

RESEARCH NOTE
LETTERS PATENT, ISSUED AND ENROLLED
(TO THE UNDER CLERKS OF THE PARLIAMENTS)

1./ Scope of Article.

This article serves as an online research note, with its centrepiece the Letters Patent (LP) issued to John Hatsell, dated 3 June 1768. What is on offer: a functionalist view of issued and enrolled artefacts which are collectively known as Letters Patent; six are transcribed in this research note.

2./ Contents.

Letters Patent: There are six of these that appear at the bottom of this file. The table follows:

**FINDING AID FOR
LETTERS PATENT
(ENROLLED VERSIONS)
UNDER-CLERKS OF THE PARLIAMENT
Recovered at TNA
(Years of Issuance 1748-1820)**

Name of Patentee	Year	YYYY/MM/DD Patent Issued	Type = Absolute Conditional Limited	Patent Roll No. per TNA / folio	Detail on Spine of Index	Page (if 2 nos. the greater)	FNs
Dyson, J	1748	1748/02/13	Abs	C.66/3624 f 14	274/42	100	[1]
Tyrwhitt, T	1762	1762/08/18	Abs	C.66/3685 f 12	274/43	108	[2]
Hatsell, J	1768	1768/06/03	Abs	C.66/3717 f 7	274/43	242	[3]
Tyrwhitt, T	1768	1768/06/18	Con	C.66/3718 f 16	274/43	247	[4]
Ley, John	1797	1797/07/04	Con	C.66/3940 f 3	274/45	314	[5]
Ley, John H	1820	1820/11/22	Limited	C.66/4226 f 4	274/47	137 v.	[6]

In addition, I offer the entire section of John Hatsell's *Members/Speaker* which includes the text of the oath of office as of 1768. A shorter version of this material includes only the oath itself.

Finally, I conclude the documentary material in this web-file with text of the two statutes of relevance to these six Letters Patent. These are

- 39 & 40 Geo 3 c. 92 House of Commons Offices Act (1800)
- 52 Geo 3 c. 11 House of Commons Offices Act (1812)

The text is keyed in from Pickering's edition; his marginalia are converted to FNs. I can't vouch for the titles of the acts ... which may be a later encrustation but titles are useful handles and so they appear with the text below. I also need to check the text against text supplied by the parliamentary archives, given Pickering's occasional but annoying errors in transcription.

3./ BIBLIO IN BRIEF WITH CROSS-REFERENCE TO TNA RESEARCH GUIDE.

I didn't feel comfortable reproducing the TNA's research guide from the TNA website. This URL should guide the reader:

https://discovery.nationalarchives.gov.uk/results/r?_q=%22letters+patent%22

If that doesn't work, Googling 'Research Guide' at the TNA website will bring up an alpha spread, and 'L' will channel your search to 'Letters Patent'.

The TNA Research Guide operates at a useful level of abstraction, covering all such instruments. I note that the Crown's employment of charters went out of favour, while Letters Patent retained vitality far into the nineteenth century. Although this is a project that has yet to mature: I am working on a charter-to-charter comparison of such instruments from the Cluny charters (910 AD) forward. (Better side, a type-of-charter to type-of-charter comparison.) A paper in progress (for the Medieval Academy conference in Berkeley (March 2020) will be an important step forward along these lines.

4./ HOW PATENTS WORKED. In Progress.

5./ OATH. In Progress.

6./ SURRENDER. In Progress.

How where LPs surrendered?

And Whereas the said Nicholas Hardinge by an instrument in writing under his hand and seal bearing date the fourth day of January in the Twenty First year of our Reign and duly enrolled in our High Court of Chancery hath surrendered resigned and yielded up unto our hands the said office of Under Clerk of the Parliaments of us our heirs and successors and all his Estate and Interest of in and to the same and every part thereof together with the said recited Letters Patent to be

vacated and cancelled which said surrender we have accepted and do by these presents accept

TNA staff have supplied this information: 'Our record series C 73 includes 'Surrender Rolls' which include surrenders of office from 1712-1848' via chat of 20 June 2019. So I conclude that the LP itself was tendered back to an official authorized (by custom or rule) to receipt for the instrument and then make a record of that surrender.

Functionally, this prevented a mismatch between the highest (in chrono order) enrolled LP and any LP 'out in the real world'. That is, Thomas Tyrwhitt doesn't surrender his issued LP but the privy council orders that one be issued to JH. So both JH and TT can exhibit their LPs but JH's is the last-to-be-issued and that fact appears in the scroll of enrolled LPs.

This requires network theory to sort out ... or functionally requires skills grounded in network theory to be employed and exhibited ... so that the enrolling- and surrender-taking- officials know what it is that they are doing and the significance of their actions.

10./ ANALYSIS

DOCUMENTARY MATERIALS

LETTERS PATENT

LETTERS PATENT ISSUED TO JEREMIAH DYSON 1748

George the Second by the grace of God of Great Britain & to all to whom those presents shall come, Greeting,

Whereas we did by our letters patent under our great Seal of Great Britain bearing date at Westminster, the tenth day of January in the fifth Year year of our Reign, Give and Grant for us, our heirs and successors, unto Nicholas Hardinge of the Middle Temple London Esquire the Office of Under Clerk of the Parliaments of us our heirs and successors and did thereby will and grant for us, our heirs and successors that the said Nicholas Hardinge should be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons of our Kingdom of Great Britain, called and to be called to the parliaments of us our heirs and successors

To Have, Enjoy, Exercise and Occupy the said Office unto him, the said Nicholas Hardinge, by himself or his sufficient Deputy or Deputies together with an annuity of Ten Pounds of lawfull British money for the Exercise and Occupation of the said office payable half yearly at the Receipt of the Exchequer of us our heirs and successors and all other Rewards Dues Rights Profits Commodities Advantages and Emoluments whatsoever then or theretofore anciently belonging incident accustomed or appertaining during the natural life of him the said Nicholas Hardinge as in and by the said recited Letters Patent amongst divers other matters and things therein contained relation being thereunto had may more at large appear

And Whereas the said Nicholas Hardinge by an instrument in writing under his hand and seal bearing date the tenth day of January in the Twenty First year of our Reign and duly enrolled in our High Court of Chancery hath surrendered resigned and yielded up unto our hands the said office of Under Clerk of the Parliaments of us our heirs and successors and all his Estate Right Title and Interest of in and to the same and every part thereof together with the said recited Letters Patent to be vacated and cancelled which said surrender we have accepted and do by those presents accept

Now know ye that we very much confiding in the Fidelity & Industry of Jeremiah Dyson of Lincolns Inn in the County of Middlesex Esquire and for divers other good causes and considerations us hereunto specially moving of our especial grace certain knowledge and mere motion have given and granted and by those presents for us our Heirs and Successors do Give and Grant unto the said Jeremiah Dyson the office of Under Clerk of the Parliaments of us our Heirs and Successors and we will and by those presents for us our Heirs and Successors do grant that the said Jeremiah Dyson may be the Under Clerk of the Parliaments and every of them of us our Heirs and Successors to attend upon the Commons of our Kingdom of Great Britain, called and to be called to the parliaments of us our Heirs and Successors in as ample manner and form as the said Nicholas Hardinge or any other Under Clerk or Under Clerks of the Parliaments at any time heretofore hath or have had used or enjoyed or might or ought to have had used or enjoyed the office of Under Clerk of the Parliaments of England or Great Britain

To Hold Enjoy Exercise and Occupy the said Office unto the said Jeremiah Dyson by himself or by his sufficient Deputy or Deputys for and during the natural Life of him the said Jeremiah Dyson and further of our more abundant especial Grace and of our certain knowledge and mere motion for the considerations aforesaid we have Given and Granted and by those presents for us our Heirs and Successors do Give and Grant unto the said Jeremiah Dyson for the Exercise and Occupation of the said Office a certain Annuity or Annual Rent of Ten pounds of lawfull Money of Great Britain to be paid to the said Jeremiah Dyson half yearly at the receipt of the Exchequer of us our Heirs and Successors by the hands of the High Treasurer of Great Britain or the Commissioners of the Treasury of Great Britain the Under Treasurer and Chamberlains of us our Heirs and Successors there for the time being at the Feasts of the Nativity of St. John

the Baptist and the Birth of our Lord Christ by equal portions to hold, receive and enjoy the said Annuity or Annual Rent of Ten pounds to be paid in the manner aforesaid together with all other Rewards Dues Rights Profits Commodities Advantages and Emoluments whatsoever to the said Office after what manner soever or howsoever now or heretofore anciently appertaining without accustomed incumbent or belonging unto the said Jeremiah Dyson for and during the Natural Life of him the said Jeremiah Dyson in as ample a manner and form as the said Nicholas Hardinge or any other person or persons heretofore having or exercising the Office of Under Clerk of the Parliaments of England or of Great Britain ever hath or have had received used or enjoyed or ought in any wise to have or receive.

In Witness & witness & on the Thirteenth Day of February in the
Twenty first year of our Reign.
By Writ of Privy Seal.

LETTERS PATENT ISSUED TO THOMAS TYRWHITT 1762

George the Third by the grace of God & to all to whom those presents shall come, greeting,

Whereas our Royal Grandfather George the Second of glorious and happy Memory late King of Great Britain did by his Letters patent under his great Seal of Great Britain bearing date at Westminster, the thirteenth Day of February in the twenty first year of his Reign, Give and Grant for himself, his heirs and successors unto Jeremiah Dyson of Lincolns Inn in the County of Middlesex, Esquire, the Office of Under Clerk of the Parliaments of himself his heirs and successors and did thereby will and grant for himself his heirs and successors that the said Jeremiah Dyson should be the Under Clerk of the Parliaments and every of them of his Kingdon of Great Britain called and to be called to the Parliaments of himself his heirs and successors

To Have, Enjoy, Exercise and Occupy the said Office unto him, the said Jeremiah Dyson, by himself or his sufficient Deputy or Deputys together with an annuity of Ten Pounds of lawfull British money for the Exercise and Occupation of the said office payable half yearly at the Receipt of the Exchequer of his said late Majesty, his heirs and successors and all other rewards and rights to Profits Comodities Advantages and Emoluments whatsoever.

