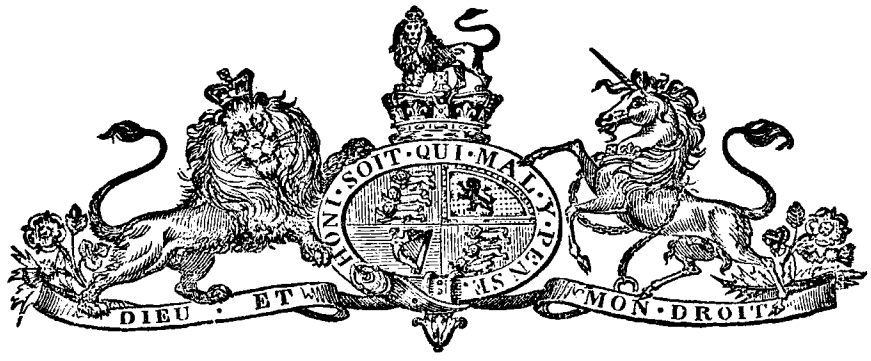


ANNO TRICESIMO PRIMO & TRICESIMO SECUNDO

VICTORIÆ REGINÆ.

****

CAP. XLVIII.

An Act for the Amendment of the Representation of the People in *Scotland*. [13th *July* 1868.]

WHEREAS it is expedient to amend the Laws relating to the Representation of the People 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 shall be cited for all Purposes as "The Representation of the People (*Scotland*) Act, 1868."

Application of Act.

2. This Act shall apply to *Scotland* only, except in so far as it provides that certain Boroughs in *England* shall cease to return Members to serve in Parliament.

PART I.

Franchises.

Occupation Franchise for Voters in Burghs.

3. Every Man shall, in and after the Year One thousand eight hundred and sixty-eight, be entitled to be registered as a Voter, and, when

when registered, to vote at Elections for a Member or Members to serve in Parliament for a Burgh, who, when the Sheriff proceeds to consider his Right to be inserted or retained in the Register of Voters, is qualified as follows; that is to say,

1. Is of full Age, and not subject to any legal Incapacity; and
2. Is, and has been for a Period of not less than Twelve Calendar Months next preceding the last Day of *July*, an Inhabitant Occupier as Owner or Tenant of any Dwelling House within the Burgh:

Provided that no Man shall under this Section be entitled to be registered as a Voter who, at any Time during the said Period of Twelve Calendar Months, shall have been exempted from Payment of Poor Rates on the Ground of Inability to pay; or who shall have failed to pay, on or before the First Day of *August* in the present or the Twentieth Day of *June* in any subsequent Year, all Poor Rates (if any) that have become payable by him, in respect of said Dwelling House or as an Inhabitant of any Parish in said Burgh, up to the preceding Fifteenth Day of *May*; or who shall have been in the Receipt of Parochial Relief within the Twelve Calendar Months next preceding the said last Day of *July*: Provided also, that no Man shall under this Section be entitled to be registered as a Voter by reason of his being a Joint Occupier of any Dwelling House.

Lodger Franchise for Voters in Burghs.

4. Every Man shall in and after the Year One thousand eight hundred and sixty-eight be entitled to be registered as a Voter, and, when registered, to vote for a Member or Members to serve in Parliament for a Burgh, who is qualified as follows; (that is to say,)

1. Is of full Age and not subject to any legal Incapacity; and
2. As a Lodger has occupied in the same Burgh separately, and as sole Tenant for the Twelve Months preceding the last Day of *July* in any Year, Lodgings of a clear yearly Value, if let unfurnished, of Ten Pounds or upwards; and
3. Has resided in such Lodgings during the Twelve Months immediately preceding the last Day of *July*, and has claimed to be registered as a Voter at the next ensuing Registration of Voters.

Ownership Franchise for Voters in Counties.

5. Every Man shall, in and after the Year One thousand eight hundred and sixty-eight, be entitled to be registered as a Voter, and, when registered, to vote at the Election of a Member or Members to serve in Parliament for a County, who, when the Sheriff proceeds to consider his Right to be inserted or retained on the Register of Voters, is qualified as follows; that is to say,

1. Is of full Age, and not subject to any legal Incapacity; and

2. Is,

2. Is, and has been for a Period of not less than Six Calendar Months next preceding the last Day of *July*, the Proprietor (whether he has made up his Titles, or is infeft, or not) of Lands and Heritages, the yearly Value of which, as appearing from the Valuation Roll of the County, shall be Five Pounds or upwards, after Deduction of any Feu Duty, Ground Annual, or other annual Consideration which he may be bound to pay or give or account for as a Condition of his Right, and after Deduction of any Annuity, Life-rent Provision, or such other annual Burden.

