ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. XI.

An Act to repeal an Act passed in the Thirty-ninth and Fortieth Year of His present Majesty, for establishing certain Regulations in the Offices of the House of Commons, and to establish other and further Regulations in the said Offices.

[28th *February* 1812.]

WHEREAS an Act was passed in a Session of Parliament, holden in the Thirty-ninth and Fortieth Year of His present Majesty, intituled, *An Act for establishing certain Regulations in the Offices of the House of Commons*: And whereas the Provisions of the said Act are in several Respects defective, and in others require to be varied and amended; and it is therefore expedient to repeal the said Act, and to make other and further Provisions in lieu thereof; 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by the Authority of the same, That from and after the passing of this Act, the said Act shall be and the same is hereby repealed. 39 & 40 G. 3. c. 92. repealed.

II. And whereas by Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the Third Day of *June*, in the Eighth Year of the Reign of His present Majesty, the Office of Clerk of the House of Commons, with an Annuity of Ten Pounds, and all other Re-

wards, Dues, Rights, Profits, Commodities, Advantages, and Emoluments whatſoever to the ſaid Office, after what Manner ſoever, or howſoever, then or theretofore anciently appertaining, incident, accuſtomed, or belonging, was granted to *John Hatſell* Eſquire, for and during his natural Life: And whereas alſo by certain other Letters Patent, bearing Date at *Weſtminſter* the Fourth Day of *July*, in the Thirty-ſeventh Year of the Reign of His preſent Majeſty, the ſaid Office was granted to *John Ley* Eſquire, for and during his natural Life, to take Effect from and after the Deceaſe of the ſaid *John Hatſell*, in as full, ample, and beneficial a Manner as the ſame had been granted to the ſaid *John Hatſell* as aforeſaid: And whereas *John Clementſon* Eſquire was, on the Seventh Day of *January* laſt, appointed by His Royal Highneſs the Prince Regent of the United Kingdom, in the Name and on the Behalf of His Majeſty, to be the Serjeant at Arms attending upon the Speaker of the Houſe of Commons, during the Sitting of Parliament: And whereas it is expedient, that, after the Intereſts now veſted in the ſaid Perſons reſpectively ſhall expire, a different Diſtribution ſhould be made of the Salaries, Fees, and Emoluments belonging to the ſaid Officers reſpectively, and that Regulations ſhould be eſtabliſhed in relation to the Salaries and Emoluments of the ſaid Officers, and other Officers of the Houſe of Commons; be it therefore enacted,

Commiſſioners appointed.

That the Speaker of the Houſe of Commons for the Time being, and the Secretary or Secretaries of State, the Chancellor of the Exchequer, the Maſter of the Rolls, and the Attorney and Solicitor General for the Time being (they and each of them being alſo Members of the Houſe of Commons) ſhall be and they are hereby nominated, conſtituted, and appointed Commiſſioners for the Purpoſes of this Act; and any Three of the ſaid Commiſſioners (whereof the Speaker of the Houſe of Commons for the Time being ſhall be one) ſhall be and they are hereby authorized to carry this Act into Execution.

Fees of certain Officers how to be diſpoſed of.

III. And be it further enacted, That from and after the Expiration of the ſaid Letters Patent, ſo granted to the ſaid *John Hatſell* and *John Ley*, and of the Appointment of the ſaid *John Clementſon* as aforeſaid, all Salaries, Fees, Perquiſites, and Emoluments, which would have been due and payable to any future Clerk or Clerk Aſſiſtants of the Houſe of Commons, or Serjeant at Arms attending the Speaker of the Houſe of Commons for the Time being, in caſe this Act had not been made, ſhall from Time to Time, as the ſaid Commiſſioners ſhall direct, be paid into the Hands of the ſaid Commiſſioners, or of ſuch Perſon or Perſons as they ſhall by Warrant under their Hands and Seals appoint to collect the ſame, and ſhall by the ſaid Commiſſioners be applied and diſtributed in the Manner herein-after directed.

When Commiſſioners may act.

IV. Provided always, and be it further enacted, That nothing herein contained ſhall be taken or conſtrued to prevent the ſaid Commiſſioners, upon the Expiration either of the ſaid Letters Patent, granted to the ſaid *John Hatſell* and *John Lee* Eſquires, or of the ſaid Appointment of the ſaid *John Clementſon* Eſquire, which ever may firſt happen, from carrying the Purpoſes of this Act into Execution, as far as the Nature of the reſpective Caſes will admit; and provided alſo, that the ſaid *John Clementſon*, ſo long as he ſhall continue to hold the ſaid Office of Serjeant at Arms, ſhall hold the ſame under the like Regulations as the ſame was holden by his immediate Predeceſſor in the ſaid Office.

