

ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

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Entering Registrars of the said Court, and of Clerk of the Exceptions, and Agent to the Senior Deputy Registrar of the same Court, as the same have been heretofore held, shall be and the same are hereby abolished.

Six Registrars appointed.

II. And whereas it is expedient that the Sub or Deputy Registrars of the said Court should be constituted Registrars of the said Court, and that the Fees and Emoluments to be received by the said Registrars and by the Clerks in the Office of the said Registrars should be regulated, and that the Business of the Suitors of the Court in the Office of the Registrars should be facilitated and expedited; therefore be it enacted, That hereafter there shall be Six Registrars of the said Court; and that *Francis Benjamin Bedwell*, *James Christmas Fry*, *Edward Dod Colville*, and *Joseph Collis*, Esquires, the present Four Sub or Deputy Registrars, and *John Francis Le Cointe* and *Robert Onebye Walker* Esquires, the Two present Entering Clerks, shall be such Six Registrars; and that on the Death, Resignation, or Removal of any of the Six Registrars of the said Court, other than the junior Registrar, the Vacancy thereby occasioned shall be filled up by the Registrar next in Seniority, to whom no sufficient Objection to the Satisfaction of the Lord Chancellor shall be made; and that on the Death, Resignation, Promotion, or Removal of the junior Registrar, the Vacancy thereby occasioned shall be filled up by the senior Clerk in the said Office for the Time being, to whom no sufficient Objection to the Satisfaction of the Lord Chancellor shall be made; and that each of such Persons so appointed to be Registrars, and all and every Person and Persons hereafter to be appointed to be such Registrars, shall be and are hereby authorized and empowered and required personally to do and perform all such Matters and Things necessary and proper in the due Execution of their said Offices as belong or appertain thereto, and as have been heretofore done and performed by the Sub or Deputy Registrars of the said Court, excepting so far as the same are or shall be altered or varied by this Act, or by any Rules or Orders to be made or issued by the Lord Chancellor for the Time being relative thereto.

Filling up of Vacancies.

Registrars to attend each Judge of the Court as the Lord Chancellor, &c. shall direct;

In case of Illness, they may appoint a Deputy.

III. And be it further enacted, That the Registrars shall attend the Court of the Lord Chancellor, the Court of the Master of the Rolls, and the Court of the Vice Chancellor, in such Order and Manner as shall be found most expedient for furthering the Business of the Court, and as the Lord Chancellor, with the Concurrence of the Master of the Rolls and the Vice Chancellor, or One of them, shall from Time to Time by any general Order direct; and that in case of Illness it shall be lawful for any of such Registrars, from Time to Time as Occasion may require, to appoint a Deputy, such Deputy and also the Occasion for such Appointment to be first approved by the Judge on whom it shall be the Duty of such Registrar to attend, upon a Petition to be verified by Affidavit, for such Time and under such general Regulations as the Lord Chancellor, together with the Master of the Rolls and Vice Chancellor, or One of them, shall direct; and no such Appointment of a Deputy shall continue for any longer Time than shall be allowed and specified in and by the Order which shall be made by the Judge to whom such Petition

shall have been presented; provided that in case any Registrar of the said Court who shall be prevented by Illness from giving his personal Attendance shall omit for the Space of Two Days to appoint such Deputy, the Judge on whom it shall be the Duty of such Registrar to attend shall, if he shall see fit, himself appoint such Deputy, and direct what Part of the Salary and Fees of such Registrar shall be received by such Deputy, and the same shall be paid over to and received by him accordingly.

Clerks to the Registrars appointed.

IV. And be it further enacted, That there shall be Six Clerks to the Registrars of the said Court; and that *Henry Edgeworth Bicknell*, *James Montresor Standen*, *Henry Hussey*, *Francis Robert Bedwell*, *Cecil Munro*, and *Edward Dodd Colville* junior shall be such Clerks; and that on the Death, Resignation, Promotion, or Removal of any of them the said Clerks, other than the junior Clerk, the Vacancy thereby occasioned shall be filled up by the Clerk next in Seniority, to whom no sufficient Objection to the Satisfaction of the Lord Chancellor shall be made.

Mode of future Appointment of Sixth Clerk.

V. And be it further enacted, That on all future Vacancies of the Office of Sixth Clerk to the said Registrars, other than in the Cases provided for of the Assistant Clerks, the Lord Chancellor for the Time being shall appoint some proper Person who has been admitted and entered on the Roll of Solicitors or Attornies of some one of His Majesty's Courts in *Westminster Hall*, or who shall have duly served a Term of not less than Five Years under Articles of Clerkship to some Solicitor or Attorney of some one of the said Courts, to be such Sixth Clerk to the said Registrars; and that the several Clerks to the said Registrars so appointed and to be appointed shall and they are hereby required personally to perform all such Matters and Things as are necessary and proper in the due Execution of the Business of the said Office of the Registrars, and as have been hitherto done and performed by the Clerks of the Sub or Deputy Registrars of the said Court, excepting so far as the same are or shall be varied by this Act, or by any Rules or Orders to be made or issued by the Lord Chancellor for the Time being relative thereto.

Assistant Clerks to Registrars.

VI. And be it further enacted, That *Robert Walker Fry* and *Richard Howell Leach* shall act as Assistant Clerks to the before-named Registrars, and that the said *Robert Walker Fry* and *Richard Howell Leach*, each in his Turn, shall succeed to the Office of junior Clerk of the said Registrars as and when Vacancies shall occur, unless Cause shall be shown to the contrary to the Satisfaction of the Lord Chancellor; but no Clerk shall be appointed to supply the Place of the said *Robert Walker Fry* and *Richard Howell Leach*, or either of them.

