CHAPTER 16.

An Act to amend the Law regulating the Registration of Voters in Scotland; and for other purposes relating thereto. [21st May 1885.]

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 as the Registration Amendment (Scotland) Act, 1885.

Definition. 48 & 49 Vict. c. 3.

2. In this Act the expression "Registration Acts" shall have the same meaning as in the Representation of the People Act, 1884.

Power of Her Majesty in Council to prescribe forms.

3.—(1.) It shall be lawful for the Queen by Order in Council to prescribe the forms necessary for carrying into effect the Registration Acts and this Act, including the form of the valuation roll, with power to substitute any form for any form contained in any schedule to the Registration Acts.

Publication, variation, and effect of Order.

(2.) An Order in Council under this Act shall be published in the "Edinburgh Gazette," and be laid before both Houses of Parliament forthwith after it is made.

(3.) It shall be lawful for the Queen by Order in Council from time to time to add to or vary an Order in Council made under this Act.

Form of valuation roll. 24 & 25 Vict. c. 83. 31 & 32 Vict. c. 48.

(4.) The valuation roll shall be in the form contained in the schedule to this Act until such form is altered by the Queen by Order in Council as aforesaid; and section five of the County Voters Registration (Scotland) Act, 1861, is hereby repealed and section four of the said Act and section sixteen of the Representation of the People (Scotland) Act, 1868, are hereby repealed in so far as these sections provide that the name of the person to whom the amount of feu duty, ground annual, or other yearly consideration payable as a condition of his right by any proprietor, is to be entered in the valuation roll. Provided that the second column of the valuation roll, headed "description and situation of subject," may be printed for any county without subdivision if the Commissioners of Supply of such county shall so determine.

Assessor may call for a list of inhabitant occupiers. 48 & 49 Vict. c. 3.

4. It shall be lawful for any assessor acting under the Registration Acts, instead of using the means of obtaining information for the purposes of registration provided by section nine of the Representation of the People Act, 1884, to call upon every person rated or liable to be rated in respect of the occupation of any lands and heritages which comprise any dwelling-house, or on some agent of such person concerned in the management of such lands and heritages, for an accurate written list of the names and occupations of all persons, other than such person, being inhabitant occupiers of any dwelling-house, and the month and year in which they began to occupy such dwelling-house, forming part of such lands and heritages, together with the situation or description of such dwelling-house; and if any such person or agent fails to furnish such written statement to the assessor within fourteen days after he has been required in writing so to do, he shall be liable, on summary con-

viction, to the same penalty as is enacted in similar cases by section seven of the Act passed in the Session of the seventeenth and eighteenth years of the reign of Her present Majesty, chapter ninety-one.

Special provision as to voters in 1885.

5. Any person deemed to be an inhabitant occupier as tenant under section three of the Representation of the People Act, 1884, shall be registered in like manner as if the Representation of the People Act, 1884, had been in force throughout the year one thousand eight hundred and eighty-four, and had been duly carried into effect.

Dwelling-houses to be entered in valuation roll.

6. In every future valuation roll to be made up in any county or burgh the assessor shall specify each dwelling-house within the meaning of the Representation of the People Act, 1884.

Register in divided parishes.

7. Where a parish is divided into or forms part of more than one polling district, the register of voters in such parish shall be made up separately for each polling district.

Register in parliamentary burghs merged in counties.

8. Where any burgh has ceased as a burgh to return or to contribute to return a member to Parliament, the register of voters shall continue to be made up separately, but the duties hitherto performed by the town clerk shall be performed by the sheriff clerk.

Advertisement of new polling places in counties. 16 & 17 Vict. c. 28.

9. So much of section two of an Act passed in the session of the sixteenth and seventeenth years of the reign of Her present Majesty, chapter twenty-eight, as enacts that no increase or alteration of polling places and districts in counties shall be made until notice thereof has been given by advertisement for six weeks in the "North British Advertiser" and the "Edinburgh Gazette," and in the several newspapers published within the county, is hereby repealed, and it shall be sufficient if such increase or alteration is advertised for two successive weeks in a newspaper or newspapers published or circulating in the county as the sheriff may direct.

Registration where counties are divided.

10. Where any county has been divided for the purposes of Parliamentary representation, it shall be lawful for the Commissioners of Supply to appoint the present assessor or assessors for such county to make up the register of voters in the several divisions of the county and to apportion the divisions among the assessors in such manner as the Commissioners may determine, but until they shall otherwise determine, the assessor now appointed for the purpose of making up the register of any division, or the greater part of the area thereof, shall continue to act as the assessor for such division.

Assessor not to be collector of poor rates or factor.

11. It shall not be lawful for any assessor, whether appointed before or after the passing of this Act, to be a sheriff clerk or clerk of supply, or a collector of poor rates, or to be employed as a factor for heritable property, or land agent, in the county or burgh for which he may be the assessor.

Printing of valuation roll.

12. It shall be lawful for the Commissioners of Supply of any county, or the magistrates of any burgh, to resolve at any meeting of their number, ordinary or special, duly called, and by a majority of those attending and voting, that the valuation roll of such county or burgh shall be printed for any period of years not exceeding ten, and it shall be lawful for such Commissioners or magistrates to enter into contracts for printing the same, and the expenses of such

printing shall be deemed to be part of the expenses of making up such roll, and shall be assessed for and levied accordingly: Provided always, that notice of the intention to move such resolution shall be inserted in the notice calling the meeting at which it is to be moved.

30 & 31 Vict. c. 80.

And section ten of the Valuation of Lands (Scotland) Amendment Act, 1867, is hereby repealed.

Joint occupation of lodgings.

13. Where lodgings are jointly occupied by more than one lodger, and the clear yearly value of the lodgings if let unfurnished is of an amount which when divided by the number of the lodgers gives a sum of not less than ten pounds for each lodger, then each lodger, if otherwise qualified, and subject to the conditions of the Representation of the People (Scotland) Act, 1868, and of the Representation of the People Act, 1884, shall be entitled to be registered, and when registered to vote as a lodger, provided that not more than two persons, being such joint lodgers, shall be entitled to be registered in respect of such lodgings.

31 & 32 Vict. c. 48.
48 & 49 Vict. c. 3.

Declaration of lodger to be primâ facie evidence.

14. In the case of a person claiming to vote as a lodger, the declaration annexed to his notice of claim shall for the purposes of revision be primâ facie evidence of his qualification.

Remuneration of collectors of poor rates.

15. For the duties imposed upon them by sections eighteen and nineteen of the Representation of the People (Scotland) Act, 1868, collectors of poor rates shall be entitled to remuneration at the rate of six shillings for every hundred names, and such remuneration shall be paid as part of the expenses of registration in counties and burghs respectively.

Additional officers for registration in 1885.

16. During the year one thousand eight hundred and eighty-five—

(1.) It shall be lawful for the assessors, with the consent of the Commissioners of Supply and of the town council, in counties and burghs respectively, to employ such assistants as may be necessary in order to complete the registration of voters at every stage at the proper date;

(2.) It shall be lawful for the sheriff to appoint such number of substitutes as he thinks necessary to assist in the revision of the list of voters, such substitutes shall have the qualifications required by law for a salaried sheriff-substitute, and shall be paid at the rate of seven guineas per day;

All expenses under this section shall be paid as part of the expenses of registration in counties and burghs respectively.

Double entries of voters.

17. (1.) When the name of a person appears to be entered more than once as a voter on the lists of voters for the same parliamentary county or for the same burgh, the sheriff when revising the lists shall inquire whether such entries relate to the same person, and on proof that such entries relate to the same person shall retain one entry and strike out the others.

(2.) The said person may select the entry to be retained by notice in writing delivered or sent by post to the sheriff clerk at or before the opening of the first court at which the sheriff revises any of the lists in which any such entries appear, or by application made by such person or on his behalf at the first sitting of the court for the revision of such lists.

(3.) If no selection is so made the entry to be retained shall be determined as follows :—

(a.) In counties :—

(i.) If one only of the entries is an entry on the list of voters as proprietor, that entry shall be retained ; and

(ii.) If all or none of the entries are on the list of voters as proprietor, and one of the entries is the place of residence of the voter, the entry in respect of the place of residence shall be retained ; and

(iii.) In any other case the entry which is first reached by the sheriff in revising the lists shall be retained :

(b.) In burghs :—

(i.) If one of the entries is the place of residence of the voter, the entry in respect of the place of residence shall be retained ; and

(ii.) In any other case the entry which is first reached by the sheriff in revising the lists shall be retained :

and both in counties and in burghs, if any such entry to be retained is objected to, the sheriff shall not finally strike out any other entry until the objection to the entry to be retained has been determined by him in favour of the voter.

(4.) Where a burgh is divided into divisions and, notwithstanding the provisions of this section, the name of a person is entered in the register of parliamentary voters of more than one division of the said burgh, and one of these entries is his place of residence, he shall be entitled to vote only in that division in which he is registered as a voter in respect of his place of residence, and shall not vote in respect of any other entry.

(5.) In this section the expression " parliamentary county " means a county returning or contributing to return a member or members to serve in Parliament ; and, where a county is divided for the purpose of such return, means a division of such county.

SCHEDULE.

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VALUATION ROLL for the Burgh [*or* County] of _____ for the Year 188 –188 . _____ Parish.

No.	DESCRIPTION AND SITUATION OF SUBJECT.		PROPRIETOR.	TENANT.	OCCUPIER.	INHABITANT OCCUPIER not rated (48 Vict. c. 3, ss. 3 & 9).	FEU DUTY or GROUND ANNUAL.	YEARLY RENT OR VALUE.
	Description.	Situation.						
		No.						