V. And

Office of Houſekeeper to be conſolidated with that of Serjeant at Arms.

V. And whereas the Offices of Serjeant at Arms attending the Speaker of the Houſe of Commons during the Sitting of Parliament, and of Houſekeeper of the Houſe of Commons, now are, and for a long Time paſt have been holden conjointly by the ſame Perſon, and the Salaries, Wages, Fees, and Emoluments appertaining to the Offices ſo holden, have been hitherto brought to account conjointly under the Act hereby repealed; be it therefore enacted, That after the Expiration of the preſent Intereſt of the ſaid *John Clementſon*, ſo appointed Serjeant at Arms as aforeſaid, the Office of Houſekeeper of the Houſe of Commons ſhall henceforth be holden by the Perſon who ſhall be appointed to the Office of Serjeant at Arms attending upon the Speaker of the Houſe of Commons; and the Salary, Fees, and Emoluments heretofore uſually paid to the Houſekeeper, ſhall be paid into the Hands of the ſaid Commiſſioners, or the Perſon or Perſons ſo appointed by them as aforeſaid, and be accounted for to the ſaid Commiſſioners, and applied by them together with and in like Manner as all the Salaries, Fees, Perquiſites, and Emoluments are by this Act directed to be paid and applied.

Duty of Collector of Fees.

VI. And be it further enacted, That the Perſon or Perſons ſo to be appointed by the ſaid Commiſſioners to collect and receive the Salaries, Fees, Perquiſites, and Emoluments, ſhall give ſuch Security as ſhall be required by the ſaid Commiſſioners, for the faithful Execution of ſuch Truſt, and duly to account, from Time to Time, as often as he or they ſhall be required ſo to do by the ſaid Commiſſioners, for all Sums of Money which ſhall come to his or their Hands as ſuch Collector or Collectors as aforeſaid; and he or they ſhall render ſuch Account of Monies ſo received as aforeſaid, together with an Account of all the Sums due and payable to the ſaid Clerk, Clerk Aſſiſtants, Serjeant at Arms, and Deputy Serjeant at Arms reſpectively, in Right of their reſpective Offices, who are hereby ſeverally required to certify ſuch Accounts under their Hands reſpectively; and every Account of Monies received by the Collector or Collectors ſhall be verified by him or them upon Oath as to the State thereof, and all Particulars relating thereto; which Oath any one of the ſaid Commiſſioners is hereby authorized to adminiſter; and ſuch Collector or Collectors ſhall from Time to Time, as ſhall be fixed or preſcribed by the ſaid Commiſſioners for that Purpoſe, pay into the Bank of *England*, in the Name and to the Account of the ſaid Commiſſioners, all Sums of Money which ſhall have come to or be in his or their Hands as ſuch Collector or Collectors as aforeſaid, and ſuch Account ſhall be called 'The Account of 'the Commiſſioners for regulating the Offices of the Houſe of Commons,' and the Name of the Speaker of the Houſe of Commons for the Time being ſhall be inſerted therein; and it ſhall be lawful for the ſaid Commiſſioners to order the Monies ſo placed to their Account as aforeſaid, or any Part thereof, to be paid and applied, from Time to Time, in making Payments under and for the Purpoſes of this Act.

Sums to be paid to the Clerk, Clerk Aſſiſtant, and Second Clerk Aſſiſtant of the Houſe of Commons.

VII. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby directed to pay to the Clerk of the Houſe of Commons for the Time being, the net annual Sum of Three thouſand Pounds, for and during the firſt Five Years which the ſaid Clerk of the Houſe of Commons ſhall hold his ſaid Office, and from and after the ſaid Term of Five Years to pay to ſuch Clerk of the Houſe of Commons, the further net Sum of Five hundred Pounds annually, making together the Sum of Three thou-

