



# Public Offices (Scotland) Act 1817

## 1817 CHAPTER 64

An Act to abolish certain Offices, and regulate others, in Scotland. [7th July 1817]

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 from and after and upon the Termination of the present existing Interest in the Office of Keeper of the Great Seal for Scotland, or when the said Office shall become vacant, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any higher Salary to the Keeper or the Great Seal for Scotland, nor shall any Keeper of the Great Seal for Scotland henceforth to be appointed enjoy a higher Salary in respect of such Appointment than the Sum of Two thousand Pounds per Annum.

## II Application of Fees.

And be it further enacted, That the Fees heretofore charged or chargeable for or in respect of any Charters, Letters Patent, or other Instruments passing the Great Seal of Scotland, shall continue to be paid and payable for or in respect of such Instruments passing the same; and all such Fees (shall be applied, in the first Place, in the paying and defraying such Salary as the Lord High Treasurer of the United Kingdom of Great Britain and Ireland, or the Commissioners of His Majesty's Treasury of the said United Kingdom for the Time being, or any Three or more of them, shall think fit to grant to the Deputy Keeper of the said Great Seal; and, in the next Place, in the paying to the Keeper of the said Great Seal the said Salary of Two thousand Pounds per Annum hereby authorized to be granted to him ; and the Surplus of such Fees shall, at the Expiration of every Quarter, be paid to the Receiver General of Scotland for the Time being, to be by him accounted for with other Public Monies received by him ; and if such Fees shall not be sufficient to pay such Salary, the Balance remaining unsatisfied by such Fees shall and may be defrayed in the same Manner as the Salary of the Keeper of the Great Seal is at present paid and defrayed.

**III Salary of Keeper of the Privy Seal for Scotland in like Manner limited to 1,200l. per Annum.**

And be it further enacted, That from and after and upon the Termination of the present existing Interest in the Office of Keeper of the Privy Seal for Scotland, or when the said Office shall become vacant, it shall not be lawful for His Majesty, His Heirs or Successors, to grant any higher Salary to the Keeper of the Privy Seal for Scotland, nor shall any Keeper of the Privy Seal for Scotland henceforth to be appointed enjoy a higher Salary in respect of such Appointment than the Sum of One thousand two hundred Pounds per Annum.

**IV Application of Fees.**

And be it further enacted, That the Fees at present charged or chargeable for or in respect of Instruments passing the Privy Seal of Scotland, shall continue and be paid and payable for or in respect of such Instruments passing the same; and all such Fees shall be applied in the first Place in paying and defraying such Salary as the said Lord High Treasurer, or the said Commissioners of His Majesty's Treasury for the Time being, or any Three or more of them, shall think fit to grant to the Deputy Keeper of the said Privy Seal; and in the next Place, in the Payment of the said Salary of One thousand two hundred Pounds per Annum hereby authorized to be granted to the Keeper of the Privy Seal; and any Balance which may remain of such Fees shall be paid at the Expiration of every Quarter to the Receiver General of Scotland for the Time being, to be by him accounted for with other Public Monies received by him; and if such Fees shall not be sufficient to pay such Salaries, the same shall and may be defrayed in the same Manner as the Salary heretofore granted to the said Keeper of the Great Seal is paid and defrayed.

**V Duties of Office of Keeper of the Signet to be discharged by the Lord Register, whose Salary shall be limited to 1,200l. per Annum.**

And be it further enacted, That from and after and upon the Termination of the present existing Interests in the Offices of Keeper of the Signet and Lord Register in Scotland respectively, or upon either of the same becoming vacant, the Duties of Keeper of the Signet in Scotland shall be discharged by the Lord Register; and it shall not be lawful for His Majesty, His Heirs or Successors, to grant to any Person who shall henceforth be appointed to discharge the Duties of Lord Register in Scotland a higher Salary, nor shall any Person who shall be appointed to discharge such Duties enjoy a higher Salary in respect of such Appointment than One thousand two hundred Pounds per Annum; and every Person henceforth to be appointed Lord Register shall discharge the Duties of Keeper of the Signet, as well as of Lord Register, with the Aid of such Assistance from Clerks and other Officers as the said Lord High Treasurer or the said Commissioners of His Majesty's Treasury, or any Three or more of them for the Time being, shall think fit to appoint.