Lord Chancellor may increase Number of Clerks in Register Office to Eight.

VII. And be it enacted, That if it shall hereafter appear to the Lord Chancellor that the Business of the said Registrar's Office cannot be discharged with due Dispatch without more than Six Clerks, then and in such Case it shall be lawful for the Lord Chancellor from Time to Time to appoint One or more additional Clerk or Clerks, so that the Number of Clerks in the said Office shall in no Case exceed the

the Number of Eight Clerks; and such additional Clerk or Clerks shall succeed to and fill any Vacancy when and as the same may occur by any Death, Resignation, Promotion, or Removal of any other Clerk, in the same Manner as the Right of Succession is given to the said before-named Clerks and Assistant Clerks.

Master of Reports and Entries appointed.

VIII. And be it further enacted, That there shall be an Officer to be called "The Master of Reports and Entries," to which Office the said several Registrars and the Six senior Clerks to the said Registrars shall in the Event of a Vacancy in the said Office, according to their Seniority, be entitled to succeed; but any such Registrar or Clerk so taking such Office shall vacate his Office of Registrar or Clerk, and shall not thereafter be entitled to fill either of such Offices, or to succeed any other Registrar or Clerk; and in the Event of the said Registrars and senior Clerks declining to accept such Office upon any Vacancy, the same shall be filled by the Nomination from Time to Time of the Lord Chancellor; and the Duties heretofore performed by the Master of the Report Office, by the Entering Registrars or Entering Clerks, and by the Clerk of the Exceptions of the said Court, so far as it shall be found necessary or expedient to continue such Duties, shall be performed by the said Master of Reports and Entries in such Manner and under such Rules and Regulations as the Lord Chancellor, together with the Master of the Rolls and Vice Chancellor, or One of them, shall, by any general Rules or Orders to be issued by them, direct or appoint; and the said Master of Reports and Entries shall receive and account for, in manner herein-after mentioned, all the Fees heretofore receivable by the said Master of the Report Office, the Entering Clerks or Entering Registrars, and the said Clerk of the Exceptions.

Clerks in the Office of the Master of Reports and Entries.

IX. And be it further enacted, That there shall be in the Office of the said Master of Reports and Entries, and subject to his Direction, a Clerk, to be called the Clerk of Reports; Two Clerks, to be called Clerks of Entries; and Ten Clerks of Accounts; that *John Henry Standen*, now acting as Agent to the Master of the Report Office, shall be such Clerk of Reports; that *John Reid* and *Edward Reid*, now acting as Clerks to the Entering Registrars, shall be such Clerks of Entries; and that *William Lampert*, *Jonathan Williams White*, *Edward Johnson*, *John Reid*, *Thomas Augustus Gale*, *Godfrey Marsden*, *Henry Frederick White*, *John Crump Routledge*, and *Charles Routledge*, now acting as Clerks of Accounts in the said Office, shall be continued in the said Offices, and that one other such Clerk shall be appointed by the Lord Chancellor; and that on the Death, Resignation, Promotion, or Removal of any of the said Clerks of Accounts in the said Office, or their Successors, other than the junior Clerk, the Vacancy thereby occasioned shall be filled up by the Clerk next in Seniority, against whom no Objection to the Satisfaction of the Lord Chancellor shall be made; and that in the Event of a Vacancy happening by the Death, Resignation, Promotion, or Removal of the junior Clerk, the Lord Chancellor shall from Time to Time appoint some proper Person to be such junior Clerk; and the said Lord Chancellor shall also appoint a Successor in the Event of a Vacancy of the Clerk of Reports and of either Clerk of Entries.

X. And

As to Copies of Decrees, &c.
No Recitals to be introduced in Decrees and Orders.

X. And be it further enacted, That any Person shall be at liberty to take an Office Copy of so much only of any Decree, Order, Report, or Exceptions as he may require; and that, unless the Court shall otherwise specially direct, no Recitals shall be introduced in any Decree or Order of the said Court, but the Pleadings, Petition, Notice, Report, Evidence, Affidavits, Exhibits, or other Matters or Documents on which such Decrees and Orders shall be founded shall merely be referred to; and it shall be lawful for the Lord Chancellor, if he shall think fit, together with the Master of the Rolls and Vice Chancellor, or One of them, to make and issue such Rules and Regulations as to the Form of such Decrees and Orders as he may deem necessary or proper for the proper drawing up of such Decrees and Orders, and carrying into effect the Provisions of this Act in regard thereto.

Clerk of Affidavits.
Assistant Clerk.

XI. And be it further enacted, That there shall be an Officer, to be called The Clerk of the Affidavits, who shall do and perform all the Duties heretofore done and performed by the Registrar of Affidavits, and shall receive and account for, in manner herein-after mentioned, all such Fees as were heretofore receivable by the said Registrar of Affidavits; and that there shall be an Assistant Clerk to the said Clerk of the Affidavits; and that such Clerk of the Affidavits and Assistant Clerk shall be from Time to Time appointed by the Lord Chancellor.

Patentee of Subpœna Office.

XII. And be it further enacted, That from and after the Death, Resignation, or Removal from his Office of the present Patentee of the Subpœna Office, all the Duties of such Office shall be performed by the said Clerk of the Affidavits, who shall thereupon receive and account for, in manner herein-after mentioned, all the Fees now receivable by the said Patentee.