ſand five hundred Pounds; and to pay to the Clerk Aſſiſtant for the Time being the net annual Sum of Two thouſand Pounds, for and during the firſt Five Years which the ſaid Clerk Aſſiſtant ſhall hold his ſaid Office, and from and after the Expiration of the ſaid Term of Five Years, the further net annual Sum of Five hundred Pounds, making together the Sum of Two thouſand five hundred Pounds; and alſo to pay to the Second Clerk Aſſiſtant for the Time being, the net annual Sum of One thouſand five hundred Pounds, for and during the firſt Five Years which the ſaid Second Clerk Aſſiſtant ſhall hold his ſaid Office, and from and after the Expiration of the ſaid Term of Five Years, the further net annual Sum of Five hundred Pounds, making together the Sum of Two thouſand Pounds; which ſeveral annual Sums the ſaid Commiſſioners are hereby authorized to pay by Half-yearly Payments or otherwiſe as they ſhall think fit; and which Sums ſo paid by the ſaid Commiſſioners to the Clerk and Clerk Aſſiſtant and Second Clerk Aſſiſtant of the Houſe of Commons reſpectively, ſhall be taken and accepted by them reſpectively, in full Satisfaction and Diſcharge of all Salaries, Fees, Perquiſites, and Emoluments, to which they might or could have been entitled, or which they may have been accuſtomed reſpectively to receive by virtue or in reſpect of their ſaid reſpective Offices, previous to the paſſing of this Act, any former Practice or Uſage to the contrary notwithſtanding: Provided always, that nothing herein contained ſhall apply to or prevent the demanding, receiving, and taking the Fees which may ariſe from the Examination of the Sufficiency of the Sureties who enter into Recognizances to proſecute Election Petitions, or for taxing the Coſts and Expences of proſecuting and oppoſing any ſuch Petitions; which Fees are eſtabliſhed and aſcertainined under and by virtue of an Act of Parliament paſſed in the Twenty-eighth Year of His preſent Majeſty, for the further Regulation of the Trials of controverted Elections or Returns of Members to ſerve in Parliament.

Years of Service, how to be reckoned.

VIII. Provided always, and be it further enacted, That the Number of Years more than Five Years which any Clerk Aſſiſtant or Second Clerk Aſſiſtant for the Time being, who ſhall be appointed to the Office of Clerk of the Houſe of Commons after the Expiration of the Letters Patent aforeſaid, ſhall have held the Office of Clerk Aſſiſtant or Second Clerk Aſſiſtant, ſhall be reckoned as Part or the Whole, as the Caſe may be, of the Five Years by this Act required to entitle the Clerk of the Houſe of Commons to have and receive the full Salary or Sum of Three thouſand five hundred Pounds; and ſhall entitle ſuch Clerk Aſſiſtant or Second Clerk Aſſiſtant ſo appointed to the Office of Clerk of the Houſe of Commons, to the full Sum of Three thouſand five hundred Pounds *per Annum*; and in like Manner if any Second Clerk Aſſiſtant who ſhall have ſerved more than Five Years as ſuch, ſhall be appointed to the Office of Clerk Aſſiſtant, he ſhall be entitled thereupon to the full Sum of Two thouſand five hundred Pounds *per Annum*.

Salary to be paid the Serjeant at Arms.

IX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and directed, from and after the Expiration of the Intereſt of the ſaid *John Clementſon* in the ſaid Office of Serjeant at Arms, to pay to the Serjeant at Arms attending the Speaker of the Houſe of Commons, during the Sitting of Parliament for the Time being, the net annual Sum of Two thouſand Pounds; which ſaid

Sum of Two thouſand Pounds ſhall be taken and accepted by the ſaid Serjeant at Arms for the Time being, in full Satisfaction and Diſcharge of all the Salaries, Fees, Perquiſites, and Emoluments, to which any former Serjeant at Arms might or could have been entitled, or which he might have been accuſtomed to receive by virtue or in reſpect of his ſaid Office previous to the paſſing of this Act, and alſo of the Office of Houſekeeper of the Houſe of Commons herein-before mentioned, any former Practice or Uſage to the contrary notwithſtanding: Save and except the Allowance of Three hundred Pounds a Year, now uſually paid to ſuch Serjeant at Arms, in lieu of a Reſidence for the ſaid Serjeant at Arms ſo attending the Speaker as aforeſaid, until ſome ſuitable and convenient Reſidence in the Vicinity of the Houſe of Commons ſhall be provided as heretofore for ſuch Serjeant at Arms as aforeſaid; and which Sum ſhall be paid as heretofore by the Lords Commiſſioners of His Majeſty's Treaſury, and be receivable by the Serjeant at Arms in addition to ſuch Salary as aforeſaid, upon the Condition of his applying the ſame towards providing himſelf with a Reſidence in the Vicinity of the Houſe of Commons as aforeſaid.

