CHAPTER i.

An Act to confirm a Provisional Order made by the Secretary for Scotland, in pursuance of the Burgh Police (Scotland) Act, 1892, to increase the number of Magistrates in the Royal Burgh of North Berwick. A.D. 1894.

[1st June 1894.]

WHEREAS the Secretary for Scotland has, under the provisions of the Burgh Police (Scotland) Act, 1892, made the Provisional Order set forth in the schedule hereto annexed relating to the royal burgh of North Berwick: 55 & 56 Vict c. 55.

And whereas it is requisite that the said Order should be confirmed by Parliament:

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:—

1. The Order set out in the schedule hereunto annexed shall be and the same is hereby confirmed, and all the provisions thereof shall, from and after the passing of this Act, have full validity and force. Order in schedule confirmed.

2. This Act may be cited as the North Berwick Provisional Order Confirmation Act, 1894. Short title.

A.D. 1894.

SCHEDULE.

BURGH POLICE (SCOTLAND) ACT, 1892.
(55 & 56 Vict. Cap. 55.)

North Berwick.

NORTH BERWICK.

PROVISIONAL ORDER to increase the NUMBER of MAGISTRATES in the Royal Burgh of North Berwick.

15 & 16 Vict. c. 32.

Whereas by the Burghs (Scotland) Act, 1852, it is enacted by section two that "in each of the royal burghs in Scotland, specified in the schedule to this "Act annexed, the number of the councils of such royal burghs shall be "limited to the numbers specified in the said schedule as applicable to each "such burgh respectively," and by section three it is enacted that "it shall be "competent for the councillors of each such burgh elected under this Act to "elect according, or as nearly as may be according, to present use such number "and description of magistrates in each such burgh respectively as are specified "in the said schedule as applicable to such burgh," and by the schedule therein referred to the number of councillors to which the royal burgh of North Berwick is entitled is nine, and the number of bailies is two, with no provost:

55 & 56 Vict. c. 55.

And whereas by the Burgh Police (Scotland) Act, 1892, section thirty-six, it is enacted that "there shall be elected in burghs . . . . where the "population is less than ten thousand, a chief magistrate and two other "magistrates, and the chief magistrate shall be called provost and the "magistrates be called bailies":

And whereas by section forty-four of the said Burgh Police (Scotland) Act, 1892, it is further enacted that "in any burgh where the magistrates and "council are the commissioners under this Act, it shall be lawful for the "magistrates and council to make application to the Secretary for Scotland "for a Provisional Order determining that the number of the magistrates and "council, or either of them, may be altered to any number which would be "competent under this Act for the commissioners of police of such burgh, and "for distributing the number of the magistrates and council so altered among "the wards of the burgh if it is divided into wards, and that such alteration "shall come into effect either immediately at the next election or at successive "elections by gradual increase or diminution of the number of the magistrates "and council, or either of them":

"If such order is made and confirmed by Parliament as herein-after provided, "it shall regulate the number of the magistrates and council of such burgh for "the future, any charter, right, or Act of Parliament notwithstanding":

And whereas the royal burgh of North Berwick is a burgh in which the population is less than ten thousand, and as such is entitled in terms of

section thirty-six of the said Burgh Police (Scotland) Act, 1892, to have a chief magistrate and two other magistrates:

And whereas a petition under the provisions of the said Burgh Police (Scotland) Act, 1892, has been presented to me as Secretary for Scotland by the magistrates and council of the royal burgh of North Berwick as commissioners of the said burgh, setting forth that in consequence of there being only two magistrates exercising jurisdiction within the said burgh great inconvenience has been felt in the administration of the affairs of said burgh, more particularly in relation to the granting of licenses, and that this inconvenience is likely to be still greater on account of the boundaries of the said burgh having recently been extended under the provisions of said Burgh Police (Scotland) Act, and that it would be desirable that the number of magistrates in the said burgh should be increased to three, being the number authorised by section thirty-six of the said Burgh Police (Scotland) Act:

And whereas I have resolved to issue a Provisional Order increasing the number of magistrates in said burgh accordingly:

Now, therefore, in pursuance of the powers vested in me by the Burgh Police (Scotland) Act, 1892, I, as Secretary for Scotland, do by this Provisional Order, under my hand and seal, determine that, from and after the passing of any Act of Parliament confirming the same, the number of magistrates in the royal burgh of North Berwick shall be altered and increased to three by the addition of one magistrate, and I direct that an election of the additional magistrate authorised by this Provisional Order may take place within such time after the passing of any Act of Parliament confirming this Provisional Order as would be competent in terms of the present law and practice in royal burghs in the case of a vacancy occurring in the number of magistrates therein; or at the next annual election of councillors in said burgh; and thereafter the election of a chief magistrate and two other magistrates in said burgh shall take place in terms of the existing law regulating such elections in royal burghs.

Given under my hand and seal at Whitehall, this thirteenth day of March, one thousand eight hundred and ninety-four.

(L.S.) (Signed) George Otto Trevelyan.

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