Master to hear certain Interlocutory Matters, subject to Appeal;

XIII. And be it further enacted, That the Masters in Ordinary of the High Court of Chancery shall hear and determine all Applications for Time to plead, answer, or demur, and for Leave to amend Bills, and for enlarging Publication, and all such other Matters relating to the Conduct of Suits in the said Court as the Lord Chancellor, with the Advice and Assistance of the Master of the Rolls and Vice Chancellor, or One of them, shall by any general Order or Orders direct, in such Manner and under such Rules and Regulations as by any general Order or Orders to be also issued by the Lord Chancellor, with the Advice and Assistance aforesaid, shall be directed; and that it shall be lawful for either Party to appeal by Motion from the Order made on such Application to the Lord Chancellor, Master of the Rolls, or Vice Chancellor, and that the Order made on such Appeal shall be final and conclusive.

but not the Court, except on Appeal.

XIV. And be it enacted, That no such Application as above mentioned shall in future be heard by any of the Judges of the said Court of Chancery, except on Appeal as herein-before provided.

Costs on Interlocutory Matters.

XV. And be it enacted, That it shall be lawful for the said Masters, on all Applications made to them by virtue of this Act, to direct that

the Costs of all or any of the Parties shall be Costs in the Cause or Matter, or to award such liquidated Sum by way of Costs to any of the Parties as they shall think reasonable; and the Costs so awarded shall be recoverable in like Manner as Costs directed to be paid by an Order of the Court of Chancery.

Masters to be hereafter appointed by the King by Letters Patent.

XVI. And be it enacted, That the Appointment of all Masters in Ordinary of the High Court of Chancery, other than the Accountant General of the said Court, shall be vested in His Majesty, His Heirs and Successors, and that such Master shall hereafter be appointed by Letters Patent under the Great Seal of *Great Britain*, and shall take the usual Oaths before the Lord Chancellor, in like Manner as such Oaths have been heretofore administered.

Masters of the Court of Chancery to report yearly to the Lord Chancellor;

and annex to such Report a List of Causes then pending in his Office.

XVII. And be it further enacted, That each of the said Masters in Ordinary of the High Court of Chancery shall within the first Four Days of *Michaelmas* Term in each and every Year present or cause to be presented to the Lord Chancellor a Report in Writing under the Hand of such Master, stating the Days on which he shall have attended at his Office for and during Twelve Months preceding such Return in the Performance of his Duty, specifying the Number of Hours occupied in each of such Day's Attendance as aforesaid; and further, that each such Master shall annex to such his Report a List or Schedule, to be signed by him in like Manner, of the several Causes, Petitions, or Matters of every Description then pending in his Office, showing the then State and Stage of the same respectively, designating each Cause, Petition, or Matter by the Name or Names of the Party or Parties thereto, or some of them, with the Name or Names of each Solicitor engaged therein; and thereupon it shall be lawful for the said Lord Chancellor to make and issue such Order for filing or depositing and otherwise giving Publicity and Access to such List or Schedule as he in his Discretion shall think fit.

As to the Person to be appointed Chief Clerk.

XVIII. And be it further enacted, That no Person shall be appointed to be Chief Clerk of any Master in Ordinary of the said Court unless he shall have been admitted on the Roll of Solicitors or Attornies in one of the Courts of *Westminster Hall* for not less than Five Years, or shall have been a junior Clerk in the Office of one of the said Masters for a Term of Ten Years.

Suitors not compellable to take Copies.

XIX. And be it further enacted, That no Person shall be compelled or required to take or pay for any Copy of any Paper or Document being in the Office of any Master in Ordinary; and that every Person shall be at liberty to take a Copy of such Part only as he may require of any Paper or Document being in the Office of any such Master, and of any Interrogatories and Depositions being in the Office of either of the Examiners of the said Court: Provided always, that in the Taxation of Costs as between Party and Party, or as between Solicitor and Client, no Person be allowed the Costs of the Copy of any Paper or Document, or of any Part of any Paper or Document, originating in the Master's Office, or brought in before a Master, unless such Copy shall have been either made in the Master's Office, or transcribed from a Copy made therein, and taken by the

Party claiming to be allowed the Costs of such Second or other Copy, or unless such Copy shall have been made for the Use of any Master, or of the Court, or by the Desire or for the Use of the Client or Clients of the Solicitor claiming to be paid for such Copy.

Officers and Clerks to hold their Offices during good Behaviour.

XX. And be it further enacted, That each and every of the Masters in Ordinary, Registrars, and Clerks of the said Registrars, Master of Reports and Entries, Clerk of Affidavits, and Examiners of the said Court, shall hold their said Offices during their good Behaviour, and so long as they shall personally give their Attendance upon their respective Duties, and shall conduct themselves honestly and faithfully in the due Execution of the Duties of their said Offices respectively.

Hours of Business in the several Offices.

XXI. And be it further enacted, That the several Offices of the High Court of Chancery shall be and continue open for the Dispatch of Business during such Hours in the Day, and that the Officers and Clerks belonging thereto respectively shall attend in such Offices in the Discharge of their several Duties during such Times and for such Number of Hours in each Day, as the Lord Chancellor, together with the Master of the Rolls and Vice Chancellor, or One of them, shall by any Order or Orders to be issued by them from Time to Time direct; and that the Officers and Clerks in the said respective Offices shall give their personal Attendance in their respective Offices during the Times they shall so as aforesaid be directed to attend, unless otherwise engaged in the Business of their respective Offices, or prevented by Sickness or other unavoidable Cause.

Lord Chancellor empowered to make Rules for simplifying and settling the Practice of the Court;

XXII. And be it further enacted, That it shall and may be lawful for the Lord Chancellor, with the Advice of the Master of the Rolls and Vice Chancellor, or One of them, and they are hereby required, forthwith to make and issue such general Orders as they shall think fit for carrying the Provisions of this Act into execution, and such other Rules and Orders, not being inconsistent with the Enactments and Provisions of this Act, as they shall think fit and proper, for simplifying, establishing, and settling the Course of Practice of the said Court and of its several Offices.

and to annul or alter the same.

