VI. Be it enacted and declared, That the Acts and Proceedings of any such Town Council prior to the Date when the Election of any of the Councillors thereof shall have been legally set aside or found null shall be valid and effectual, notwithstanding the Nullity or Irregularity of the Election of any One or more of the Councillors, and that the Actings of any Provost or Magistrate whose Election may be set aside or found null prior to its being so set aside or found null shall not be liable to Challenge in respect thereof.

Actings of Council and Magistrates to be valid, notwithstanding Elections being set aside.

CAP. XXVII.

An Act for empowering the Sheriff and Commissary of *Berwickshire* to hold Courts at *Dunse*, and for other Purposes. [14th *June* 1853.]

'WHEREAS by an Act passed in the Parliament of *Scotland* held by King *William* 'at *Edinburgh* the Ninth Day of *October* in the Year One thousand six hundred and 'ninety-six, intituled *Act declaring the Burgh of* Greenlaw *the Head Burgh of the Shire* '*of* Berwick, His Majesty, with Advice and Consent of the Estates of Parliament, statuted, 'ordained, and declared the said Town of *Greenlaw* to be the Head Burgh of the Shire of '*Berwick*, and that thereafter all public Proclamations, Hornings, Inhibitions, Summonses, 'and all other legal Diligences whatsoever, which by Law and Custom ought to be pro-'claimed, used, and executed at the Head Burgh of the Shire of *Berwick*, should be 'proclaimed, used, and executed at the Market Cross of the said Town of *Greenlaw* as the 'Head Burgh of the Shire, and declared all Proclamations and legal Diligences published, 'used, and executed that should be otherways done to be null and void, and ordained the 'Sheriff Court of the said Shire to sit, be holden, and kept in the said Town of *Greenlaw*: 'And whereas by an Act of the Fourth Year of the Reign of His Majesty King *George* the 'Fourth (Public General), Chapter Ninety-seven, it was enacted, that all Sheriffdoms, 'excepting as therein mentioned, but including the said Sheriffdom of *Berwick*, should con-'stitute Commissariats, and that the Sheriffs should become the Commissaries of their 'several Shires in room of the inferior Commissaries, whose Offices were thereby abolished: 'And whereas the Sheriff and Commissary Courts of *Berwickshire* have been and are held at 'the said Head Burgh of *Greenlaw*, but it would tend greatly to the public Convenience that 'Courts for the Despatch of Civil and certain Criminal Business should be held at the Town 'of *Dunse* in the said Shire as well as at the said Head Burgh, and that the Office of the Sheriff 'Clerk of the said Shire of *Berwick* should be situated at *Dunse*:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Act of Parliament of Scotland, 9th Oct. 1696.

4 G. 4. c. 97.

I. In construing this Act the Word "Sheriff" shall include "Sheriff Substitute," the Word "Commissary" shall include "Commissary Depute," the Words "Sheriff Clerk" shall include "Sheriff Clerk Depute," and the Word "Shire" or "Sheriffdom" shall include "Commissariat."

Construction of Terms.

II. From and after the passing of this Act it shall be lawful for the Sheriff and Commissary of the said Shire to hold Ordinary Courts at *Dunse*, as well as at the Head Burgh of *Greenlaw*, for the Despatch of Civil and Consistorial Business, and also for trying and disposing of such Criminal Causes as may be tried without a Jury: Provided always, that the Sheriff shall hold an Ordinary Court at least Once in every Week during the Summer and Winter Sessions, either at *Greenlaw* or *Dunse*, which shall be deemed and taken to be sufficient Compliance with the Provision contained in the First Section of the Act of Sederunt of the Lords of Council and Session, dated the Tenth Day of *July* in the Year One thousand eight hundred and thirty-nine, passed under Authority of an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution, Jurisdiction, and Forms of Process of Sheriff Courts in* Scotland: Provided also, that all Courts for the Trial of Criminal Causes by Jury shall be held at the Head Burgh of *Greenlaw*.

Power to Sheriff and Commissary to hold Courts at Dunse.

1 & 2 Vict. c. 119.

III. From

Lord Advocate to fix Time and Place of Sitting of Courts.

III. From Time to Time, Her Majesty's Advocate shall fix and appoint the Days on which Courts are to be held at *Greenlaw* and at *Dunse* respectively, and shall, at least Ten Days previous to such Arrangement coming into operation, cause a written or printed Notice thereof to be affixed to the Wall in the Court Houses at *Greenlaw* and *Dunse*, and in the Sheriff Clerk's Office, and to be inserted in a Newspaper of general Circulation in the Shire; and all Citations shall be in the Form prescribed by Act of Sederunt of the Court of Session, or other competent Authority, using the Words "Ordinary Court House at *Greenlaw*," or "Ordinary Court House at *Dunse*," or such other Form of Words as may be necessary, according as the Citation may be to a Court to be held at *Greenlaw* or at *Dunse* as fixed by the said Notice.

Sheriff Clerk's Office to be at Dunse.

IV. The Office of the Sheriff Clerk of the said Shire shall be situated and kept at the said Town of *Dunse*; and all Extracts of Judgments pronounced in Court given forth and subscribed by the said Sheriff Clerk shall severally bear the Place where such Judgments were pronounced: Provided always, that the Record of Deeds shall continue as at present to be kept at *Greenlaw*, under the Charge of a Depute to be appointed by the Sheriff Clerk, and which Depute shall reside in *Greenlaw*.

Nothing to affect Provisions of 7 W. 4. & 1 Vict. c. 41.

V. Nothing in this Act contained shall be held or construed to repeal or affect, as regards the said County of *Berwick*, any of the Provisions of an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the Trial of Small Debt Causes by the Sheriffs in* Scotland.

Act of 1696 to remain in full Force, except as varied by this Act.

VI. Except in so far as inconsistent with or varied by the Provisions of this Act, the said recited Act of Date the Ninth Day of *October* One thousand six hundred and ninety-six shall remain in full Force, and the said Town of *Greenlaw* shall continue to be the Head Burgh of the Shire of *Berwick*.

CAP. XXVIII.

An Act to amend the Law as to taking the Poll at Elections of Members to serve in Parliament for *Scotland*. [14th *June* 1853.]

'WHEREAS it is expedient to restrict the Continuance of the Polling at any contested 'Election for a County to One Day, and to provide for the Increase or Alteration of 'Polling Places, and also to repeal so much of the Act of the Second and Third Years of 'the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-five, as enacts 'that no Poll, whether in Counties or Burghs, shall begin on a *Saturday*, and to amend 'the Regulations for taking the Poll in Counties and Burghs:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same,

So much of 2 & 3 W. 4. c. 65. as relates to the Duration of Polls, &c. at Elections repealed.

I. That so much of the Act passed in the Session holden in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, Chapter Sixty-five, as enacts that no Poll at any Election for a County or a Burgh shall be directed to begin on a *Saturday*, or shall be kept open at any Election for a County for more than Two Days, and limits the Hours of Polling on such Days, and so much of the same Act as enacts "that "every Voter shall poll at the Polling Places of the District within which the Premises or "any Part of them in respect of which he claims to vote may be situate, except only "where such Polling Places shall be in an Island distant more than Ten Miles from the "Mainland of any County, in which Case the Voters not resident in such Island may poll "at the Polling Place for the District in which the County Town is included," and also as enacts "that Polling Places shall in no Case be more in Number than Fifteen for any "One County," shall be and the same is hereby repealed.

II. It