**VI Application of Fees.**

And be it further enacted, That the Sums at present paid and payable to the Keeper of the Signet for Scotland, and the Fees at present payable for or in respect of Instruments passing the Signet in Scotland, and also the Fees paid and payable to the Lord Register for Scotland, or in respect of the Duties at present discharged by any Person or Persons in the Office of the said Lord Register, shall continue to be paid and payable in the same Manner as such Fees respectively are now paid and payable; and such Fees shall

be applied in the first Place in satisfying and paying such Salaries or Allowances as the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them, shall think fit to grant and direct to be paid to any Person or Persons whom they may think necessary for the due Discharge of the Business appertaining to the Offices of Lord Register and Keeper of the Signet for Scotland respectively; and in the next Place, in the Payment of the said Salary of One thousand two hundred Pounds per Annum hereby authorized to be granted to the Person holding the said Office of Lord Register; and any Balance of such Fees which shall remain after such Payment shall be paid to the Receiver General of Scotland at least Once in Three Months, or as the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall direct, and shall be paid and accounted for by him with the other Public Monies received by him.

**VII Provision in case the Office of Keeper of the Signet shall become vacant before that of Lord Register.**

Provided always, and be it enacted, That if the present existing Interests in the said Office of Keeper of the Signet shall terminate, or the said Office shall become vacant before the present existing Interests in the said Office of Lord Register shall terminate, or before the said last-mentioned Office shall become vacant, then the Duties of Keeper of the Signet shall be discharged by the present Lord Register for Scotland, and the Duties and Establishment of the said Office of Keeper of the Signet shall thereupon be regulated in the Manner directed by this Act; and the said Fees appertaining to the said Office of Keeper of the Signet, or received therein, shall, after paying and defraying the Salaries and Allowances to be granted to the several Persons to be appointed by the said Commissioners of His Majesty's Treasury, for the due Discharge of the Business of the Office of Keeper to the Signet, be paid to the Receiver General for Scotland at least Once in every Three Months, and shall be paid and accounted for by him in the same Manner with other Public Monies received and accounted for by him.

**VIII Provision in case the Office of Lord Register shall become vacant before that of Keeper of the Signet.**

And be it further enacted, That if the present existing Interests in the said Office of Lord Register shall terminate, or the said Office shall become vacant before the existing Interests in the said Office of Keeper of the Signet shall terminate, or before the said last-mentioned Office shall become vacant, then the Duties and Establishment of the said Office of Lord Register shall be regulated in the Manner directed by this Act; and the Fees at present payable for or in respect of the said Office of Lord Register, or received therein, after paying and defraying the Salaries and Allowances of such Person or Persons as shall be appointed by the said Lord High Treasurer, or Commissioners of His Majesty's Treasury, for the Purpose of transacting the Business of the said Office of Lord Register, shall be paid and applied towards Payment of the Salary by this Act allowed to be granted to the Lord Register; and if any Balance of such Fees shall remain after being so applied, the same shall, at least Once in Three Months, be paid to the Receiver General of Scotland, and shall be paid and accounted for by him in the same Manner with other Public Monies received and accounted for by him.

**IX Offices of Cashier and Receiver General of Excise regulated.**

And be it further enacted, That every Cashier and Receiver General of Excise in Scotland henceforth to be appointed shall discharge the Duties of the said Office in Person, subject to such Rules and Regulations as shall be established by the said Lord High Treasurer or Commissioners of His Majesty's Treasury, or any Three or more of them for the Time being for that Purpose, which they are hereby authorized and required to direct to be observed for the due Discharge of the Duties of the said Office ; and no Cashier or Receiver General of Excise henceforth to be appointed shall enjoy or receive, for or in respect of such Appointment, a higher Salary than One thousand Pounds per Annum; and every such Cashier or Receiver General shall give such Security for the due Discharge of the Duties of his Office in Person as the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them, shall think fit to order and direct in that Behalf.

**X Knight Marshal and Vice-Admiral.**

And be it further enacted, That no Person henceforth to be appointed to either of the Offices of Knight Marshal or Vice Admiral in Scotland shall enjoy or receive any Salary whatever for or in respect of either of the said Offices.