Then or therefore antiently belonging incident accustomed or appertaining during the life of him the said Jeremiah Dyson as in and by the said within Letters patent amongst divers other Matters and things therein contained Relation being thereunto had many more at large appear

And Whereas the said Jeremiah Dyson by an instrument in writing under his hand and seal bearing date the twenty second day of July in the second year of our Reign and duly enrolled in our High Court of Chancery hath surrendered resigned and yielded up into our hands the said office of Under Clerk of the Parliaments of us our heirs and successors and all his Estate Right Title and Interest of in and to the same and every part thereof together with the said recited Letters Patent to be vacated and cancelled which said surrender we have accepted and do by those presents accept

Letters patent to be vacated and cancelled which said surrender we have accepted and do by those presents accept

Now know ye that we very much Confiding in the fidelity and industry of our Trusty and well beloved Thomas Tyrwhitt of the Middle Temple London Esquire and for divers other good causes and considerations us hereunto specially moving of our Special Grace certain knowledge and mere motion have given and granted and by those presents for us, our heirs and successors to give and grant unto the said Thomas Tyrwhitt, the said office of Under Clerk of the Parliaments of us our heirs and successors and now will and by those for us our heirs and successors to grant that the said Thomas Tyrwhitt may be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons of our Kingdom of Great Britain, called and to be called to the Parliaments of us our heirs and successors in as ample amount and form as the said Jeremiah Dyson or any other Under Clerk or Under Clerks of the Parliaments at any time heretofore hath or have had used or Enjoyed or might or ought to have had used or Enjoyed the office of Under Clerk of the Parliaments of England or Great Britain

To Hold Enjoy Exercise and Occupy the said Office unto the said Thomas Tyrwhitt by himself or by his sufficient Deputy or Deputys for and during the Natural Life of the said Thomas Tyrwhitt.

And further of our more abundant Especial Grace and of our certain knowledge and mere motion for the considerations aforesaid ever have given and granted and by those presents for us, our Heirs and Successors do give and grant unto the said Thomas Tyrwhitt for the Exercise and Occupation of the said Office a certain Annuity or Annual Rent of ten pounds of lawfull Money of Great Britain to be paid to the said Thomas Tyrwhitt half yearly at the receipt of the Exchequer of Us, our Heirs and Successors by the hands of the High Treasurer of Great Britain or the Comissioners of the Treasury of Great Britain the Under Treasurer and Chamberlains of us our heirs and successors there for the time being at the feasts of the Birth of Our Lord Christ and the Nativity of Saint John the Baptist by equal portions

To Hold Receive and Enjoy the said Annuity or Annual Rent of Ten pounds to be paid in tmanner aforesaid together with all other Rewards Rights Profits Comoditys Advantages and Emoluments whatsoever to the

said Office after what manner soever or howsoever now or heretofore
antiently appertaining incident accustomed incumbent or belonging unto
the said Thomas Tyrwhitt for and during the Natural Life of him the said
Thomas Tyrwhitt in as ample manner and form as the said Jeremiah Dyson
or any other person or persons heretofore having or exercising the Office of
Under Clerk of the Parliaments of England or of Great Britain ever hath or
have had received used or enjoyed or might or ought in any wise to have or
receive

In Witness & witness & Ourselves at Westminster, the Eighteenth Day of
August.

By Writt of Privy Seal.

LETTERS PATENT ISSUED TO JOHN HATSELL 1768

George the Third by the grace of God & to all to whom those presents shall come, Greeting,

Whereas we did by our Letters patent under our great Seal of Great Britain bearing date at Westminster, the Eighteenth Day of August in the second year of our Reign, Give and Grant for us our heirs and successors, unto Thomas Tyrwhitt of the Middle Temple London Esquire the Office of Under Clerk of the Parliaments of us, our heirs and successors and did thereby will and grant for us, our heirs and successors that the said Thomas Tyrwhitt should be the Under Clerk of the Parliaments and every of them of us, our heirs and successors to attend upon the Commons of our Kingdom of Great Britain called and to be called to the Parliaments of us our heirs and successors.

To Have, Enjoy, Exercise and Occupy the said Office unto him, the said Thomas Tyrwhitt, by himself or his sufficient Deputy or Deputies together with an annuity of Ten Pounds of lawfull British money for the Exercise and Occupation of the said office payable half yearly at the Receipt of the Exchequer of us, our heirs and successors and all other Rewards, Rights, Comodities Advantages and Emoluments whatsoever then or theretofore anciently belonging incident accustomed or appertaining during the life of him the said Thomas Tyrwhitt as in and by the said within Letters patent amongst divers other matters and things therein contained Relation being thereunto had may now or later appear

And Whereas the said Thomas Tyrwhitt by an instrument in writing under his hand and seal bearing date the Twenty Eighth day of May in the eighth year of our Reign and duly enrolled in our High Court of Chancery have surrendered, resigned and yielded up unto our hands the said office of Under Clerk of the Parliaments of us our heirs and successors and all his Estate and Interest of and into the same and every part thereof together with the said recited Letters patent to be vacated and cancelled which said surrender we have accepted and do by those presents accept

Now know ye that we very much confiding in the Fidelity & Industry of our Trust and well-beloved John Hatsell Esquire and for divers other good causes and considerations us hereunto specially moving of our Especial grace certain knowledge and mere motion have given and granted

and by those presents for us, our Heirs and Successors so Give and Grant unto the said John Hatsell the office of Under Clerk of the Parliaments of us our Heirs and Successors and we will and by those presents for us our Heirs and Successors do grant that the said John Hatsell may be the Under Clerk of the Parliaments and every of them of us our Heirs and Successors to attend upon the Commons of our Kingdom of Great Britain, called to the parliaments of us our Heirs and Successors in as ample manner and form as the said Thomas Tyrwhitt or any other Under Clerk or Under Clerks of the Parliaments at any time heretofore hath or have used or enjoyed or might or ought to have had used or enjoyed the office of Under Clerk of the Parliaments of England or Great Britain