XXIII. And be it enacted, That the Lord Chancellor, with the like Advice of the Master of the Rolls and Vice Chancellor, or One of them, shall be and is hereby authorized and empowered, by the like general Orders to be made and issued by them as aforesaid, from Time to Time to annul, alter, or vary any Orders which may have been so as aforesaid made and issued, and to issue new Rules and Orders for the Purposes herein-before mentioned, or any of them.

Master of the Rolls to determine Motions arising in the High Court of Chancery.

XXIV. And be it further enacted, That it shall be lawful for the Master of the Rolls for the Time being, and he is hereby required, to hear and determine all such Motions arising in Causes depending in the High Court of Chancery as shall be duly made before him according to the Usage and Practice of making Motions in Causes before the Lord Chancellor, and to hear and determine all such Pleas and Demurrers filed in Causes depending in the High Court of Chancery

cery as shall be duly set down for hearing before him; and that all Orders made by the said Master of the Rolls for the Time being upon the hearing of such Motions, Pleas, and Demurrers respectively shall be deemed and taken to be respectively valid Orders of the High Court of Chancery; subject nevertheless in every Case to be discharged, reversed, or altered by the Lord Chancellor for the Time being.

Exception as to present Master of Rolls.

XXV. Provided also, and be it further enacted, That nothing herein contained shall be construed to require the present Master of the Rolls to hear and determine any such Motions, Pleas, or Demurrers, unless he shall think fit to give Directions for that Purpose.

Solicitors appointed to any Office under this Act to be struck off the Rolls.

XXVI. And be it further enacted, That every Solicitor or Attorney who shall be appointed to and shall accept any Office or Employment under or by virtue of this Act shall forthwith be struck off the Roll of Solicitors of the High Court of Chancery, and off the Roll of Attornies of any of His Majesty's Courts of Record at *Westminster*, on which his Name may be.

Examiners authorized to administer Oaths to Witnesses.

XXVII. And be it further enacted, That the Examiners of the High Court of Chancery shall be and they are hereby authorized and empowered to administer the usual and accustomed Oaths, and to take the usual Affirmations of the Witnesses examined before them; and that all Depositions of Witnesses examined in the High Court of Chancery shall hereafter be taken in the First Person; and the said Examiners shall receive and account for, in manner herein-after mentioned, all the Fees heretofore receivable by the said Examiners or their Clerks.

Vacancies in Six Clerks Office not to be filled up until the Number is reduced to Two.

XXVIII. And be it enacted, That as Vacancies may occur in the Office of Six Clerks of the said Court, such Vacancies shall not be filled up until the Number of such Six Clerks be reduced to Two Clerks, and that such Two Clerks shall have all the Rights and Privileges and perform all the Duties heretofore had and performed by the Six Clerks, whether as Clerks of the Inrolment of the High Court of Chancery, or otherwise, until it shall be otherwise provided by Act of Parliament; and when and as often as any One or more of the Six Clerks, other than the Two Clerks to be continued as aforesaid, shall die, or resign, or be removed from his Office all Fees and Emoluments which would have accrued to any such Six Clerk or Six Clerks if he or they had lived and continued in Office, shall be received by and be accounted for on Oath (such Oath to be administered by one of the Masters of the said Court), and be paid by the surviving or continuing Six Clerks into the Bank of *England*, to the Credit of the Accountant General of the said Court, to be by him placed to the Credit of an Account to be intituled "The Suitors Fee Fund Account."

Restraint on Sworn Clerk.

XXIX. And be it further enacted, That no Clerk shall be articled to any Sworn Clerk or Writing Clerk of the said Court at any Time between the passing of this Act and the First Day of *May* next.

XXX. And

As to the Powers given to the Lord Chancellor.

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

New Mode of issuing Subpœnas.

XXXI. And be it enacted, That the Patentee of the Subpœna Office shall forthwith provide a Seal, in such Form and with such Impression as the Lord Chancellor shall approve of; and that the Lord Chancellor for the Time being may cause such Seal or Impression to be varied from Time to Time as to him may seem fit; and that any Person desirous of issuing a Writ of Subpœna, such as has been heretofore issued by such Patentee, may prepare such Subpœna, and present the same for sealing, and the same shall henceforth be an open Writ, and either in the present Form or in any other Form which the Lord Chancellor may from Time to Time direct; and such Writ shall, upon Presentment thereof for that Purpose, be forthwith sealed with such Seal, and shall have the same Force and Validity as a Writ of Subpœna now has when sealed with the Great Seal; and there shall hereafter be paid for each such Subpœna, on the same being sealed, the Sum of Five Shillings and Sixpence, which Sum shall be received by the Patentee of the Subpœna Office until his Death, or Resignation of or Removal from his said Office, who, out of each Sum so to be received by him, shall pay to the Receiver of the Sixpenny Writ Duty the Sum of Sixpence, to the Chaff Wax and his Deputy, for their equal Use, the Sum of Two-pence, and to the Sealer attached to the Great Seal and his Deputy, for their equal Use, the like Sum of Two-pence; and from and after the Death, Resignation, or Removal of the present Patentee, such Writs of Subpœna shall be sealed by the said Clerk of the Affidavits, who shall thenceforth receive the same Sum of Five Shillings and Sixpence, and after discharging the like Fees and Outgoings to the several before-mentioned Officers shall pay what may remain to the said Accountant General, to be by him placed to the Credit of the said Account entitled "The Suitors Fee Fund Account."

Annual Sums paid to Deputy Registrars &c. to cease.

XXXII. And be it further enacted, That the several annual Sums or yearly Payments provided for and directed to be paid to the Sub or Deputy Registrars of the High Court of Chancery for the Time being, and their Clerks in the same Office, and to the Master of the Report Office and his Clerks, by any Act or Acts of Parliament whatsoever now in force, shall cease.

Salaries to Officers.

XXXIII. And be it further enacted, That there shall be paid by the said Accountant General, out of the Fund to be placed to his Account, to be entitled "The Suitors Fee Fund Account," to the several Officers named in the Schedule hereunder written, the several Salaries or yearly Sums set opposite to their respective Names or Titles in such Schedule, and that such Salaries or yearly Sums shall be payable and paid by equal quarterly Payments on the Twenty-fifth Day of *February*, the Twenty-fifth Day of *May*, the Twenty-fifth Day of *August*, and the Twenty-fifth Day of *November* in every Year, the first of such quarterly Payments to be made on the

Twenty-fifth Day of *February* One thousand eight hundred and thirty-four.

Proportion of Salaries to Representatives of deceased Officers.

XXXIV. And be it further enacted, That in the Event of the Death, Resignation, or Removal of the Masters in Ordinary or their Clerks, or of any Officer to be appointed or continued by virtue of this Act, in the Interval between any of the quarterly Days of Payment on which his Salary is hereby made payable, the Officer so resigning or being removed, or the Executors or Administrators of the Officer so dying, shall be entitled to receive and shall be paid such proportionate Part of his said Salary as shall have accrued from the next preceding quarterly Day of Payment to the Day of such Death, Resignation, or Removal; and the Person next in Succession to any such Officer shall be entitled to receive and be paid such Portion of the said Salary as shall have accrued and may accrue from the Day of such Death, Resignation, or Removal as aforesaid to the next succeeding quarterly Day of Payment.

First Payment to Clerk of Affidavits.

XXXV. And be it further enacted, That there shall be paid by the said Accountant General, out of the like Fund, the Sum of One hundred and twenty-five Pounds to the said Clerk of the Affidavits, and the Sum of Thirty-seven Pounds Ten Shillings to the said Assistant Clerk of the Affidavits, for and in lieu of their respective Salaries, from the passing of this Act to the Twenty-fifth Day of *November* following.

Provision in case of Surplus or Deficiency in Fee Fund.

XXXVI. And be it further enacted, That if at the End of any Year there shall be a Surplus standing to the Credit of the said Account entitled "The Suitors Fee Fund Account," after Payment of the several Salaries or Sums of Money hereby charged thereon, it shall be lawful for the Lord Chancellor, by any Order or Orders of the said Court of Chancery, to direct that any Surplus which may remain on the said Account to be entitled "The Suitors Fee Fund Account," after paying the several Salaries or Sums of Money hereby charged thereon, or such Part thereof as to the said Lord Chancellor shall seem fit, shall be invested in the Purchase of Parliamentary or Government Securities, in the Name of the said Accountant General, to be placed to an Account to be entitled "Account of Monies placed out to provide for the Officers of the High Court of Chancery;" and it shall be lawful for the Lord Chancellor in like Manner to direct the Investment of the Dividends or Interest to accrue from Time to Time on such last-mentioned Securities, or so much of such Dividends and Interest as he shall think fit, in the Purchase of Parliamentary or Government Securities, in the Name of the said Accountant General, to be by him placed to the Credit of the said last-mentioned Account; and in the Event of there being a Deficiency in the said Account to be entitled "The Suitors Fee Fund Account," at any of the Times hereby appointed for Payment of the Salaries herein-before mentioned, to raise and pay the several Sums then due, it shall be lawful for the Lord Chancellor to direct the said Accountant General from Time to Time to make good such Deficiency, as often as the same shall arise, by carrying over and placing to the said Account to be entitled "The Suitors Fee Fund Account" a Sum

sufficient for that Purpose out of the Interest and Dividends to arise from the Government or Parliamentary Securities standing to the said Account to be entitled "Account of Monies placed out to provide for the Officers of the High Court of Chancery," or by a Sale of so much of the said Securities as may be necessary for that Purpose; and in case such last-mentioned Securities, and the Interest and Dividends thereof, shall be at any Time insufficient to meet any such Deficiency, it shall be lawful for the Lord Chancellor to direct the said Accountant General from Time to Time to make good such last-mentioned Deficiency, as often as the same shall arise, by carrying over and placing to the said Account to be entitled The Suitors Fee Fund Account a Sum sufficient for that Purpose 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 Two several Accounts in the Bank of *England*, standing in the Name of the said Accountant General, and intituled "Account of Moneys 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 Moneys placed out for the Benefit and better Security of the Suitors of the High Court of Chancery".

Table of Fees to be settled and paid to Fee Fund Account.

XXXVII. And be it enacted, That it shall be lawful for the Lord Chancellor, with the Advice and Concurrence of the Master of the Rolls and the Vice Chancellor, or One of them, to fix and settle a Table of Fees to be received and taken by the Clerks to the Masters in Ordinary, and by the said Registrars and their Clerks; and that the said Clerks to the said Masters in Ordinary, and the said Registrars and their Clerks, shall and may thereafter take and receive such Fees; and that the said Clerks to the said Masters in Ordinary, and the said Registrars and their Clerks, and also the said Master of Reports and Entries, the Clerk of the Affidavits, and the Examiners, shall pay into the Bank of *England*, to the Credit of the said Accountant General, once in every Month, all Fees or Sums of Money to be received by them respectively by virtue of this Act (the Amount so received and paid by them to be verified by Affidavit to be sworn before one of the Masters of the said Court); and that the several Sums, when so paid in, shall be from Time to Time placed to the said Account to be intituled "The Suitors Fee Fund Account": Provided always nevertheless, that the Master of Reports and Entries, before making such Payment as aforesaid, shall be allowed to deduct from the Sum so received by him, and to pay to the said Clerk of Reports, One Penny Halfpenny *per* Folio of Ninety Words for every Office Copy made and delivered by him, and to the Clerks of Entries the like Sum of One Penny Halfpenny *per* Folio of Ninety Words for all Entries made by them; and that the Clerk of the Affidavits shall in like Manner be allowed to deduct from the Sum so received by him, and to pay to his Assistant Clerk, the Sum of One Penny Halfpenny *per* Folio of Ninety Words for every Office Copy of Affidavit made and delivered by him; and that the Examiners shall in like Manner be allowed to deduct from the Sums to be received by them in manner aforesaid, and

Allowances for copying.

and to pay to their Clerks, the Sum of One Penny Halfpenny *per* Folio of Ninety Words for every Office Copy to be made and delivered by them.

Table of Fees to be laid before Parliament.

XXXVIII. And be it enacted, That the Table of Fees so to be taken and received shall, within Fourteen Days next after the same shall be settled in manner aforesaid, be laid on the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following.

2,500*l.* to be paid annually to the Masters in Ordinary, exclusive of the Accountant General.

XXXIX. And whereas by an Act passed in the Fifth Year of the Reign of His late Majesty King *George* the Third the annual Sum of Two hundred Pounds was directed to be paid to each of the Eleven Masters in Ordinary of the High Court of Chancery, out of the Interest and Dividends of the Government or Parliamentary Securities herein-before and next herein-after mentioned; and by an Act passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third the annual Sum of Four hundred Pounds was directed to be paid to each of the said Eleven Masters in Ordinary, out of the Interest and Dividends of the same Securities, in addition to their respective Salaries; be it further enacted, That so much of the said Act as directs the Payment of the said several Sums of Two hundred Pounds and Four hundred Pounds to each and every of the said Masters, other than the Accountant General, shall be and the same is hereby repealed; and that out of the Interest and Dividends of the said Government or Parliamentary Securities carried or to be carried to the said Account entitled "Account of Monies placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," and out of the Interest and Dividends of the Government or Parliamentary Securities carried to the said Account entitled "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," in the said recited Acts passed in the Fifth and Forty-sixth Years of the Reign of His late Majesty King *George* the Third respectively mentioned, and out of the Interest and Dividends of any Government or Parliamentary Securities hereafter to be purchased and placed to the last-mentioned Accounts, there shall be paid (but subject to and without Prejudice to the Payment of all Salaries and other Sums of Money by any Act or Acts of Parliament not hereby repealed directed or authorized to be paid thereout) 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, without any Draft from the Accountant General of the said Court, the annual Sum of Two thousand five hundred Pounds to each and every of the Masters in Ordinary of the said Court for the Time being, exclusive of the Accountant General, free from all Parliamentary Taxes and Deductions whatsoever, which said annual Sum of Two thousand five hundred Pounds to each of the said Masters, exclusive as aforesaid, shall commence from the Twenty-fifth Day of *November* next, and shall be paid by equal quarterly

quarterly Payments on the Twenty-fifth Day of *February*, the Twenty-fifth Day of *May*, the Twenty-fifth Day of *August*, and the Twenty-fifth Day of *November* in every Year.

1½d. per Folio to be paid to Copying Clerks in the Masters Offices.

XL. And be it further enacted, That it shall be lawful for the Copying or Writing Clerks of the said Masters to receive and take the Sum of One Penny Halfpenny *per* Folio of Ninety Words, and no more, for every Copy of every Document or Writing, or a Part of any Document or Writing, made in the Masters Offices, from the Party requiring the same, and also for the Transcript of every Report; and that such Sum of One Penny Halfpenny *per* Folio shall be retained by the said Writing or Copying Clerks to be employed by the said Masters in their respective Offices, and that no Part thereof shall be received or retained by or applied for the Use or Benefit of any other Person or Persons on any Pretence whatsoever.

Officers and Clerks not to take Gratuities.

XLI. And be it further enacted, That if any Master in Ordinary of the High Court of Chancery, or any Person holding any Office, Situation, or Employment in any Office of the said Court, or under any of the Judges or Officers thereof, shall, for any thing done or pretended to be done relating to his Office, Situation, or Employment, or under colour of doing any thing relating to his Office, Situation, or Employment, wilfully take, demand, receive, or accept, or appoint or allow any Person whatsoever to take for him or on his Account, or for or on account of any Person by him named, or in Trust for him or for any other Person by him named, any Fee, Gift, Gratuity, or Emolument, or any thing of Value, other than what is allowed or directed to be taken by him as aforesaid, the Person so offending, when duly convicted, shall forfeit and pay the Sum of Five hundred Pounds, and shall be removed from any Office, Situation, or Employment he may hold in the said Court, and shall be rendered and is hereby rendered incapable for ever thereafter of holding any Office, Situation, or Employment in the said Court, or otherwise serving His Majesty, His Heirs or Successors.

Penalty on Conviction of Offender.

How Offenders may be prosecuted.

XLII. And be it enacted, That any such Offender may be prosecuted either by Information at the Suit of His Majesty's Attorney General, or by Criminal Information before His Majesty's Court of King's Bench, or by Indictment.

Lord Chancellor may order Expences of the Offices to be paid.

XLIII. And be it further enacted, That it shall be lawful for the Lord Chancellor, by virtue of any Order or Orders of the said Court to be made for that Purpose, to order and direct an annual Account to be taken, and to order Payment, out of the Funds herein-after mentioned, of all such Sums as shall appear to the Lord Chancellor to be reasonable and proper to be paid to the Masters, the Registrars, the Master of Reports and Entries, the Clerk of Affidavits, and the Examiners, and the Clerks in the same several Offices respectively, in order to reimburse them for any Expences reasonably and necessarily expended by them from and after the Day on which this Act shall come into operation until the Fifth Day of *April* then next following, and after that Time between the Sixth Day of *April* in every Year and the Fifth Day of *April* in the following Year, both

inclusive, for the Care or cleaning of the Rooms or Buildings in which any such Offices may be held, or for any Rent payable for or in respect of any such Buildings or Rooms, in paying for Books or Stationery provided or supplied for carrying on the Business of the said respective Offices, other than the Paper used for making Copies for Parties in the said several Offices of the Masters, the Master of Reports and Entries, the Clerk of Affidavits, and the Examiners, or in providing Coals and Candles and other necessary Articles for the said Offices and each of them, or in Payment of Taxes, Rates, and other Assessments charged upon or payable for or in respect of the said Offices and Buildings, and each or either or any of them, or to which the said several Officers or any of them may be liable in respect thereof; and that the Expences aforesaid of or relating to the said several Offices and Buildings shall be paid out of the Interest and Dividends of the Government or Parliamentary Securities carried to the said Two several Accounts entitled "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," or either of them.

Lord Chancellor, &c. may diminish Fees.

XLIV. And be it further enacted, That it shall and may be lawful for the Lord Chancellor, with the Advice and Concurrence of the Master of the Rolls and the Vice Chancellor, or One of them, from Time to Time, by any general Order or Orders, to direct that the several Fees hereby authorized to be received and taken, or any of them, may be varied and increased or reduced in Amount, or wholly omitted to be received, as to them shall seem fit, and as Circumstances may require, provided that sufficient of such Fees shall be left to meet the Demands hereby directed to be paid thereout.

Power to invest surplus Interest of Suitors Fund.

XLV. And be it further enacted, That the surplus Interest and annual Produce which hath arisen and shall arise from the Moneys placed out on the several Accounts entitled "Account of Moneys 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 Moneys placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," beyond what shall be sufficient to answer the Purposes of this and the several other Acts relating to such Securities, and also the Interest produced from the Securities purchased with such surplus Interest and annual Produce, shall from Time to Time be placed out in the Purchase of Government or Parliamentary Securities, in the Name of the Accountant General of the said Court, and placed to the Credit of the said Account entitled "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."

Money placed out, if required to

XLVI. And be it further enacted, That if at any Time hereafter the Whole or any Part of the Moneys placed out to the said Two several Accounts

Accounts intituled "Account of Moneys 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 Moneys placed out for the Benefit and better Security of the Suitors of the High Court of Chancery," or to be placed out in pursuance of 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 Whole or any Part of such Moneys to be called in, and the Securities in which the same and the surplus Interest and Dividends herein-before mentioned shall be placed, to be sold and 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.

answer Demands of Suitors, to be called in

XLVII. And be it further enacted, That it shall be lawful for the Lord Chancellor, by any Order or Orders of the said Court of Chancery, to authorize the Change of the Security or Securities, or of any Part of the Securities, to be purchased pursuant to this Act.

Power to change Securities.

XLVIII. And whereas it is alleged that the Emoluments of the present Masters in Ordinary, and of the Registrars and the Clerks of the said Registrars, and of the Clerks to the Entering Registrars, and of the Examiners and their Clerks, will be greatly diminished by the Operation of this Act, for which they claim to have Compensation made: And whereas the Office of Master of the Report Office, now held by *Thomas Alexander Raynsford* Esquire, and the Office of Clerk of Exceptions, and of Agent to the Senior Deputy Registrar, now held by Mr. *James Bird*, will be abolished by this Act: And whereas the Office of Registrar of Affidavits will have ceased and determined from and after the Twentieth Day of *August* One thousand eight hundred and thirty-three, and a Clerk of Affidavits, with greatly reduced Emoluments, is to be substituted for the said Registrar by virtue of this Act; and instead of Two Assistant Clerks in the said Office there is hereafter to be only One such Clerk: And whereas *William Nicholson*, the present Senior Clerk in the said Office, has been employed as a Clerk therein for Forty-two Years past, and by infirm Health is become incapable of effectually discharging the Duties of the Office of Clerk of Affidavits; and the said *Thomas Alexander Raynsford*, *James Bird*, and *William Nicolson* claim Compensation in respect of their said several Offices so held by them; be it therefore enacted, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, and they are hereby required, within the Space of Six Calendar Months next after the passing of this Act, by Examination on Oath or otherwise, which Oath they and each of them are and is hereby authorized to administer, to inquire whether any, and if any what, Compensation ought to be made to all or any of the said Officers and Persons herein-before mentioned as claiming such Compensation, the said Commissioners having regard to the Conditions on which the Appointment of any such Officer was made, or to any Notice which at the Time of such Appointment may have been given to such Officer, that such Office was to be holden

Lords of the Treasury may grant Compensation to Persons herein mentioned under certain Conditions.

holden subject to any Provision by Parliament for the Abolition or Regulation thereof, but with full Power for the said Commissioners to investigate and determine whether, from the Nature of the said Offices or the Mode of Accession thereto, any such Conditions or Notice could have been properly made or given, and also having regard to the holding of any Office, Place, or Situation by such Officer under this Act; and that in all Cases in which it shall apppear to the said Lords Commissioners that Compensation ought to be granted, it shall be lawful for the said Lords Commissioners, or any Three or more of them, by Warrant under their Hands, to order and direct that such annual or other Compensation shall be made to the Persons so claiming such Compensation as aforesaid, or any of them, as to the said Lords Commissioners in their Discretion shall seem just and reasonable; and all such Compensations, whether annual or in gross, shall be issued and paid and payable by the said Accountant General, by virtue of an Order or Orders for that Purpose to be made by the said Court of Chancery, out of the Funds hereby directed to be carried to the said Account entitled "The Suitors Fee Fund Account": Provided always, that an Account of all such Compensations shall, within Fourteen Days next after the same shall be so granted, be laid upon the Table of the House of Commons, if Parliament shall be then assembled, or if Parliament shall not be then assembled, then within Fourteen Days after the Meeting of Parliament then next following.

