Charges of returning officers' expenses on consolidated fund.

1. The amount of the charges of returning officers at parliamentary elections (other than university elections) shall, instead of being paid out of moneys provided by Parliament, be charged on and paid out of the consolidated fund or the growing produce thereof; and accordingly subsection (2) of section twenty-nine of the Representation of the People Act, 1918, shall have effect as though for the words "shall be paid by the Treasury out of moneys provided by Parliament" there were substituted the words "shall be charged on and paid out of the consolidated fund or the growing produce thereof."

8 Geo. 5. c. 64.

Short title and commencement.

2. This Act may be cited as the Representation of the People (Returning Officers' Expenses) Act, 1919, and shall come into operation on the first day of April nineteen hundred and nineteen; and the Representation of the People Acts, 1918, and this Act may be cited together as the Representation of the People Acts, 1918 and 1919.

CHAPTER 9.

An Act to amend and regulate procedure under the Intestate Husband's Estate (Scotland) Act, 1911.

[16th April 1919.]

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, as follows:

Application to court by widow in right of estate under the Intestate Husband's Estate (Scotland) Act, 1911.

1 & 2 Geo. 5. c. 10.

1. Where a widow is entitled to the whole or part of the estate of her deceased husband, in terms of the Intestate Husband's Estate (Scotland) Act, 1911 (in this Act referred to as "the principal Act"), she may present in the sheriff court of the county in which her husband was domiciled at the time of his death, or, if the county in which he was so domiciled is uncertain, in the sheriff court of the Lothians and Peebles at Edinburgh, a summary application in the form of the schedule to this Act, or as nearly in such form as the circumstances of the case permit, appending an inventory giving such particulars of the estate as are indicated in the form of inventory in the said schedule.

Procedure in application to court.

2. The sheriff shall order intimation of any application made under the preceding section and of the relative inventory to be given to the heir-at-law of the intestate, if the estate shall partly or wholly consist of heritage, and to the heirs in mobilibus of the intestate if the estate shall partly or wholly consist of moveables; and upon being satisfied after such inquiry as he deems proper that the applicant is entitled under the principal Act to the whole or part of such estate, he shall pronounce

decree as hereinafter provided. Provided that, in any case where the heir-at-law or heirs in mobilibus of the intestate is or are unknown and cannot, after such inquiry as the sheriff thinks fit, be ascertained, the sheriff may dispense with intimation accordingly.

Effect of decree of court.

3.—(1) If the sheriff in any such application determines that the total net value of the estate does not exceed the sum of five hundred pounds, he shall pronounce decree in favour of the applicant, declaring that the estate belongs absolutely and exclusively to her; and on a duly stamped inventory of the estate being lodged by her with the sheriff clerk, or in the case of the application being made in the sheriffdom of the Lothians and Peebles at Edinburgh with the commissary clerk, such decree shall be a sufficient warrant for issuing confirmation of the moveable estate in favour of the applicant as executrix dative qua relict; and on an extract of such decree containing a description of the heritable estate and of the heritable securities and the subjects contained therein, or having a schedule annexed thereto containing the particulars thereof as set forth in the inventory annexed to the initial writ, being recorded in the appropriate register of sasines, the applicant shall be held to be duly infeft in her own right in the heritable estate and heritable securities.

(2) If the sheriff in any such application determines that the net value of the estate exceeds the sum of five hundred pounds, he shall pronounce decree in favour of the applicant against the defender or the defenders jointly and severally as the case may be, for the sum of five hundred pounds part thereof absolutely and exclusively with interest in terms of the principal Act, and the applicant shall have right to recover such sum and interest from the executor dative of the intestate on the expiry of six months from the death of the intestate in so far as there may be any free moveable estate in his hands after payment of the intestate's debts and other proper charges and deductions, but such decree shall only operate against such defender or defenders to the extent by which he or they shall benefit by the succession, and an extract of such decree duly recorded in the appropriate register of sasines containing a description of the heritable estate, or having a schedule annexed thereto containing the particulars thereof as set forth in the inventory annexed to the initial writ, shall have the full legal force and effect to all intents and purposes of a duly recorded bond and disposition in security over the heritable estate for such sum of five hundred pounds and interest thereon from the date of death of the intestate at four per centum per annum until payment granted by the intestate in favour of the applicant and containing all usual and necessary clauses, including power of sale, and as if the intestate had been subject to no legal incapacity and had been infeft in the heritable estate at the date of his death, and as if the sum therein contained were due at

the date of recording the extract decree in the register of sasines: Provided always that the real security so constituted in favour of the applicant shall be postponed to all debts and obligations of the intestate.

Provided further that such decree shall only entitle the applicant to recover from the whole heritable and moveable estate of the intestate the sum of five hundred pounds in all with interest thereon in terms of section two of the principal Act and that such charge shall be borne and paid as between the heir at law and the representatives of the moveable estate of such intestate in accordance with section three of the principal Act.

(3) The sheriff to whom any such application is made shall decide for the purpose of jurisdiction any question with regard to the domicile of the intestate, and his decision shall be final and not subject to review.

Saving.

4. Nothing in this Act shall be held to supersede the existing law and practice relating to the delivery and recording of inventories and the lodgment of accounts of the estates of deceased persons and the payment of estate duty thereon, the whole rights of the Crown in regard to death duties remaining unaffected thereby.

Repeal.

5. Section five of the principal Act is hereby repealed.

Construction, citation, and extent.