Occupation Franchise for Voters in Counties.

6. Every Man shall be entitled to be registered as a Voter, and, when registered, to vote at Elections for a Member to serve in Parliament for a County, who, when the Sheriff proceeds to consider his Right to be inserted or retained in the Register of Voters, is qualified as follows; that is to say,

1. Is of full Age and not subject to any legal Incapacity; and
2. Is, and has been during the Twelve Calendar Months immediately preceding the last Day of *July*, in the actual personal Occupancy as Tenant of Lands and Heritages within the County of the annual Value of Fourteen Pounds or upwards, as appearing on the Valuation Roll of such County:

Provided that no Man shall under this Section be entitled to be registered who, at any Time during the said Period of Twelve Calendar Months, shall have been exempted from Payment of Poor Rates on the Ground of Inability to pay; or who shall have failed to pay, on or before the First Day of *August* in the present or the Twentieth Day of *June* in any subsequent Year, all Poor Rates (if any) that have become payable by him in respect of said Lands and Heritages up to the preceding Fifteenth Day of *May*; or who shall have been in the Receipt of Parochial Relief within Twelve Calendar Months next preceding the said last Day of *July*.

Restriction on Number of Votes in Glasgow.

7. At a contested Election for the City of *Glasgow* no Person shall vote for more than Two Candidates.

Electors employed for Reward within Six Months of an Election not to vote.

8. No Elector who, within Six Months before or during any Election for any County or Burgh, shall have been retained, hired, or employed for all or any of the Purposes of the Election for Reward by or on behalf of any Candidate at such Election as Agent, Canvasser, Clerk, Messenger, or in other like Employment, shall be entitled to vote at such Election; and if he shall so vote, he shall be guilty of a Crime and Offence.

PART

PART II.

Distribution of Seats.

New Seats for the Universities of Glasgow and Dundee, and Counties of Lanark, Ayr, and Aberdeen.

9. In all future Parliaments the Universities of *Scotland* shall return Two Members to serve in Parliament; the City of *Glasgow* shall return Three Members to serve in Parliament; and the Town of *Dundee*, and the Counties of *Lanark*, *Ayr*, and *Aberdeen*, shall each return Two Members to serve in Parliament; and one of the Members for the Universities of *Scotland* shall be returned jointly by the University of *Edinburgh* and the University of *St. Andrews*; and the other of such Members shall be returned jointly by the University of *Glasgow* and the University of *Aberdeen*.

Counties of Selkirk and Peebles to be united, and new District of Burghs to return One Member.

10. From and after the End of the present Parliament the County of *Selkirk* shall cease to return a Member to serve in Parliament, and the County of *Peebles* shall cease to return a Member to serve in Parliament, and the said Counties shall jointly return One Member to serve in Parliament; and the Burghs and Towns of *Hawick*, *Galashiels*, and *Selkirk*, specified in Schedule (A.) hereto annexed, shall be constituted into a District of Burghs, and such District shall return One Member to serve in Parliament.

Certain Counties to be divided, and each Division to return a Member.

11. From and after the End of the present Parliament each County named in the First Column of Schedule (B.) to this Act annexed shall be divided into Two Divisions named in the Second Column of the said Schedule; and, until otherwise directed by Parliament, each of such Divisions shall consist of the Parishes mentioned in the Third Column of the said Schedule; and each of such Divisions shall in all future Parliaments return One Member to serve in Parliament, in the same Manner as if each such Division were a separate County.

Registers of Voters to be formed for new Burghs and Divisions of Counties.

12. Registers of Voters shall be formed in and after the Year One thousand eight hundred and sixty-eight, notwithstanding the Continuance of the present Parliament, for and in respect of the Divisions of Counties constituted under this Act, in like Manner as if such Divisions had previously to the passing of this Act been separate Counties returning Members to serve in Parliament; and also for and in respect of the Burghs constituted by this Act in like Manner as if before the passing of this Act they respectively had been Burghs returning or contributing to return Members to serve in Parliament.

PART III.

SUPPLEMENTAL PROVISIONS.

Incidents of Franchise.

Successive Occupancy.

13. Different Premises occupied in immediate Succession by any Person as Owner or Tenant during the Twelve Calendar Months next previous to the last Day of *July* in any Year shall have the same Effect in qualifying such Person to vote for a Burgh or County respectively as a continued Occupancy of the same Premises in the Manner herein provided: And this Provision shall apply to the successive Occupancy of Premises in Counties of the annual Value of Fifty Pounds and upwards, as well as to Premises which for the First Time under this Act afford the Qualification for the Franchise.

Liferenters.

14. In a County where Two or more Persons are interested as Liferenter and as Fiar in any Lands and Heritages to which a Right of voting is for the First Time attached by this Act, the Right to be registered and to vote shall be in the Liferenter, and not in the Fiar: And where any such Lands and Heritages shall be owned, held, or occupied by more Persons than One as Joint Owners, whether in Fee or in Liferent, or as Joint Tenants and Joint Occupants of the same, as the Case may be, each of such Joint Owners shall be entitled to be registered and to vote, provided his Share or Interest in the said Lands and Heritages is of the annual Value of Five Pounds as before specified, but not otherwise; and each of such Joint Tenants and Joint Occupants shall in like Manner be entitled to be registered and to vote, provided the annual Value of the said Lands and Heritages, as appearing on the Valuation Roll, held and occupied by them shall be sufficient, when divided by the Number of such Joint Tenants and Joint Occupants, to give to each of them a Sum of not less than Fourteen Pounds, but not otherwise: Provided always, that no greater Number of Persons than Two shall be entitled to be registered as Joint Owners or Joint Tenants of the same Lands and Heritages unless their Shares or Interests in the same shall have come to them by Inheritance, Marriage, Marriage Settlement, or *mortis causâ* Conveyance, or unless such Joint Owners or Joint Tenants shall be *bonâ fide* engaged as Partners carrying on Trade or Business in or on such Lands and Heritages: Provided also, that Husbands shall be entitled to be registered and to vote in respect of Lands and Heritages as aforesaid belonging, whether in Fee or in Liferent, to their Wives,

Joint Owners and Joint Occupants.

Husbands in right of their Wives.

or owned or possessed by such Husbands after the Death of their Wives by the Courtesy of *Scotland*.

Valuation Rolls.

Dwelling Houses to be specially entered in Valuation Rolls.

15. In every future Valuation Roll to be made up in any Burgh, under the Provisions of the Valuation Acts in force for the Time, or under the Provisions of this Act, the Assessor shall be bound to specify separately each Dwelling House, and to ascertain and enter the yearly Rent or Value of the same, and also to enter the Name and Designation of the Proprietor or reputed Proprietor thereof, and, where there are Tenants or Occupiers, the Names and Designations of all such Tenants and Occupiers.

Valuation Rolls in Counties to contain certain additional Particulars.

16. In every future Valuation Roll to be made up in any County the Assessor, in addition to the Particulars which by the Acts last mentioned are required to be ascertained by him, shall also ascertain and enter in such Roll the Amount of Feu Duty, Ground Annual, Rent, or other yearly Consideration payable as a Condition of his Right by every Proprietor of any Lands or Heritages entered in such Roll as of the yearly Rent or Value of Five Pounds or upwards, and the Name of the Person to whom the said Consideration is payable; and in order to the Ascertainment of the Particulars herein-before specified, it shall be lawful for the Assessor to call upon any Proprietor or Tenant for Receipts or other written Evidence of the Amount of such Feu Duty, Ground Annual, or other Consideration, and such Proprietor or Tenant shall be bound to furnish and deliver such Evidence to the Assessor under the same Penalty in case of Failure or of false Statement as is provided in similar Cases by the Act Seventeenth and Eighteenth *Victoria*, Chapter Ninety-one; and it shall also be lawful for the Assessor to exercise all the Powers which, under the said Act, he may lawfully exercise for the Purposes thereof.

Provision for Claims by Persons improperly or erroneously exempted from Payment of Poor Rates.

17. Where the Name of any Person, otherwise entitled to the Franchise for any Burgh or County, has in any Year been omitted from the List of Voters prepared by the Assessor for such Burgh or County on the Ground that he has during the Twelve Calendar Months preceding the last Day of *July* in such Year been exempted from Payment of Poor Rates on account of Inability to pay, it shall be competent for such Person to give Notice to such Assessor of his Claim to have his Name entered in the Register of Voters for such Burgh or County in the Manner provided in the Registration Acts, and such Claim shall be published and may be objected to in the Manner provided in the said Acts; and the Sheriff shall dispose of the

the said Claim, and if it shall be proved to his Satisfaction that the Person claiming has been improperly or erroneously exempted from Payment of the said Poor Rates, and that he has on or before the First Day of *August* in the present or the Twentieth Day of *June* in any subsequent Year paid or tendered Payment of the Amount of Poor Rates, from Payment of which he was improperly or erroneously exempted as aforesaid, the Sheriff shall insert the Name of such Person in the Register of Voters for the Burgh or County, as the Case may be; and the Judgment of the Sheriff sustaining or refusing the Claim shall be liable to the Appeal provided in the said Registration Acts, and generally the Provisions of the said Acts shall apply to the Claims mentioned in this Section and to all the Proceedings following thereon.

Poor Rate to be demanded. Collector wilfully neglecting to do so punishable.

18. Where any Poor Rate due from an Occupier of Premises to which a Right of voting is for the First Time attached by this Act remains unpaid on the Fifteenth Day of *May* in any Year, the Collector of Poor Rates for the Parish in which such Premises are situated shall, on or before the Twenty-fifth Day of *July* in the present or the First Day of *June* in any subsequent Year, unless such Rate has previously been paid, or has been duly demanded by a Demand Note served in like Manner as the Notice in this Section referred to, give or cause to be given a Notice in the Form set forth in Schedule (C.) to this Act to every such Occupier. The Notice shall be deemed to have been duly given if delivered to the Occupier, or left at his last or usual Place of Abode, or with some Person on the Premises in respect of which the Rate is payable. Any Collector of Poor Rate who shall wilfully withhold such Notice with Intent to keep such Occupier off the List or Register of Voters for the Burgh or County, as the Case may be, shall be deemed guilty of a Crime and Offence.

Registration of Voters.

Registration of Voters.

19. The following Regulations shall be observed with respect to the Registration of Voters:

1. The Registration Acts shall apply to the Registration of all Persons on whom a Right to be registered and to vote is conferred for the First Time by this Act, in the same Manner, and subject to the same Regulations, as nearly as Circumstances admit, in and subject to which they now apply to the Registration of Persons entitled at present to be registered and to vote; and the said Acts, and also the Valuation Acts, shall apply to all Burghs and Divisions of Counties on which the Right of returning or contributing to return a Member to serve in Parliament is by this Act conferred:

2. The

2. The Collector of Poor Rates in each Parish shall, on or before the Third Day of *August* in the present and First Day of *July* in any subsequent Year, deliver or send to the Assessor for the Burgh or County, as the Case may be, a List in the Form in the Schedule (D.) hereunto annexed, or as near thereto as Circumstances admit, and in the Order as nearly as may be in which the Names appear in the Valuation Roll of such Burgh or County, as the Case may be, duly certified by him, of all Occupiers of Premises who have been, during the Twelve Calendar Months preceding the last Day of *July* in each Year, exempted from Payment of Poor Rates on the Ground of Inability to pay, or who have failed to pay, on or before the First Day of *August* in the present or the Twentieth Day of *June* in any subsequent Year, all Poor Rates (if any) that have become payable by them up to the preceding Fifteenth Day of *May*, or who have been in the Receipt of Parochial Relief within the Twelve Calendar Months next preceding the last Day of *July* in such Year, and the Assessor shall be guided by the said Lists (which shall be *primâ facie* Evidence of the Correctness of the Entries therein contained) in ascertaining the Right of any Person to be inserted or retained in the Register of Voters:

3. The Claim of every Person desirous of being registered as a Voter for a Member or Members to serve for any Burgh in respect of the Occupation of Lodgings shall be in the Form No. 1. in Schedule (I.), or to the like Effect, and shall have annexed thereto a Declaration in the Form, and be certified in the Manner, in the said Schedule mentioned, or as near thereto as Circumstances admit; and every such Claim shall, after the last Day of *July* and on or before the Twenty-first Day of *September* in any Year, be delivered to the Assessor of the Burgh in which such Lodgings shall be situate, and the Particulars of such Claim shall be duly published by such Assessor on or before the Twenty-fifth Day of *September* next ensuing in a separate List, according to the Form No. 2. in the said Schedule (I.):