**XI Certain other Offices regulated.**

And be it further enacted, That from and after and upon the Termination reflectively of the present existing Interests in the under-mentioned Offices, videlicet, the Office of Auditor of the Exchequer in Scotland, the Office of King's Remembrancer in Exchequer in Scotland, the Office of Lord Treasurer's Remembrancer in Exchequer in Scotland, the Office of Presenter of Signatures in Exchequer in Scotland, the Office of Keeper of the General Register of Seisins in Scotland, the Office of Clerk to the Admission of Notaries in Scotland, the Office of Director of the Chancery in Scotland, the Office of Clerk of the Chancery in Scotland, and the Office of Clerk of the Court of Admiralty in Scotland; and so soon as the said Offices or any or either of them reflectively shall become vacant, the Duties thereof shall be discharged by the Officer appointed to hold the same in Person; and from Time to Time as any of the said respective Offices shall become vacant, it shall be lawful for the said Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them for the Time being, and they are hereby authorized and required, to regulate the Duties and Establishments of the said Offices reflectively as they reflectively become vacant, so as that the several Duties to be discharged therein reflectively shall be performed in Person; and thereupon and thereafter such and such Number of fit and proper Persons shall be appointed, or shall be authorized and directed to be appointed, as may be sufficient and necessary to perform and execute the Duties to be done, performed, and executed in the said Offices reflectively, as the said Commissioners shall deem fit, with such Salaries or Allowances as shall be ordered and appointed by the said Lord High Treasurer or Commissioners of the Treasury in that Behalf, regard being had in every such Case to the Nature and Extent of the Duties to be performed, and to the Responsibility which may-attach or belong to the several and respective Offices or Persons executing-'the Duties of the said Offices reflectively; and all such Regulations, Appointments, Salaries, and Allowances when so made and established shall become and be in full Force and Effect in relation to the said Offices reflectively, any Thing contained in any Act or Acts of Parliament, or any Law or Laws, or usage, Custom, or Practice to the contrary notwithstanding: Provided always, that any Fees at present charged or chargeable for or in respect of any of the said Offices, or received or

receivable according to Law in any of the said Offices respectively, shall continue to be received; and the same shall be applied in Payment of the Salary or Salaries, Allowance or Allowances, authorized by this Act to be granted or made in each of the said Offices in which such Fees shall be received ; and if any Balance of such Fees shall remain after paying and satisfying such Salaries or Allowances reflectively, the same shall be paid at least Once in Three Months to the Receiver General of Scotland, and shall by him be paid and accounted for in the same Manner with any Public Monies received and accounted for by him.

## **XII Offices abolished.**

And be it further enacted, That from and after and upon the Termination reflectively of the existing Interests in the following Offices; videlicet, the Office of One of the Clerks of the Pipe in Scotland, the Office of Clerk Assistant to the General Surveyors and Inspectors of Taxes in Scotland, the Office of Comptroller General of the Customs in Scotland, the Office of Receiver of Bishops Rents in Scotland, the Offices of Inspectors of Wheel Carriages in Scotland, the Office of Gazette Writer in Scotland, and the Office of Inspector General of the Roads in Scotland, without Prejudice nevertheless to the Discharge of the Duties of the Inspector of Roads, pursuant to an Act passed in the Fifty-fourth Year of the Reign of His present Majesty, intituled An Act for maintaining and keeping in Repair certain Roads and Bridges made in Scotland for the Purpose of Military Communication, and for making more effectual Provision for maintaining and repairing Roads made and Bridges built in Scotland under the Authority of the Parliamentary Commissioners for Highland Roads and Bridges ; and so soon as any of the said Offices shall become vacant, the same shall be and from thenceforth become for ever abolished.

## **XIII Treasury to order how Bishops Rents shall be collected.**

And be it further enacted, That it shall and may be lawful for the said Commissioners of His Majesty's Treasury, and they are hereby authorized and required, to order and direct in what Manner the Bishops Rents in Scotland, heretofore collected by the said Collector of Bishops Rents, shall be collected at the least possible Expense with Certainty and Safety after the Abolition of the said Office, and to grant such Salary, or to make such Allowances, as shall be deemed necessary for that Purpose.

## **XIV Treasury to lay before Parliament a comparative Statement of former and new Establishment of any Office regulated, and Statement of every Office abolished.**

And be it further enacted, That the Lord High Treasurer or Commissioners of the Treasury, or any Three or more of them for the Time being, shall, within Six Weeks after the Regulation, under the Provisions of this Act, of any Office hereby directed to be regulated, if Parliament shall be then fitting, or if Parliament shall not be then fitting, within Six Weeks after the Commencement of the next Session of Parliament, lay before both Houses of Parliament an Account of every new Establishment of any such Office so regulated, with a Statement of the Number of Officers, and Amount of Salaries or Allowances of each respectively, together with a Statement of the former Establishment of the Office so regulated) and the said Commissioners of the Treasury shall in like Manner within the above-mentioned Period lay before Parliament a Statement of every Office that shall be abolished under the Provisions of this Act, shewing the Saving thereby made to the Public.

**XV Regulation of any Office existing previous to 6 Anne, c.7 not to bring it within the Provisions of that Act.**

And be it further enacted, That the Regulation of any Office under the Provisions of this Act, which was an Office existing previous to an Act passed in the Sixth Year of the Reign of Her late Majesty Queen Anne, intituled An Act for the Security of Her Majesty's Person and Government, and of the Succession to the Crown of Great Britain in the Protestant Line, shall not be held to be a new Office within the Intent and Meaning of that Act of Parliament; but every Person holding any such Office so regulated shall be and remain in the same Situation with respect to that Act of Parliament, as if the same had not been regulated under the Provisions of this Act.