To Hold Enjoy Exercise and Occupy the said Office unto the said John Hatsell by himself or by his sufficient Deputy or Deputies for and during the Natural Life of the said John Hatsell and further of our more abundant Especial Grace and of our certain knowledge and mere motion for the considerations aforesaid we have Given and Granted and by those presents for us our Heirs and Successors do give and grant unto the said John Hatsell for the Exercise and Occupation of the said Office a certain Annuity or Annual Rent of ten pounds of lawfull Money of Great Britain to be paid to the said John Hatsell half yearly at the receipt of the Exchequer of Us, our Heirs and Successors by the hands of the High Treasurer of Great Britain or the Commissioners of the Treasury of Great Britain the Under Treasurer and Chamberlains of us our Heirs and Successors there for the time being at the Feasts of the Nativity of Saint John the Baptist and the Birth of our Lord Jesus Christ by equal portions to hold, receive and enjoy the said Annuity or Annual Rent of Ten pounds to be paid in the manner aforesaid together with all other Rewards Rights profits comodities advantages and Emoluments whatsoever to the said Office after what manner soever or howsoever now or heretofore anciently appertaining incident accustomed incumbent or belonging unto the said John Hatsell for and during the Natural Life of him the said John Hatsell in as ample a manner and form as the said Thomas Tyrwhitt or any other person or persons heretofore having or exercising the Office of Under Clerk of the Parliaments of England or of Great Britain ever hath or have had received used or enjoyed or might or ought in any wise to have or received.

In Witness & witness & our seal at Westminster, the Third Day of June.

By Writt of Privy Seal.

LETTERS PATENT ISSUED TO THOMAS TYRWHITT 1768

George the Third by the grace of God & to all to whom those presents shall come, greeting,

Whereas we did our Letters patent under our Great Seal of Great Britain bearing date at Westminster, the third Day of June in the Eighth year of our Reign, Give and Grant for us our Heirs and Successors unto John Hatsell Esquire, the Office of Under Clerk of the Parliaments of us our heirs and successors and did thereby will and grant for us our heirs and successors that the said John Hatsell should be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons, Our Kingdom of Great Britain, called or to be called to the Parliaments of us our heirs and successors

To Have, Enjoy, Exercise and Occupy the said Office unto him, the said John Hatsell, by himself or his sufficient Deputy or Deputies together with an annuity of ten pounds of lawfull British money for the Exercise and Occupation of the said office payable half yearly at the Receipt of the Exchequer of us our heirs and successors and all other Rewards Dues Rights Commodities Advantages and Emoluments whatsoever then or theretofore antiently belonging incident accustomed or appertaining during the natural life of him the said John Hatsell as in and by the said recited Letters patent amongst divers other matters and things therein contained Relation being thereunto had may more fully and at large appear

Now know ye that we very much confiding in the Fidelity and Industry of our Trusty and well beloved Thomas Tyrwhitt Esquire and for divers other good causes and consideration us hereunto specially moving of our Especial Grace certain knowledge and mere Motion have given and granted and by those presents for us our heirs and successors so give and grant unto the said Thomas Tyrwhitt the said office of Under Clerk of the parliaments of us our heirs and successors and we will and by those presents for us our heirs and successors so grant that the said Thomas Tyrwhitt may be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons of our Kingdom of Great Britain called and to be called to the parliaments of us our heirs and successors in as ample manner and form as the said John Hatsell or any other Under Clerk or Under Clerks of the parliaments at any time heretofore had or have had used or enjoyed or might or ought to have had

used or enjoyed the Office of Under Clerk of the Parliaments of England or Great Britain

To hold enjoy exercise and occupy the said office unto the said Thomas Tyrwhitt by himself or his sufficient Deputy or Deputies from and immediately after the death surrender forfeiture or other sooner determination of the Estate and Interest of the said John Hatsell therein for and during the Natural Life of him the said Thomas Tyrwhitt

And further of our more abundant Especial Grace and of our certain knowledge and mere motion for the considerations aforesaid we have given and granted and by those presents for us our heirs and successors so give and grant unto the said Thomas Tyrwhitt for the Exercise and occupation of the said office a certain Annuity or Annual Rent of ten pounds of lawfull money of Great Britain to be paid to the said Thomas Tyrwhitt half yearly at the receipt of the Exchequer of us our heirs and successors by the hands of the High Treasurer of Great Britain or the commissioners of the treasury of Great Britain the Under Treasurer and Chamberlains of us our heirs and successors there for the time being at the Feasts of the Nativity of Saint John the Baptist and the Birth of our Lord Christ by equal portions

To hold receive and enjoy the said Annuity or Annual Rent of ten pounds to be paid in manner aforesaid together with all other Rewards Dues Rights Profits Commodities Advantages and Emoluments whatsoever to the said office after what manner soever or howsoever now or heretofore Authority appertaining incident accustomed incumbent or belonging unto the said Thomas Thywhitt from and immediately after the death surrender forfeiture or other sooner determination of the Estate and Interest of the said John Hatsell in the said office for and during the natural Life of him the said Thomas Tyrwhitt in as ample manner and form as the said John Hatsell or any other person or persons heretofore having or exercising the office of Under Clerk of the parliaments of England or of Great Britain ever hath or have had received used or enjoyed or might or ought in any wise to have or receive

In Witness & witness ourself at Westminster the the Eighteenth day of June

By Writt of Privy Seal.

