Form of Back of Ballot Paper.

No. Election of Auditors [*or* Assessors] for the Borough of , to be held on the day of 18 .

The Number on the back of the Ballot Paper is to correspond with that on the Counterfoil.

SECOND SCHEDULE.

Session and Chapter.	Title of Act.	Extent of Repeal.
5 & 6 Will. 4. c. 76. -	An Act to provide for the regulation of Municipal Corporations in England and Wales.	So much of section 47 as relates to the fixing of the day of election by the alderman.
22 Vict. c. 35. - -	The Municipal Corporation Act, 1859 -	Sections 5, 6, 7, and Schedules.
32 & 33 Vict. c. 55. -	An Act to shorten the term of residence required as a qualification for the Municipal Franchise, and to make provision for other purposes.	Sections 6 and 7.
35 & 36 Vict. c. 33. -	The Ballot Act, 1872 - - -	Directions in the Schedule to the Act as to the form of nomination papers at Municipal Elections.

CHAPTER 41.

An Act for the relief of Widows and Children of Intestates in Scotland where the personal estate is of small value. [19th July 1875.]

WHEREAS many poor persons die intestate in Scotland possessed of personal estate of small amount, and it is desirable to increase the facilities for expeding confirmation to such estate and effects, and to reduce the expense attending the same:

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:

Short title.

1. This Act may be cited for all purposes as the Intestates Widows and Children (Scotland) Act, 1875.

Extent of Act.

2. This Act shall extend to Scotland only.

Where estate does not exceed 150*l.*, widow or children may apply to commissary clerk to fill up inventory and expede confirmation.

3. Where the whole personal estate and effects of an intestate dying domiciled in Scotland shall not exceed in value the sum of one hundred and fifty pounds, his widow or any one or more of his children, or in the case of an intestate widow any one or more of her children, may apply to the commissary clerk of the county within which the intestate was domiciled at the time of death; and the said commissary clerk shall prepare and fill up an inventory and relative oath, as nearly as may be in the form of Schedule A. appended to this Act, and shall take the oath of the applicant thereto, and on caution being found by the applicant according to the practice of the commissary court shall proceed to record said inventory and expede confirmation in the form as nearly as may be of Schedule B. annexed to this Act, and shall deliver the same to the applicant without the payment of any fee therefor save as is provided in Schedule C. annexed to this Act; Provided always, that where the value of the said estate and effects exceeds the sum of one hundred pounds the said inventory shall be duly stamped before being recorded; and such confirmation shall have the same force and effect as that prescribed in Schedule D. annexed to the Act of the twenty-first and twenty-second Victoria, chapter fifty-six; and where such confirmation shall contain English or Irish estate the Registrar

of any Probate Court in England or Ireland shall affix the seal of the said court thereto on the confirmation being sent to him by the commissary clerk for that purpose, enclosing a fee of two shillings and sixpence.

Proof of identity and relationship may be required.

4. The commissary clerk of the county may require such proof as he may think sufficient to establish the identity and relationship of the applicant.

Commissary clerk may refuse to proceed if not satisfied that whole estate not more than 150*l*.

5. If the commissary clerk of the county has reason to believe that the whole personal estate and effects of which the intestate died possessed exceeds in value one hundred and fifty pounds, he shall refuse to proceed with the application until he is satisfied as to the real value thereof.

Commissary clerk may administer oath. "Commissary clerk" to include "commissary clerk depute."

6. All commissary clerks shall for the purpose of this Act have power and are hereby authorised to administer oaths and to take declarations and affirmations. The term "commissary clerk" shall throughout this Act include "commissary clerk depute."

Procedure and fees under this Act to be regulated by act of sederunt.

7. Any rules and orders and tables of fees requisite for carrying this Act into operation shall be framed and may from time to time be altered by the Court of Session by act of sederunt; but the total amount to be charged to applicants shall not in any case exceed the sums mentioned in the Schedule C. annexed to this Act.

Inventory duty not affected by this Act.

8. Provided always, that nothing herein contained shall be construed to affect any duty now payable on inventories of personal estate.

SCHEDULE A.

FORM OF INVENTORY AND RELATIVE OATH.

INVENTORY of the Personal Estate, wheresoever situated, of [*name and description of deceased*] who died at on the day of 18 .

