, Clerk of the Presentations, and Clerk of Dispensations and Faculties, to have, receive, and take all and every the Fees and Emoluments which have been accustomed to be paid and which of right ought to be paid to the said several Officers respectively, or to any Deputy or Clerk of such several Officers, in respect of the said several Offices, as the same would have been payable if this Act and the said recited Act had not been passed; and that such Fees and Emoluments shall be accounted for once in every Three Months, commencing in the first instance from the Date of such Appointments respectively, and shall be paid by the said Officers respectively into the Receipt of His Majesty's Exchequer, and be carried to and made Part of the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*; and the Account of the Party so paying such Fees shall be verified by his Oath, which Oath any One of the Masters in Ordinary of the High Court of Chancery is hereby required and authorized to administer.

In what Manner the Salaries of Officers are be paid.

VIII. And be it further enacted, That the said several Salaries or Sums herein-before directed to be paid shall be issued and payable out of and be charged and chargeable upon the Consolidated Fund of the United Kingdom of *Great Britain* and *Ireland*, after paying or reserving sufficient to pay all such Sum or Sums of Money as have been directed under any former Act or Acts to be paid out of the same Fund; and the said Salaries or Sums shall from Time to Time be paid and payable quarterly, free and clear of and over and above all Fees, Rates, Taxes, and Deductions whatsoever, at the Four usual Days of Payment in the Year, that is to say, the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, in even and equal Portions, the first Payment to be made on such of the said Days as shall next happen after the Appointment or Succession to the said Offices respectively shall have taken place.

Re-appointment of Clerk of Inrolments in Bankruptcy agreeably to Act 2 & 3 W. 4. c. 114.

IX. And whereas the Office of Clerk of Inrolments in Bankruptcy is by the said recited Act also directed to cease as therein specified, but Power to re-appoint to the said Office is given by the Act next herein mentioned; be it enacted, That the said Office shall and may continue and be in force, and that fit and proper Persons may be from Time to Time appointed to the same, with all the Powers, Authorities, and Duties, Fees, Rights, and Privileges, given to or imposed upon the said Office by an Act passed in the Second and Third Years of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Bankrupts*, any thing in the said first-recited Act to the contrary thereof notwithstanding.

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