LETTERS PATENT ISSUED TO JOHN LEY 1797

George the Third by the grace of God & to all to whom those presents shall come, greeting,

Whereas we did our Letters patent under our Great Seal of Great Britain bearing date at Westminster, the third Day of June in the Eighth year of our Reign, Give and Grant for us our Heirs and Successors unto John Hatsell Esquire, the Office of Under Clerk of the Parliaments of us our heirs and successors and did thereby will and grant for us our heirs and successors that the said John Hatsell should be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons, Our Kingdom of Great Britain, called or to be called to the Parliaments of us our heirs and successors

To Have, Enjoy, Exercise and Occupy the said Office unto him, the said John Hatsell, by himself or his sufficient Deputy or Deputies together with an annuity of ten pounds of lawful British money for the Exercise and Occupation of the said office payable half yearly at the Receipt of the Exchequer of us our heirs and successors and all other Rewards Dues Rights Commodities Advantages and Emoluments whatsoever then or theretofore antiently belonging incident accustomed or appertaining during the natural life of him the said John Hatsell

And Whereas we did by our Letters Patent under our Great Seal of Great Britain bearing date at Westminster the Eighteenth day of June in the eighth year of Our Reign Give and Grant for Us Our Heirs and Successors unto Thomas Tyrwhitt Esquire the Office of Under Clerk of the Parliaments of Us Our Heirs Successors that the said Thomas Tyrwhitt should be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons of our Kingdom of Great Britain, called and to be called to the said Parliaments of us our heirs and successors To hold enjoy exercise and occupy the said Office unto him the said Thomas Tyrwhitt by himself or his sufficient Deputy or Deputies together with an annuity of Ten Pounds of Lawful British Money for the Exercise and Occupation of the said Office payable half yearly at the receipt of the Exchequer of Us Our Heirs and Successors And all other Rewards Dues Rights Profits Commodities Advantages and Emoluments whatsoever then or thentofore antiently belonging incident accustomed or appertaining from and immediately after the Death Surrender Forfeiture or other sooner

determination of the Estate and Interest of the said John Hatsell for and during the natural Life of him the said Thomas Tyrwhitt as in and by the said several recited Letters Patent amongst divers other Matters and Things therein contained relation being hereunto respectively had may more fully and at large appear

And Whereas the said Thomas Tyrwhitt is since deceased and the said John Hatsell is still living and in the profession and exercise of the said Office

Now Know Ye that we very much confiding in the Fidelity and Industry of Our Trusty and Welbeloved John Ley Esquire and for divers other good Causes and Considerations us hereunto specially moving of our Especial Grace certain knowledge and mere motion have Given and Granted and by those presents for Us Our Heirs and Successors to Give and by those presents for us our heirs and Grant unto the said John Ley the said Office of Under Clerk of the Parliaments of Us Our Heirs and Successors

And we will and by those presents for us our heirs and successors do grant that the said John Ley may be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons of our Kingdom of Great Britain called and to be called to the parliament of Us Our Heirs and Successors in as ample manner and form as the said John Hatsell or any other Under Clerk or Under Clerks of the parliaments at any time heretofore hath or have had used or enjoyed or might or ought to have had used or enjoyed the Office of Under Clerk of the Parliaments of England or Great Britain to hold enjoy exercise and occupy the said Office until the said John Ley by himself or his sufficient Deputy or Deputies from and immediately after the Date Surrender or Forfeiture or other sooner determination of the Estate and Interest of the said John Hatsell therein for and during the natural Life of him the said John Ley.

And further of our more abundant special Grace and of Our certain knowledge and mere motion for the considerations aforesaid We have Given and Granted And by those presents for Us Our Heirs and Successors To Give and Grant unto the said John Ley for the Exercise and Occupation of the said Office a certain Annuity or Annual Rent of Ten Pounds of lawful Money of Great Britain To be paid to the said John Ley half yearly at the Receipt of the Exchequer of Us Our Heirs and Successors by the Hands of the High Treasurer of Great Britain or the Commissioners of the Treasury

of Great Britain the Under Treasurer and Chamberlains of Us Our Heirs and Successors there for the time being at the feasts of the nativity of Saint John the Baptist and the Birth of Our Lord Christ by equal portions to hold receive and enjoy the said Annuity or Annual Rent of Ten Pounds to be paid in manner aforesaid together with all other Rewards Dues Rights Profits Commodities Advantages and Emoluments whatsoever to the said Office after what manner soever or howsoever now or heretofore antiently appertaining incident accustomed incumbent or belonging unto the said John Ley from and immediately after the Date Surrender Forfeiture or other sooner determination of the Estate and Interest of the said John Hatsell the said Office for and during the natural Life of him the said John Ley in as ample manner and form as the said John Hatsell or any other person or persons heretofore having or exercising the Office of Under Clerk of the Parliaments of England or of Great Britain ever hath or have had received used or enjoyed or might or ought n any wise to have or receive.

In Witness & witness & the fourth Day of July in the thirty seventh year of Our Reign.

By Writ of Privy Seal.

LETTERS PATENT ISSUED TO JOHN HENRY LEY 1820

George the Fourth by the grace of God & to all to whom those presents shall come, Greeting,

Know ye that we very much confiding in the fidelity and industry of our trusty and welbeloved John Henry Ley Esquire and for divers other good causes and considerations us hereunto specially moving of our especial grace certain knowledge and mere motion have given and granted And by those presents for us our heirs and successors do give and grant unto the said John Henry Ley the Office of Under Clerk of the Parliaments of us our heirs and successors vacant by the death of the late John Hatsell Esquire.

And we will and by those presents for us our heirs and successors do grant that the said John Henry Ley may be the Under Clerk of the Parliaments and every of them of us our heirs and successors to attend upon the Commons of our United Kingdom of Great Britain and Ireland called and to be called to the Parliaments of us our heirs and successors to hold enjoy exercise and occupy the said office unto the said John Henry Ley for and during his natural life together with all salaries fees rights profits perquisites and advantages whatsoever to the said office after what manner soever or howsoever appertaining incident incumbent or belonging.

