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

Power to Sheriff, with Consent of Lord Advocate, to increase or alter Number and Arrangement of Polling Places, so that not more than 300 Electors shall poll at One Place.

No Alteration to take place until Notice shall be advertised.

Notice of Objections by Ten Inhabitant Electors.

II. It shall be lawful for each Sheriff, with the Consent of Her Majesty's Advocate for *Scotland* for the Time being, from Time to Time hereafter to increase or otherwise alter the Number, Situation, or Arrangement of the existing Polling Places and Districts, or Parts thereof, in his County, so that not more than Three hundred Electors shall be allowed to poll at any such Election as aforesaid at any One Place: Provided always, that no such Increase or Alteration as aforesaid shall be made until Notice thereof shall have been publicly given by Advertisement for Six Weeks successively in the *North British Advertiser* and the *Edinburgh Gazette*, and in the several Newspapers published within the County in which the said Increase or Alteration is proposed to be made; and in case any of the Inhabitants, not less than Ten in Number, being registered Voters for such County, shall be desirous of opposing such Increase or Alteration as aforesaid, it shall be lawful for them, at any Time not later than One Week from the Publication of the last Advertisement, to lodge with the Sheriff Clerk of the County a written Notice, signed by such Inhabitants as aforesaid, being not less than Ten in Number, stating their Objections to such Increase or Alteration, or any Suggestions they may wish to offer for the Purpose of obtaining a different Arrangement of Polling Places or Districts from that proposed in such Advertisement as aforesaid, and the Sheriff Clerk shall thereupon transmit the same to Her Majesty's Advocate for *Scotland* for the Time being, who shall, within Fifteen Days from the Receipt thereof, notify his Decision thereon to the Sheriff; and thereupon, if the said Decision shall sanction the original or any Increase or other Alteration in the Number, Situation, or Arrangement of the existing Polling Places or Districts, the Sheriff Clerk shall forthwith, or, in the event of no such Notice of Objection as aforesaid being given, shall at the Expiration of One Week from the Date of the last Advertisement as aforesaid, make a distinct List of such new Polling Places and Districts so appointed, and shall cause Copies of the said Lists to be affixed to the Doors of all the Parish Churches in his County.

Inhabitant Electors, being not less than Ten, may petition for Increase or other Alteration of Polling Places.

III. Provided always, That in case any of the Inhabitants of a County, being registered Voters for the same, shall be at any Time dissatisfied with the then existing Number or Position of Polling Places or Districts, it shall be lawful for any of them to present to the Sheriff a Petition signed by not less than Ten such Inhabitants as aforesaid, representing that the Number of Polling Places or Districts is insufficient or excessive (as the Case may be), or that their Situation and Arrangement is inconvenient, and praying that the Place or Places mentioned in such Petition may be a Polling Place or Places for that County, or that the Alterations or other Changes mentioned in such Petition may be made in the Number, Situation, or Arrangement of the then existing Polling Places or Districts; and on the Receipt of such Petition the Sheriff shall, with the Consent of Her Majesty's Advocate for *Scotland*, proceed therein in the same Way as herein-before provided, and as though the Increase or Alterations in the said Petition mentioned had been originally proposed by the Sheriff.

Sheriff if required shall direct more Booths to be provided.

No Poll to be taken at any Place licensed for Sale of Beer, &c., except by Consent.

IV. At any contested Election the Sheriff shall, if required by any of the Candidates, on or before the Day of Nomination, direct Two or more Booths, Compartments, Halls, Rooms, or other Places for Polling, to be provided at each Polling Place: Provided always, that no Poll at any such Election shall be taken at any Inn, Hotel, Tavern, Public House, or other Premises licensed for the Sale of Beer, Wine, or Spirits, or in any Booth, Hall, Room, or other Place directly communicating therewith, unless by Consent of all the Candidates expressed in Writing.

Where Voters shall poll.

V. That every County Voter (except as herein-after provided) shall poll at the Polling Place of the District within which the Premises, or any Part of them, in respect of which he claims to vote, may be situate; provided that nothing herein contained shall be held to repeal or alter the Ninth Section of the Seventy-eighth Chapter of the Statute passed in the Fifth and Sixth Years of His said Majesty, respecting Freeholders in Counties.

Voters may claim to vote in another District in certain Cases.

VI. Any County Voter, not being a Freeholder, and not resident in the District containing the Premises in respect of which he claims to vote, may make Application, in Person or by Writing, to the Sheriff, at the Registration Court of the County, to be entitled to poll at the Polling

Polling Place nearest to his Residence; and the Sheriff, on being satisfied of the Truth of the Statements of such Voter, shall insert in the List against the Name of the Voter making such Application the Name of the Polling Place at which such Person shall be registered to vote; and such Voter shall thereafter be entitled to vote at such Polling Place, and shall not be at liberty to poll at any other Polling Place for the same County.

Non-resident Voters, with Island Qualifications, may vote at the County Town.

VII. Where the Polling Place for a District containing the Premises in respect of which any Voter claims to vote shall be in an Island distant more than Ten Miles from the Mainland of the County, such Voter, not being resident in the Island, may poll at the Polling Place for the District in which the County Town is included.

Declaration of the Poll in certain Cases.

VIII. With respect to Section Thirty-three of the said first-mentioned Statute, be it enacted, That where the Sheriff shall not have received the Poll Books transmitted from any Island within the Time therein limited for the opening thereof, the Sheriff may adjourn the Court for the Declaration of the State and Result of the Poll from Day to Day, omitting *Sunday*, and shall either at the first of such adjourned Courts after the Receipt of such Poll Books, or at the Expiration of Twelve Days from the first Court so adjourned (whichever shall happen first) proceed to declare the Poll, and make Proclamation and a Return in the Manner therein mentioned.

Poll to be kept open only One Day.

Order and Manner of Polling.

IX. No Poll at any Election for any County shall be kept open for more than One Day, and that only between the Hours of Eight in the Morning and Four in the Afternoon: Provided always, that at any Time after a Poll has been demanded the Poll at any One Place may be closed, if all the Candidates or their Agents and the Sheriff or his Substitute shall agree in so closing it: Provided also, that when the Proceedings at any Election shall be interrupted or obstructed by any Riot or open Violence, whether such Proceedings shall consist of the Nomination of Candidates, or of the taking the Poll, the Sheriff or his Substitute at the Place where the Riot or open Violence has occurred may adjourn the Nomination or the taking the Poll at the particular Polling Place or Places at which such Riot or open Violence shall have happened to the following Day or some other convenient Time, and if necessary may repeat such Adjournment till such Interruption or Obstruction shall have ceased, he always giving Notice to the Sheriff or his Substitute who is to make the Return of such Adjournment having been made; and the State of the Poll shall not be finally declared, nor the Result of the Election proclaimed, until the Poll so interrupted or obstructed shall be closed, and transmitted to the Sheriff or his Substitute who is to make the Return.

Poll to be kept open Two Days in Orkney and Shetland.

X. That in respect of the remote Situation of certain Parts of the County of *Orkney* and *Shetland*, and the occasional difficult Inter-communication therein, nothing in this Act contained shall alter the Provisions of the said recited Act so far as relates to the keeping open of the Poll for Two consecutive Days as heretofore; but nothing herein contained shall be construed to exclude the said County of *Orkney* and *Shetland* from any of the Benefits or Obligations of the other Portions of this Act.

As to the Word "Burgh."

XI. The Word "Burgh" in this Act shall include every City, Burgh, Town, or District of Cities, Burghs, or Towns, entitled to return or to contribute to return a Member to Parliament.