6.—(1) This Act shall be read and construed together with the principal Act, and may be cited as the Intestate Husband's Estate (Scotland) Act, 1919; and the principal Act and this Act may be cited together as the Intestate Husband's Estate (Scotland) Acts, 1911 and 1919.

(2) This Act shall apply to Scotland only.

Section 1.

SCHEDULE.

FORM OF INITIAL WRIT.

Sheriffdom of *at*

A.B., residing at , widow of *C.D.* [*design him*], *pursuer*, against *E.F.* [*design him*] and *G.H.* [*design him*] (*or as the case may be*) *Defenders.*

The pursuer craves the court :—

To find and declare that her said husband died on or about the day of , intestate, survived by the pursuer, his widow, but leaving no lawful issue, and that he had at the

time of his death his ordinary or principal domicile in the county of ; [*or* that he was domiciled in Scotland, but his place of domicile there is uncertain]; that the net value of the whole heritable and moveable estate of the said *C.D.*, the particulars whereof are set forth in the inventory appended hereto, does not exceed the sum of five hundred pounds, and that the pursuer is entitled thereto absolutely and exclusively in terms of section one of the Intestate Husband's Estate (Scotland) Act, 1911, [*or in cases where the estate exceeds five hundred pounds in value, substitute the words* exceeds the sum of five hundred pounds, and that the pursuer is entitled to five hundred pounds part thereof absolutely and exclusively, in terms of section two of the Intestate Husband's Estate (Scotland) Act, 1911, with interest thereon from (*date of death*) at four *per centum per annum* until payment and to grant a decree against the defender (*or* against the defenders jointly and severally) for payment to the pursuer of five hundred pounds sterling with interest at the before-mentioned rate from the said (*date of death*) until payment] and, in the event of the defender (*or* defenders or any of them) opposing this application, to find him (*or* them) liable in expenses.

[*To be signed A.B.* pursuer.
(*or*) *X.Y.* [*add designation and business address*] pursuer's agent.]

CONDESCENDENCE.

1. The late *C.D.* [*design him*] died on or about the day of , and had at the time of his death his ordinary or principal domicile in the county of (*as the case may be*).

2. The said *C.D.* died intestate, survived by the pursuer, his widow, but leaving no lawful issue.

3. The net value of his whole estate, the particulars whereof are set forth in the inventory annexed hereto, does not exceed [*or* exceeds] five hundred pounds.

4. The heir-at-law, and the heirs *in mobilibus* of the intestate, so far as known to the pursuer, are [*here give particulars*] who are called as defenders.

Note.—If there be no heritable estate, it is unnecessary to call or state the heir-at-law; if there be no moveable estate, it is unnecessary to call or state the heirs *in mobilibus*.

FLEA-IN-LAW.

The pursuer as widow of the deceased *C.D.* being entitled to the whole estate of her said husband [*or* to five hundred pounds part of the estate of her said husband] is entitled to decree as craved.

In respect whereof,
[*To be signed by pursuer or her agent.*]

INVENTORY OF THE HERITABLE AND MOVEABLE ESTATE REFERRED TO IN THE FOREGOING INITIAL WRIT.

Heritable Estate.

	£	s.	d.
Dwelling-house, No. Street, Portobello, in the county of Edinburgh [*here describe the subjects at length or by reference in competent form*], valued at - - - - - -			
Less principal sum secured by bond and disposition in security thereon granted by the said *C.D.*, in favour of *I.J.*, dated and recorded in [*give date of bond and date of recording and register*] - -			
Net value - - -			
[*Add particulars of any other heritable estate*] -			
Total heritable estate -			

Note.—If the intestate was not infeft in any part or parts of the heritable estate, deduce his title from the person last infeft at the end of the description of such part or each of such parts respectively.

Moveable Estate.

	£	s.	d.
Cash in the house - - - - -			
Household furniture and other effects - -			
Stock-in-trade and other effects - - -			
Sum in bank with interest to date of death, viz. [*give particulars*] - - - - -			
Bond and disposition in security dated and recorded in [*give date of bond and date of recording and register*], granted by *K.L.* in favour of the said *C.D.*, over house, No. Street in the burgh or county of [*here describe the subjects at length or by reference in competent form*], for the sum of - - - -			
[*Add particulars of any other moveable estate*] -			
Total moveable estate -			

Debts and Funeral and Executory Expenses and Death Duties.

	£	s.	d.
Debts due by deceased [*give particulars*] - -			
Funeral and Executry expenses [*give particulars*] -			
Estate duty - - - - - - -			
Total debts, &c. - -			

Abstract.

	£	s.	d.
Value of heritable estate - - - -			
Value of moveable estate - - - -			
Total - - -			
Deduct debts, &c. - -			
Net value of estate - -			

[*To be signed by pursuer or her agent.*]

CHAPTER 10.

An Act to repeal the Parliamentary Elections (Soldiers) Act, 1847. [16th April 1919.]

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, as follows:

1. The Parliamentary Elections (Soldiers) Act, 1847 (which provides for the regulation of the stations of soldiers during parliamentary elections), is hereby repealed, and this repeal shall be deemed to have had effect as from the tenth day of December nineteen hundred and eighteen. Repeal of 10 & 11 Vict. c. 21.

2. This Act may be cited as the Parliamentary Elections (Soldiers) Act, 1919. Short title.

CHAPTER 11.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army. [16th April 1919.]

WHEREAS the raising or keeping of a standing army within the United Kingdom of Great Britain and Ireland in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of two million six hundred and fifty thousand, including those to be employed at the depôts in the United Kingdom of Great Britain and Ireland for the training of recruits for service at home and abroad, but