In witness & witness & the twenty second day of November.
By writ of Privy Seal.

My footnotes to the six Letters Patent (last column on right in the table above):

[1] Third part 21st year of Geo II 15-34 Geo. II

[2] Fourth part in the second year

[3] Running header at top of page reads: "Third Part of Patents in the Eighth Year of ^{HM} King George the Third." Additional detail on spine reads: Patents Rolls 1-18 George III, Part 1."

[4] same as [3]

[5] Tenth Part Thirty Seventh Year additional detail 19-43 George III

[6] For life but limited in scope of earnings and authority

Ninth Part First Year of King George the Fourth "55 Geo III to 4 Will IV"

The Oath 1781 Hatsell 2 Members/Speaker (at 168-170):

What follows is the text of the oath extracted from the two pages of Members/Speaker referenced above:

“Ye shall be true and faithful, and troth you shall bear to our Sovereign Lord George the Third, by the Grace of God, King of Great Britain, France, and Ireland, and to his heirs and successors; ye shall nothing know, that shall be prejudicial to his Highness his crown, estate, and dignity royal, but that you shall resist it to your power, and with all speed ye shall advertise his Grace thereof, or at least some of his Council, in such wise as the same may come to his knowledge. Ye shall also well and truly serve his Highness, in the-office of Under Clerk of his Parliaments, to attend upon the Commons of this realm of Great Britain, making true entries, remembrances, and journals of the things done and past in the same. Ye shall keep secret all such matters as shall be treated in his said Parliaments, and not disclose the same before they shall be published, but to such as it ought to be disclosed unto. And generally ye shall well and truly do and execute all things belonging to you to be done, appertaining to the said office of Under Clerk of the Parliaments, As God you help, and by the contents of this book.”

Notes: These are JH’s double quotation marks.

The full text of JH's Observations appears below, complete with the heading and subheading reads as follows:

CLERK.

His Appointment, and the Officers under him.

The office of Clerk of the House of Commons, or, as it is sometimes called, "Clerk of the Commons House of Parliament," or, perhaps still more properly, as it is stiled in the patent, "Under Clerk of the Parliaments, to attend upon the Commons," is an office granted by the King, //168-1// for life, by letters patent, to be exercised by himself or Deputy, with an ancient salary of 10 £ payable half yearly at the Exchequer. Before the Clerk enters upon his office, he takes the following oath, kneeling upon his knees, before the Lord Chancellor; which oath is administered by the Clerk of the Crown. "Ye shall be true and faithful, and troth you shall bear to our Sovereign Lord George the Third, by the Grace of God, King of Great Britain, France, and Ireland, and to his heirs and successors; ye shall nothing know, that shall be prejudicial to his Highness his crown, estate, and dignity royal, but that you shall resist it to your power, and with all speed ye shall advertise his Grace thereof, or at least some of his Council, in {169} such wise as the same may come to his knowledge. Ye shall also well and truly serve his Highness, in the-office of Under Clerk of his Parliaments, to attend upon the Commons of this realm of Great Britain, making true entries, remembrances, and journals of the things done and past in the same. Ye shall keep secret all such matters as shall be treated in his said Parliaments, and not disclose the same before they shall be published, but to such as it ought to be disclosed unto. And generally ye shall well and truly do and execute all things belonging to you to be done, appertaining to the said office of Under Clerk of the Parliaments, As God you help, and by the contents of this book." //169-1//

By virtue of his office, the Clerk has not only the right of appointing a deputy to officiate in his stead, //169-2// but has the nomination of the Clerk Assistant, and all the other Clerks without doors. Formerly the appointment to these offices made a considerable part of the Clerk's income, as it was the usual practice to sell them; but when Mr. Dyson came to the office of Clerk, though he had purchased this of Mr. Hardinge, for no less a sum than six thousand pounds, he, with a generosity peculiar to himself, and from a regard to the House of Commons, that the several Under Clerkships might be more properly filled, than they probably would

be, if they were sold to the best Bidder, first refused this advantage, and appointed all the Clerks, whose offices became vacant in his time, without any pecuniary consideration whatever. I was the first that experienced {170} this generosity, as Clerk Assistant, to which office Mr. Dyson appointed me, //170-1// not only without any gratuity on my part, but indeed without having any personal acquaintance with me, till I was introduced to him by Dr. Akenside, and recommended by him, as a person that might be proper to succeed Mr. Reid, then just dead, as Clerk Assistant. This office, at the time I received it from Mr. Dyson, 'gratis,' he might have disposed of, and not to an improper person, or one unacquainted with the business of the House of Commons, for 3000 £.— Mr. Dyson's successors, i.e. Mr. Tyrwhitt and myself, have thought ourselves obliged to follow the example which he set; but it is one thing to be the first to refuse a considerable and legal profit, and another, not to resume a practice, that has been so honourably abolished by a predecessor.

Hatsell's FNs read as follows:

//168-1// In Grey's Debates, vol. vi. p. 106, is the following entry:

Complaint was made by several Members, of the Clerk's non-entry of the enquiries yesterday, concerning money issued out by Privy Seals, and that he deserved to be turned out of his place, for his misdemeanour.

The Speaker.] You meddle with what you have nothing to do with, in displacing the Clerk, he being a Patent Officer.

Mr. Hampden.] The Clerk Assistant is your own Officer, and you may put him out, and displace him, upon misdemeanour.

This allegation against the Clerk, of the not entering yesterday's order perfectly, was passed over, with some reflection on the Clerk; and he was ordered to perfect the Journal.

//169-1// Compare this oath, with the oath taken by the Clerk of the House of Lords, in the House of Lords, in the Journal of the 21st of March, 1620.

//169-2// See his Letters Patent, and D'Ewes's Journal, p. 431.

//170-1// On the 10th of May, 1760.

House of Commons Offices Acts (1800, 1812)

39 & 40 Geo 3 c. 92 House of Commons Offices Act (1800)

C A P. XCII.

An Act for establishing certain Regulations in the Offices of the House of Commons.

[28th *July* 1800.]

‘WHEREAS it is expedient that, after the Interests which the Persons hereinafter mentioned, enjoy, by virtue of Letters Patent granted by His Majesty, in the Office of Clerk of the House of Commons, shall have expired, a different Distribution should be made of the Fees and Emoluments now belonging thereto; and that for this Purpose further Regulations should be established in other Office of the said House: And whereas by Letters Patent //¹// 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 Rewards, Dues, Rights, Profits, Commodities, Advantages and Emoluments whatsoever to the said Office, after what manner soever or howsoever then or thentofore 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 //²// 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, by certain other Letters Patent, under the Great Seal of *Great Britain*, bearing Date //³// at *Westminster* the sixteenth Day of *November*, in the sixteenth Year of the Reign of His present Majesty, the Office of Serjeant at Arms attending the House of Commons, with a salary and all other Fees, perquisites and Emoluments to the said *Office* belonging, was granted to *Edward Coleman*

Esquire: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That 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, being also Members of the House of Commons, shall be, and they are hereby nominated, constituted and appointed Commissioners //4// for the Purposes of this Act; 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.

II. And be it further enacted, That, from and after the Expiration of the said Letters Patent so granted //5// to the said *John Hatsell, John Ley* and *Edward Coleman* as aforesaid, all Fees, Perquisites and Emoluments which would have been due and payable to any future Clerk or Clerk Assistant of the House of Commons, or Serjeant at Arms attending the House \\of\\ Commons for the time being, in case this Act had not been made, shall be paid into the Hands of the said Commissioners, to be by them applied //6// and distributed in the manner hereinafter directed; that is to say, 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 Expiration of the said Term of five Years, to pay to such Clerk of the House of Commons, the further nett Sum of five hundred Pounds annually, making together the Sum of three thousand five hundred Pounds; and to pay to the Clerk Assistant of the said House for the time being, the nett annual Sum of one thousand five hundred 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, to pay to such Clerk Assistant, the further nett annual Sum of five hundred Pounds, making together the Sum of two thousand Pounds; and which Sums so paid by the said Commissioners to the Clerk and Clerk Assistant of the House of Commons respectively, shall be taken and accepted by them in full Satisfaction and Discharge of all Fees, Perquisites and Emoluments to which he or they might or could have been entitled, or which he or they may have been accustomed to receive, by virtue or in respect of his or their said Office or Offices, previous to the passing of this Act; any Form, Practice or Usage to the contrary notwithstanding: Provided always, That in case a

Vacancy shall happen in the Office of Clerk of the House of Commons, after the Expiration of the said Letters Patent, and the Clerk Assistant for the time being shall succeed thereto, and shall then have held the Office of Clerk Assistant more than five Years, the Excess beyond five Years shall be reckoned as part of the whole, as the case may be, of the five Years which the Clerk of the House of Commons is herein required to have held his Office, before he shall be entitled to have and receive of the said Commissioners the said Sum of three thousand five hundred Pounds; any thing herein contained to the contrary thereof in any wise notwithstanding.

III. Provided always, and be it enacted, That if the Clerk Assistant who shall be in possession of that Office at the Expiration of the said Letters Patent, shall continue in such Office //7// after the Expiration of the said Letters Patent, or shall then or at any time thereafter be appointed Clerk of the House of Commons, the amount of his Salary or Allowance agreeably to the Provisions hereinbefore contained, shall be estimated according to the whole Number of Years, as well before as after the Expiration of the said Letters Patent, during which he shall in any of the said cases have held the said Office; any thing herein contained to the contrary in any wise notwithstanding.

IV. And be it further enacted, That the said Commissioners shall, and they are also hereby further authorized and directed from and after the Expiration of the Interest of the said *Edward Coleman* in the said Office of Serjeant at Arms, to pay to the Serjeant at Arms attending the House of Commons for the time being, the nett annual Sum of two thousand three hundred Pounds, //8// which said Sum of two thousand three hundred Pounds shall be taken and accepted by the aid Serjeant at Arms for the time being, in full Satisfaction and Discharge of all Fees, Perquisites and Emoluments to which he might or could have been entitled, or which he may have been accustomed to receive, by virtue or in respect of his said Office, previous to the passing of this Act; any Form, Practice or Usage to the contrary notwithstanding: Provided always, That in case the said Serjeant at Arms for the time being shall have or employ any Deputy he shall make an Allowance to such Deputy, at the Rate of not less than three hundred Pounds *per Annum*, out of the said Sum of two thousand three hundred Pounds; but if he shall not have or employ any such Deputy, he shall account to the said Commissioners for the said Sum of three hundred Pounds *per Annum*, or such Part thereof as shall not have been paid to such Deputy in any one Year.