SCOTLAND.	£	s.	d.
1. Cash in the house - - - - - - -			
2. Household furniture and other effects in the deceased's house - -			
3. Stock in trade and other effects belonging to deceased - - -			
4. Sum in bank; viz., [*specify it, with interest thereon to date of oath to Inventory.*]*			
*[*Add any other estate in the usual form.*			

At , the day of one thousand eight hundred and , in presence of Esquire, Commissary Clerk of the commissariot of Appeared [*name and description of applicant*], who, being solemnly sworn and examined, depones, that the said died at upon the day of , and had at the time of his [*or* her] death his [*or* her] ordinary or principal domicile in the county of : That the deponent is the [widow *or* son *or* daughter] of the said deceased , and is desirous to enter upon the possession and management of the deceased's estate as his [*or* her] executor: That the deponent does not know of any testamentary settlement or writing relative to the disposal of the deceased's personal estate or effects, or any part thereof: That the foregoing inventory, signed by the deponent and the said as relative hereto, is a full and complete inventory of the personal estate and effects of the said deceased wheresoever situated and belonging or due to him [*or* her] beneficially at the time of his [*or* her] death, in so far as the same has come to the deponent's knowledge: That the value at this date of the said personal estate and effects, including the proceeds accrued thereon down to this date, does not exceed 150*l*. sterling: That confirmation of the said personal estate in Scotland [*England and Ireland, as the case may be*] is required in favour of the deponent. All which is truth, as the deponent shall answer to God.

SCHEDULE B.

FORM OF CONFIRMATION.

Confirmation issued under the Act 38 & 39 Vict., cap. 41.

CONFIRMATION DATIVE of *A.B.*, who resided at [*name and description of deceased*].

The said *A.B.* had pertaining and resting owing to at the time of his [*or* her] decease.

[*Take in inventory of estate to be confirmed.*]

I , Esquire, Commissary of the county of , considering that the said *A.B.* died at on , and had at the time of death his [*or* her] ordinary or principal domicile in the county of . And seeing that *C.D.*, his [widow *or* son *or* daughter, *or* her son *or* daughter] has given up, on oath, an inventory of the personal estate and effects of the said *A.B.* at the time of death, including the proceeds accrued thereon to date of oath, situated in Scotland [*England and Ireland, as the case may be*], amounting in value to , and has deponed that the whole personal estate and effects of the said *A.B.* does not exceed in value 150*l.*, which inventory, as before written, has been recorded in my court books, of date , and that has [*or* have] likewise found caution for acts and intromissions as executor [*or* executors]. Therefore I, in Her Majesty's name and authority, decern, make, constitute, ordain, and confirm the said *C.D.* executor [*or* executors] dative qua [relict *or* next of kin] to the deceased, with full power to to uplift, receive, administer, and dispose of the said personal estate and effects, and grant discharges thereof, if needful to pursue therefor, and generally every other thing concerning the same to do that to the office of executor dative qua is known to belong: Providing always, that shall render just count and reckoning for intromissions therewith, when and where the same shall be legally required.

Given under the seal of office of the commissariat of , and signed by the clerk of court at , the day of one thousand eight hundred and .

Commissary Clerk.

SCHEDULE C.

Where the whole estate and effects of the intestate shall not exceed in value twenty pounds, the sum of five shillings, and where the whole estate and effects shall exceed in value twenty pounds, the sum of five shillings and the further sum of one shilling for every ten pounds or fraction of ten pounds by which the value shall exceed twenty pounds.

CHAPTER 42.

An Act to enable certain Corporate Bodies to hold Land for Glebes in Ireland.

[19th July 1875.]

WHEREAS by the Irish Church Act, 1869, it was, amongst other things, enacted that the union between the Churches of England and Ireland should be dissolved, and that the said Church of Ireland, in the said Act and herein-after referred to as the "said church," should cease to be established by law:

And whereas in pursuance of the said Act Her Majesty was pleased to incorporate by Royal Charter the representative body of the said church, under the name of the Representative Church Body:

And whereas it is expedient to extend to the said church and the said Representative Church Body the same powers and privileges which are possessed by other religious bodies in Ireland in reference to the purchase, holding, and selling of land:

And whereas many clergymen in Ireland are prevented from obtaining suitable residences in consequence of not being able to enter into valid contracts, whereby they may deprive themselves of the right to make claims under the Landlord and Tenant (Ireland) Act, 1870, and it is expedient to alter the law in that respect: