5 & 6 Will. 4. c. 76. s. 28. (2.) Section twenty-eight of the Act of the session of the fifth and sixth years of the reign of King William the Fourth (chapter seventy-six) "to provide for the regulation of municipal "corporations in England and Wales."

3 & 4 Vict. c. 86. (3.) The Act of the session of the third and fourth years of Her Majesty's reign (chapter eighty-six) "for better enforcing church discipline."

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## THE SECOND SCHEDULE.

*Form of Deed of Relinquishment.*

Know all men by these presents, that I *A.B.* of having been admitted to the office of priest [*or* deacon, *as the case may be*] in the Church of England, [and having resigned *here to be inserted description of late preferment, if any,*] do hereby, in pursuance of The Clerical Disabilities Act, 1870, declare that I relinquish all rights, privileges, advantages, and exemptions of the office as by law belonging to it. In witness whereof I have hereunto set my hand and seal this day of 18 .

(Signed) *A.B.* (L.S.)

Executed by *A.B.* in presence of
*C.D.* of
[*address and description of witness*].

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# CHAP. 92.

## An Act to amend the laws for the Election of the Magistrates and Councillors of Royal and Parliamentary Burghs in Scotland. [9th August 1870.]

WHEREAS it is expedient to amend the laws relating to the election of the magistrates and councillors of Royal and Parliamentary Burghs in Scotland:

Be it 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 Municipal Elections Amendment (Scotland) Act, 1870.

Interpretation of terms. **2.** The following expressions in this Act shall have the meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; that is to say,

"Burgh" shall mean any Royal or Parliamentary Burgh in Scotland:

"Election Acts" shall mean the Acts third and fourth William the Fourth, chapters seventy-six and seventy-seven, and thirty-first and thirty-second Victoria, chapter one hundred and eight, and any other Acts relating to the election of magistrates and councillors of Royal and Parliamentary Burghs in Scotland which may be in force for the time:

"Registration Acts" shall mean the Act nineteenth and twentieth Victoria, chapter fifty-eight, as amended by the Act thirty-first and thirty-second Victoria, chapter forty-eight, and any other Act relating to the registration of persons entitled to vote in the election of members to serve in Parliament for burghs in Scotland which may be in force for the time:

"The assessor" shall mean the assessor of the burgh in and for which he is assessor, appointed and acting under the Acts for the valuation of lands and heritages in Scotland, or any of them.

Election of councillors where number of persons proposed does not exceed vacan- **3.** Where at any election of town councillors in any burgh the number of persons whose names have been intimated to the town clerk, under the provisions of the Act thirty-first and thirty-second Victoria, chapter one hundred and eight, as persons proposed for election in such burgh, or any ward of such burgh if divided into wards, does not exceed the vacancies to be supplied in such burgh or ward, as the case may be, the town

clerk shall, in the public notice to be given by him, as provided by the said Act, of the names of the persons so intimated to him, notify that in respect the number of persons proposed for election does not exceed the number of vacancies to be supplied in the burgh or ward, as the case may be, there will be no poll, and that the persons so proposed will be declared to be elected as councillors of the burgh; and such notification may be made by an addition in the terms set forth in the schedule to this Act, or in similar terms, to the notice required by the said Act; and on the day appointed for declaring the election the persons so proposed shall be declared to be duly elected as councillors of the burgh, in the same manner as if they had been elected as councillors under the provisions of the Election Acts, and shall be deemed to be duly elected accordingly; and every such election of councillors under the provisions of this Act shall be in all respects valid, and notice thereof shall be given to the persons elected in the same manner and to the same effect as is provided by the Election Acts.

cies to be supplied.

**4.** Where by any Act of Parliament it is provided that any commissioners or trustees under such Act are to be elected by the municipal electors, or at the same time or along with the town councillors of any burgh, the provisions of the Election Acts shall be applicable to every such election of commissioners or trustees; and where at any such election the number of persons proposed for election as commissioners or trustees does not exceed the number of vacancies to be supplied, the town clerk or other person conducting such election shall notify that there will be no poll; and such election shall be proceeded with and declared in the same manner as is herein-before provided with respect to the election of town councillors.

Election of Commissioners or trustees along with town councillors.

**5.** Where in any burgh or ward two or more councillors have been elected on the same day under the provisions of this Act, or have been elected by an equality of votes under the provisions of the Election Acts, the majority of the town council (including the councillors so elected) shall determine the order in which the councillors so elected shall retire from the town council.

Order of retirement of councillors to be determined by the Council.