Allowance to Deputy Serjeant at Arms.

X. And be it further enacted, That it ſhall be lawful for the Commiſſioners, and they are hereby directed, to pay to the Deputy Serjeant at Arms, an Allowance of Eight hundred Pounds; which ſaid Sum of Eight hundred Pounds ſhall be in lieu of all other Allowances, Fees, and Emoluments, to which any former Deputy Serjeant at Arms might have been entitled, or which he might have been accuſtomed to receive by virtue or in reſpect of his ſaid Office, previous to the paſſing of this Act, any former Practice or Uſage to the contrary notwithſtanding: Save and except an Allowance of Two hundred Pounds a Year, in lieu of a Reſidence for the ſaid Deputy Serjeant at Arms, until ſome ſuitable and convenient Reſidence, in the Vicinity of the Houſe of Commons, ſhall be provided as heretofore (which ſaid Sum ſhall be paid to him in like Manner, and under the like Conditions, as the Allowance before-mentioned to the Serjeant at Arms;) and alſo except ſuch Caption Fees as, upon an Account thereof to be rendered to the Commiſſioners, ſhall be allowed by them; which Allowance, in lieu of ſuch Reſidence and Caption Fees as aforeſaid, ſhall and may be received by ſuch Deputy Serjeant at Arms in addition to ſuch Salary as aforeſaid.

Commiſſioners to pay Collector, &c. and Clerks.

XI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby directed, to pay the Collector or Collectors and other Perſons employed by them in the Execution of this Act, ſuch Salaries or Allowances as ſhall appear to them to be juſt and reaſonable; and it ſhall alſo be lawful for the ſaid Commiſſioners, from Time to Time, to pay and allow to the Clerks in the Office of the Clerk of the Houſe of Commons, ſuch Sums and Allowances as may be juſt and proper, according to the Rules and Uſages heretofore, or which may hereafter be eſtabliſhed, or in uſe, for regulating ſuch Allowances; which Payments and Allowances ſhall be deemed and taken to be in lieu of all Payments for the like Services heretofore made upon Addreſs of the Houſe of Commons or otherwiſe.

Account to be laid before Parliament.

XII. And be it further enacted, That the ſaid Commiſſioners ſhall and they are hereby authorized and required to prepare and lay before the Houſe of Commons, within Twenty Sitting Days after the Commence-

ment of every Seſſion of Parliament, a Statement ſhewing the Amount of the Money remaining on their Account at the Bank, or collected under their Order, purſuant to the Proviſions and for the Purpoſes of this Act, after the making of all ſuch Payments as are herein-before required or authorized by this Act, or reſerving what may be neceſſary for making ſuch Payments, together with a Plan of the Manner in which it is propoſed or intended by the ſaid Commiſſioners that the Reſidue be applied and diſpoſed of, towards making a Proviſion for the Support of ſuch Officers of the Speaker of the Houſe of Commons, or of the Clerk of the ſaid Houſe, or Serjeant at Arms, as may from caſual Circumſtances appear to require the ſame, and for affording a permanent Allowance to the Clerk, Clerk Aſſiſtant, Second Clerk Aſſiſtant, Serjeant at Arms, or Deputy Serjeant at Arms, and ſuch other Perſons as aforeſaid, who may have been diſabled by Age or Infirmity from the Diſcharge of their reſpective Duties; which ſaid Plan ſhall be binding and concluſive on the ſaid Commiſſioners, and they are hereby authorized and directed to carry the ſame into Effect, unleſs the ſaid Houſe, within Twenty Sitting Days after the ſaid Plan ſhall have been ſo laid before them, ſhall have otherwiſe ordered and directed; and then and in ſuch Caſe with ſuch Variation as ſhall have been ſo ordered and directed.

Directions for laying Annual Accounts before the Houſe of Commons, and for Appropriation of the Surplus.

XIII. And be it further enacted, That the ſaid Commiſſioners ſhall prepare and lay before the Houſe of Commons, within the further Space of Twenty Sitting Days after the ſaid Plan ſhall have been concluded upon and eſtabliſhed, a Statement ſhewing the Amount of the Monies ſo received by them by virtue of this Act, and of the Purpoſes to which the ſame ſhall have been applied and diſpoſed of, or for which any Sum or Sums of Money may be neceſſary to ſatisfy the ſame, and carry the ſaid Plan into Execution, in order that the Sums neceſſary to ſupply any Deficiencies in the ſaid Fund for the Purpoſes to which the ſame is by this Act made applicable, and to pay ſuch Salaries and Allowances as are directed and authorized by this Act, may be provided by Parliament; and any Surplus (in caſe it ſhall appear from the ſaid Account that there is in the Hands of the ſaid Commiſſioners a Surplus remaining, after making all Payments required and authorized by this Act, and carrying into Effect the Plan and Orders herein-before mentioned) ſhall be applied and diſpoſed of towards providing, in caſe the Houſe ſhall ſee fit, a Remuneration for the Perſon or Perſons by whom the Duties of Chairman of the Committee of Ways and Means ſhall have been diſcharged during the then Seſſion of Parliament; and in caſe there ſhall be any further Surplus over and above a Sum equal to the Amount of the Charges and Outgoings for the laſt Year, and of the Payments propoſed and ſettled to be made under the Plan above mentioned, together with ſuch Remuneration if any, the ſaid Commiſſioners are hereby authorized and required, in the firſt Place, to retain ſuch Sum towards Payment of the Charges and Outgoings of the enſuing Year, and to pay thereout all ſuch Salaries and Allowances as aforeſaid, by Half-yearly Payments or otherwiſe, as they ſhall think fit; and the ſaid Commiſſioners ſhall, within Twenty Days after the Concluſion of ſuch Seſſion of Parliament, pay the final Surplus into the Exchequer, to the Account of the Conſolidated Fund.

Nomination of Clerks to be held by the Clerk.

XIV. And be it further enacted, That after the Expiration of the preſent Intereſt of the ſaid *John Hatſell* and *John Ley*, the Power of Nomination

or Appointment, by the ſaid Clerk of the Houſe of Commons, of all the Clerks in his Department, together with the Power of Suſpenſion and Removal of all the Clerks ſo by him nominated or appointed, ſhall be holden, exerciſed, and enjoyed by the ſaid Clerk of the Houſe, in ſuch Manner as the ſame are holden, exerciſed, and enjoyed at the Time of the paſſing of this Act: Provided nevertheleſs, that after the Expiration of the ſaid Letters Patent, granted to the ſaid *John Hatſell* and *John Ley*, no Clerk of the Houſe of Commons ſhall exerciſe the ſaid Office by Deputy.

Nomination of Meſſengers to be held by the Serjeant, &c.

XV. And be it further enacted, That the Power of Nomination or Appointment by the ſaid Serjeant at Arms, of all Officers, Meſſengers and other Perſons attendant on the Houſe, together with the Power of Suſpenſion and Removal of the Officers, Meſſengers, and other Perſons ſo by him nominated and appointed, ſhall be holden, exerciſed, and enjoyed by the ſaid Serjeant, in ſuch Manner as the ſame are holden, exerciſed, and enjoyed at the Time of the paſſing of this Act: Provided nevertheleſs, that ſuch Offices under the ſaid Serjeant, as have heretofore been accuſtomed to be ſold, ſhall continue to be ſold, and the Produce thereof ſhall be accounted for as heretofore, and be paid over to the ſaid Commiſſioners, or to their Collector or Collectors, as herein-before directed.

Officers, upon Complaint to The Speaker, liable to Suſpenſion or Removal.

XVI. Provided always, and be it further enacted, That if any Complaint or Repreſentation ſhall at any Time be made to the Speaker of the Houſe of Commons for the Time being, of the Miſconduct or Unfitneſs of any Clerk, Officer, Meſſenger, or other Perſon attendant on the Houſe of Commons, hereafter to be appointed by the Clerk of the Houſe of Commons, or Serjeant at Arms, or admitted into their reſpective Departments, (other than the Clerk Aſſiſtants and Deputy Serjeant at Arms) it ſhall be lawful for the ſaid Speaker to cauſe Enquiry to be made into the Conduct or Fitneſs of ſuch Perſon; and if thereupon it ſhall appear to the Speaker, that ſuch Perſon has been guilty of Miſconduct, or is unfit to hold his Situation, it ſhall be lawful for the Speaker to require that ſuch Perſon ſhould be ſuſpended or removed, as the Caſe may be, and ſuch Perſon ſhall be ſo ſuſpended or removed accordingly; and in the Caſe of any Perſon ſo appointed by the Serjeant at Arms who may have purchaſed his Place, ſuch Perſon ſhall be liable to be ſo removed as aforeſaid, with or without any Return of the Conſideration paid by him for the ſame, as by the Commiſſioners herein-before named ſhall be adjudged to be proper.

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