Treasury may grant Compensation to Secretary of the Master of the Rolls.

XLIX. And whereas it may be expedient for the further diminishing of the Expence of Suits in the said Court of Chancery that other Alterations may be made in the Practice of the said Court by abolishing Orders of Course and otherwise, and such Alterations may materially diminish the present Emoluments of the Secretary of the Master of the Rolls; be it enacted, That it shall be lawful for the Lords Commissioners of His Majesty's Treasury to inquire whether any, and if any what, Compensation ought to be made to the said Secretary for any such Loss of Emoluments, regard being had to the Nature of his Office, and to the Circumstances under which such Emoluments are payable and have lately increased; and if it shall appear to the said Lords Commissioners that Compensation ought to be granted, it shall be lawful for the said Lords Commissioners, or any Three or more of them, by Warrant under their Hands, to order and direct that such annual or other Compensation shall be made to the present Secretary, or to the Secretary of the Master of the Rolls for the Time being, as to the said Lords Commissioners in their Discretion shall seem just and reasonable; and such Compensation, whether annual or in gross, shall be issued and paid in like Manner and out of the like Fund as is herein-before provided with reference to Compensations to be granted to other Officers of the said Court; and an Account of any such Grant of Compensation shall be laid before Parliament in the same Manner as is provided as to other Compensations.

Masters in Chancery appointed after the passing of

L. And whereas by an Act passed in the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making Provision for such Masters in Ordinary of the High Court*

of Chancery as from Age or Infirmity shall be desirous of resigning their Offices, with the Approbation of the said Court, and for augmenting the Income of the Masters in Ordinary of the said Court, it is provided, amongst other Things, that it shall be competent to the Lord Chancellor to order an Annuity or clear yearly Sum of Money, not exceeding One thousand five hundred Pounds, to be paid to any of the Eleven Masters in Ordinary of the High Court of Chancery who shall have been a Master in Ordinary of the said Court for the Term of Twenty Years, or who shall be afflicted with some permanent Infirmity disabling him from the due Execution of his Office, and who shall be desirous of resigning the same: And whereas it is expedient that Allowance should not be made to any of such Masters hereafter to be appointed in respect of Length of Service, but only in case of permanent Infirmity and Disability; be it therefore enacted, That no Master in Ordinary of the High Court of Chancery to be appointed after the passing of this Act shall receive or be entitled to receive any Annuity or Allowance whatsoever in respect only of Length of Service, any thing in the said last-recited Act to the contrary notwithstanding. . . . . this Act not to be entitled to Annuity for Length of Service.

LI. And be it further enacted, That in case any Order shall hereafter be made by the Lord Chancellor for the Payment to any such Master hereafter to be appointed of any Annuity or yearly Sum, in regard that such Master may have become afflicted with some permanent Infirmity disabling him from the due Execution of his Office, then and in such Case the said Lord Chancellor shall in such Order state the Cause for the making the same, and shall cause a Copy of such Order to be laid on the Table of the House of Commons within Fourteen Days next after the making the same if Parliament shall be then assembled, and if Parliament shall not be sitting, then within Fourteen Days next after the assembling thereof. Order for Payment of Annuity to Master to contain the Cause of making same.

LII. And be it further enacted, That in all Cases in which the said Lord Chancellor shall order any Annuity to be paid to any Officer whatsoever of the Court of Chancery, by virtue of any Authority vested in him for that Purpose, the said Lord Chancellor shall cause a Copy of every such Order to be laid on the Table of the House of Commons within the Periods herein-before mentioned. Copy of any Order for Annuity to be laid before House of Commons.

LIII. And be it further enacted, That this Act shall come into operation, as to the Office of Clerk of the Affidavits, and the Duties therein and incident thereto, immediately after the passing of this Act, and as to all other Matters herein contained, on the Twenty-sixth Day of *November* One thousand eight hundred and thirty-three. Commencement of Act.

The SCHEDULE herein-before referred to.

	Salary.
The First Registrar	£2,000 per Ann.
Second Dº	1,800 —
Third Dº	1,800 —
Fourth Dº	1,500 —
Fifth Dº	1,500 —
Sixth Dº	1,250 —
The First Clerk to the Registrars	800 —
Second	800 —
Third	600 —
Fourth	600 —
Fifth	400 —
Sixth	400 —
Seventh	300 —
Eighth	300 —
Master of Reports and Entries	1,000 —
Clerk of Reports	200 —
First Clerk of Entries	150 —
Second	100 —
First Clerk of Accounts	500 —
Second	400 —
Third	350 —
Fourth	300 —
Fifth	250 —
Sixth	200 —
Seventh	150 —
Eighth	150 —
Ninth	150 —
Tenth	100 —
Clerk of Affidavits	500 —
Assistant Clerk to Dº.	150 —
To the Chief Clerk of each of the Masters in Ordinary, other than the Accountant General	1,000 —
To the junior Clerk of each of such Masters	150 —
To each of the Two Examiners of the Court	700 —
To the Clerk of each of the Examiners	150 —

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