**6.** In every royal burgh not now entitled to return or contribute to return a member to Parliament, the assessor shall, on or before the fifteenth day of September in the year one thousand eight hundred and seventy-one, and in every year thereafter, make out or cause to be made out a list of all persons who may be entitled to vote in the election of councillors for such burgh, under the provisions of the Act thirty-first and thirty-second Victoria, chapter one hundred and eight, according to the form No. 1 of the schedule A. to the Act nineteenth and twentieth Victoria, chapter fifty-eight; and the same procedure shall be followed with respect to the preparation and publication of every such list, and the completion and revision of the register of voters for such burgh, as is provided by the Act nineteenth and twentieth Victoria, chapter fifty-eight, as amended by the Act thirty-first and thirty-second Victoria, chapter forty-eight, with respect to the lists and registers of voters to be made out and completed under the provisions and for the purposes of those Acts; and the lists of voters for any burgh made up, completed, and revised under the provisions of the said Acts and this Act shall be signed by the town clerk, and shall be the register of persons entitled to vote in such burgh at any election of town councillors which shall take place in and for such burgh between the thirty-first day of October in the year in which such register shall have been made up and the first day of November in the succeeding year; and the said register shall be printed, and copies thereof shall be kept by the town clerk and delivered to persons applying therefor, in the same manner and on the same terms as is provided by the Act nineteenth and twentieth Victoria, chapter fifty-eight.

Preparation of municipal registers in burghs which do not return members to Parliament.

**7.** The whole costs and expenses of making up, completing, revising, and printing the register of voters in any such burgh, or incident thereto, shall be ascertained and fixed, and the amount thereof shall be assessed, levied, and collected, in the same manner as the costs and expenses attending the annual registration under the Act nineteenth and twentieth Victoria, chapter fifty-eight, are by the said Act appointed to be ascertained, fixed, assessed, levied, and collected; and the provisions of the said Act shall be applicable to the costs and expenses of registration under this Act.

Cost of municipal registers.

Municipal elections in burghs divided into wards under 31 & 32 Vict. c. 108.

**8.** Where any burgh has been or shall be divided into wards under the provisions of the Act thirty-first and thirty-second Victoria, chapter one hundred and eight, the town councillors of such burgh shall be elected in the same manner as town councillors are elected in burghs divided into wards or districts under the provisions of the Acts third and fourth William the Fourth, chapters seventy-six and seventy-seven, and the provisions of these Acts respectively with reference to the election of councillors shall be and are hereby made applicable to elections of councillors in burghs which have been or shall be divided into wards under the provisions of the said Act thirty-first and thirty-second Victoria, chapter one hundred and eight.

Expense of municipal elections may be defrayed out of assessments for registration.

**9.** The town council of any burgh may from time to time resolve that the costs and expenses of and incident to the election of the town councillors of such burgh, or of any trustees, commissioners, or other persons who are appointed or have been in use to be elected along with such town councillors, shall be defrayed out of the assessments imposed or levied in such burgh under the provisions and for the purposes of the Registration Acts; and after such resolution shall have been adopted, the costs and expenses of and incident to such elections, as ascertained and fixed by the town council shall be added to the costs and expenses attending the annual registration in such burgh, and shall be included in the assessment to be imposed and levied under the provisions and for the purposes of the Registration Acts.

## SCHEDULE.

And I further give notice, in terms of The Municipal Elections Amendment (Scotland) Act, 1870, that in respect the number of persons proposed for election as councillors in the burgh [*or* in the ward (*or* wards) *or* commissioners *or* trustees, *as the case may be,*] does not exceed the number of vacancies to be supplied in the burgh [*or* ward] there will be no poll, and the persons so proposed will on the day appointed for declaring the election be declared to be elected councillors of the burgh [*or* commissioners *or* trustees, *as the case may be*].

# CHAP. 93.

## An Act to amend the Law relating to the Property of Married Women.

[9th August 1870.]

WHEREAS it is desirable to amend the law of property and contract with respect to married women:

Be it 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:

Earnings of married women to be deemed their own property.

**1.** The wages and earnings of any married woman acquired or gained by her after the passing of this Act in any employment, occupation, or trade in which she is engaged or which she carries on separately from her husband, and also any money or property so acquired by her through the exercise of any literary, artistic, or scientific skill, and all investments of such wages, earnings, money, or property, shall be deemed and taken to be property held and settled to her separate use, independent of any husband to whom she may be married, and her receipts alone shall be a good discharge for such wages, earnings, money, and property.

Deposits in savings banks by a married woman to be deemed her

**2.** Notwithstanding any provision to the contrary in the Act of the tenth year of George the Fourth, chapter twenty-four, enabling the Commissioners for the Reduction of the National Debt to grant life annuities and annuities for terms of years, or in the Acts relating to savings banks and post office savings banks, any deposit hereafter made and