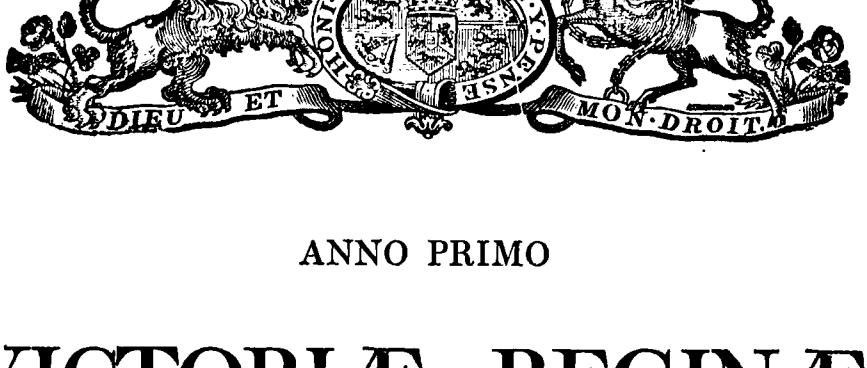



ANNO PRIMO

# VICTORIÆ REGINÆ.

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## CAP. LXV.

**An Act to render valid certain Acts done in the Performance of Duties in the Court of Exchequer in *Scotland* by the Lord Ordinary on the Bills in the Court of Session, and for the better Regulation of the said Court of Exchequer.**

[15th *July* 1837.]

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for making Provision for the Despatch of Business now done by the Court of Exchequer in* Scotland: And whereas another Act was passed in the Fifth and Sixth Years of the Reign of His said late Majesty, intituled *An Act to amend, until the End of the next Session of Parliament, an Act of the Second Year of His present Majesty, for making Provision for the Despatch of the Business now done by the Court of Exchequer in* Scotland; which Act was continued in force by another Act passed in the last Session of Parliament until the First Day of *July* One thousand eight hundred and thirty-seven, and from thence to the End of the then next Session of Parliament; and it was by the said second recited Act provided, that during the Indisposition or unavoidable Absence of the last remaining Baron of Exchequer the Duties of the said Court of Exchequer should be performed by the Judge of the Court of Session officiating as Lord Ordinary upon the Bills for the Time being:

2 & 3 W. 4. c. 54.

5 & 6 W. 4. c. 46.

being: And whereas the last remaining Baron of Exchequer was in a State of Indisposition and unable to attend the said Court of Exchequer for a considerable Time previous to and until his Death, which happened on the First Day of *June* last, and during such Indisposition the Duties of the said Court of Exchequer were performed by the Lord Ordinary on the Bills for the Time being: And whereas certain of such Duties were performed by such Lord Ordinary after the Death of the said last remaining Baron, and previous to the Appointment by His late Majesty of One of the Judges of the Court of Session to perform the Duties of the said Court of Exchequer in Terms of the said first-recited Act; and Doubts are entertained as to the Validity of the Performance of such Duties: Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Acts done in the Performance of the said Duties in the said Court of Exchequer by the said Lord Ordinary on the Bills, after the Death of the said last remaining Baron of Exchequer and previous to the Appointment by His late Majesty of One of the Judges of the Court of Session to perform such Duties, shall be and the same are hereby declared to be as valid and effectual as if the same had been performed by the said last remaining Baron, or during his Life and Indisposition and unavoidable Absence from the said Court.

Certain Acts done by Lord Ordinary declared valid.

II. And whereas it is expedient to provide a Remedy against the like Inconvenience in future; be it enacted, That it shall be lawful to the Lord Ordinary on the Bills for the Time being to perform the Duties of the said Court of Exchequer after the Death of the Judge of the Court of Session appointed by His late Majesty, or of any Judge to be hereafter appointed to perform such Duties under the said Act of the Second Year of the Reign of His late Majesty, and until the Appointment of another such Judge, in like Manner as during the Indisposition or unavoidable Absence of the Judge so appointed.

The Lord Ordinary may in future perform the Duties of the Court of Exchequer in certain Cases.

III. And be it enacted and declared, That all Rights and Immunities heretofore enjoyed by the said Court of Exchequer or the last remaining Baron thereof, with regard to Appointments or Offices in the said Court, in so far as the same are not otherwise provided for, shall be vested in and exercised by the Lord High Treasurer or Commissioners of Her Majesty's Treasury for the Time being.

Rights exercised by the Court of Exchequer to be vested in the Treasury.

IV. And be it enacted, That the said recited Act of the Fifth and Sixth Year of the Reign of His said late Majesty shall be and the same is hereby made perpetual.

Recited Act 5 & 6 W. 4. c. 46. made perpetual.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1837.