V. 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, //9// within the first twenty sitting Days after the Expiration of the said Letters Patent, and so within twenty sitting Days after the Commencement of every subsequent Session of Parliament, a Plan of the manner in which the Residue (if any, or so much thereof as to them shall seem sufficient for the Purposes hereinafter mentioned) of the Monies so to be by them received, or which it shall appear to them, from an Average of the three preceding Years, will probably be received by them, shall be applied and disposed of towards making a more certain and regular Provision for the Support of such Officers in the Departments of the Speaker of the House of Commons, and of the Clerk of the said House, and Serjeant at Arms, as may from casual Circumstances appear to require the same, and for affording Relief to such Persons belonging to, or who may have belonged to the said Department, and who may have been disabled by Age or Infirmary 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 Variations as shall have been so made therein, and so from time to time as often as such Plan shall as above required be laid before the House.

VI. And be it further enacted, That the said Commissioners shall prepare and lay before the House of Commons, within twenty sitting Days after the Commencement of every Session of Parliament, an Account of the Monies so received by them, //10 // by virtue of this Act, and of the manner in which the same shall have been applied and disposed of; and that in case it shall appear from the said Account that there is in the Hands of the said Commissioners a Surplus remaining, after carrying into Effect the Plan or Orders hereinbefore mentioned, it shall and may be lawful for the said House to direct such a Disposition to be made thereof, as to them shall appear most proper 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 for the better Support of Persons belonging to any of the Departments hereinbefore mentioned, those Persons belonging thereto excepted, whose Salaries may have been or may be fixed by the Authority of Parliament, and so in such case, from time to time, in every subsequent Session of Parliament, as Circumstances shall admit of and require.

VII. 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 Ley* Esquires, or of the said Letters Patent granted to the said *Edward Coleman* Esquire, whichever may first happen, from carrying the Purposes of this Act into Execution,¹¹ //11// as far as the Nature of the respective cases will admit; and that thereupon all Fees, Perquisites and Emoluments which would have been due and payable to such of the said Officers; whole Patents or Patent shall have so expired, shall be paid into the Hands of the said Commissioners in the manner hereinbefore directed.

52 Geo 3 c. 11 House of Commons Offices Act (1812)

C A P. 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*; //¹²// 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.

‘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, //¹³// with an Annuity of Ten Pounds, and all other Rewards, Dues, Rights, Profits, Commodities, Advantages and Emoluments whatsoever to the said Office, after what manner soever, or howsoever, then or therefore 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, //¹⁴// 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, 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; //¹⁵// 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.

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, //¹⁶// 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, 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 hereinafter directed.

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 Ley* 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, //¹⁷// 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 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;’ //¹⁸// 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.

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, //¹⁹// 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 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.

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, //²⁰// 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 thousand 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, //²¹// 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 ascertained 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 //²²// of controverted Elections or Returns of Members to serve in Parliament.

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//²³ // 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*.

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^{//²⁴ //} 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 hereinbefore 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.

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, ^{//²⁵ //} 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 Commissioner, 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.

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 or other Persons employed by them in the Execution of this Act, //²⁶ // 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 Payments 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.

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, //²⁷ // within Twenty Sitting Days after the Commencement 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 hereinbefore 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.

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, //²⁸// 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 hereinbefore 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 abovementioned, together with such Remuneration, if any, the said Commissions 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 Halfyearly 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.

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, //²⁹// 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.

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, //³⁰// 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 continued 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 hereinbefore directed.

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, //³¹// 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 hereinbefore named shall be adjudged to be proper.

Footnotes

These are broken into 1 – 11 and 12 – 31 and reproduce Pickering's marginal notes for each statute. NB: There is a missing 'of' in Section II of 39/40 Geo 3 c. 92 which I take to be a printer's lapse.

¹ Letters Patent, 3d June, 8 G. 3.

² 4th July, 37 G. 3.

³ 16th Nov. 16 G. 3.

⁴ Commissioners appointed.

⁵ After Expiration of Letters Patent, Fees and Emoluments of certain Officers paid to Commissioners.

⁶ How applied.

⁷ Proviso for Clerk Assistant continuing in Office after Expiration of Letters Patent.

⁸ Salary paid Serjeant at Arms and Deputy, &c.

⁹ A Plan of applying the Residue of the Money received by Commissioners, laid before Parliament.

¹⁰ Account of Money received and disbursed laid before House of Commons annually.

¹¹ When Commissioners may execute Act.

¹² 39 & 40 G. 3 c. 92.

¹³ Letters Patent, 3 June, 8 G. 3.

¹⁴ 4 July, 37 G. 3.

¹⁵ Commissioners appointed.

¹⁶ Fees of certain Officers how disposed of.

¹⁷ When Commissioners may act.

¹⁸ Office of Housekeeper consolidated with that of Serjeant at Arms.

¹⁹ Duty of Collector of Fees.

²⁰ Sums paid to Clerk, Clerk Assistant, and Second Clerk Assistant of the House of Commons.

²¹ Proviso.

²² 28 G. 3 c. 52.

²³ Years of Service, how to be reckoned.

²⁴ Salary to Serjeant at Arms.

²⁵ Allowance to Deputy Serjeant at Arms.

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- ²⁶ Commissioners to pay Collector, &c. and Clerks.
- ²⁷ Account laid before Parliament.
- ²⁸ Directions for laying Annual Accounts before the House of Commons, and for Appropriation of Surplus.
- ²⁹ Nomination of Clerks to be held by the Clerk.
- ³⁰ Nomination of Messengers to be held by Serjeant &c.
- ³¹ Officers, upon Complaint to the Speaker, liable to Suspension or Removal.