4. The Provisions of the Registration Acts relating to the Manner of publishing Lists of Claimants in Burghs, and to the Delivery of Copies thereof to Persons requiring the same, shall apply to every such Claim and List; and the Provisions of the same Acts with respect to the Proof of the Claims of Persons omitted from the List of Voters in Burghs, and to Objections thereto, and to the Hearing thereof, shall, so far as

as the same are applicable, apply to Claims and Objections, and to the Hearing thereof under this Section:

5. Wherever any List or Copy of a List other than a Register for which Payment is required and authorized by the Act Nineteenth and Twentieth *Victoria*, Chapter Fifty-eight, shall contain any Number of Persons Names exceeding Five thousand, the Rate to be demanded and paid therefor shall be Five Shillings, and for any such List or Copy of such List containing any Number of Persons Names exceeding Ten thousand the Rate to be demanded and paid therefor shall be Ten Shillings.

Alteration of Dates respecting Registration in Burghs.

20. Whereas in consequence of the Increase of the Number of Voters in Burghs provided for by this Act it is necessary to alter certain of the Dates in the Preparation of the Register of Voters in said Burghs as provided for by the Act 19 & 20 *Vict.* c. 58: Be it enacted as follows:

The Second Section of the said recited Act shall be read as if the Words "Fifteenth Day of *September*" were substituted for the Words "Fifteenth Day of *August*," and the Words "from the Sixteenth to the Twenty-first Days of *September*" were substituted for the Words "from the Sixteenth to the Twenty-fifth Days of *August*" therein:

The Third Section of the said recited Act shall be read as if the Words "Twenty-first Day of *September*" were substituted for the Words "Twenty-fifth Day of *August*" therein:

The Fourth Section of the said recited Act shall be read as if the Words "Twenty-first Day of *September*" were substituted for the Words "Twenty-fifth Day of *August*" therein:

The Fifth Section of the said recited Act shall be read as if the Words "Twenty-fifth Day of *September*" were substituted for the Words "First Day of *September*," and the Words "between the Twenty-fifth Day of *September* and the First Day of *October*" were substituted for the Words "during the first Fourteen Days of *September*" therein:

The Sixth Section of the said recited Act shall be read as if the Words "Twenty-fifth of *September*" were substituted for the Words "First of *September*" therein:

The Sixteenth Section of the said recited Act shall be read as if the Words "Fifteenth of *September*" were substituted for the Words "Sixteenth Day of *August*" therein:

The Eighteenth Section of the said recited Act shall be read as if the Words "Twenty-fifth Day of *September*" were substituted for the Words "First Day of *September*" therein:

The Nineteenth Section of the said recited Act shall be read as if the Words "Twenty-fifth Day of *September*" were substituted

stituted for the Words "First Day of *September*," and the Words "the Sixteenth Day of *October*" were substituted for the Words "the First Day of *October*" therein:

The Twenty-fifth Section of the said recited Act shall be read as if the Words "Fifteenth Day of *October*" were substituted for the Words "Thirtieth Day of *September*" therein:

The Twenty-sixth Section of the said recited Act shall be read as if the Words "Sixteenth Day of *October*" were substituted for the Words "First Day of *October*" therein:

The Twenty-ninth Section of the said recited Act shall be read as if the Words "Fifteenth Day of *October*" were substituted for the Words "Thirtieth Day of *September*;" and the Provision in the said Section requiring the Town Clerk forthwith, after the Twenty-first Day of *October* in each Year, to make all such Corrections and Alterations on the Book therein mentioned as may be necessary to give Effect to all Decisions of the Court of Appeal, is hereby repealed.

Alteration of Dates respecting Registration in Counties.

21. Whereas in consequence of the Increase of the Number of Voters in Counties provided for by this Act it is necessary to alter certain of the Dates in the Preparation of the Register of Voters in Counties, as provided for by the Act of the Twenty-fourth and Twenty-fifth of *Victoria*, Chapter Eighty-three: Be it enacted as follows:

The Eighth Section of the said recited Act shall be read as if the Words "Twenty-fifth Day of *August*" were substituted for the Words "Fifteenth Day of *August*," and the Words "from the Twenty-sixth Day of *August* to the Fourth Day of *September*" were substituted for the Words "from the Sixteenth to the Twenty-fifth Days of *August*" therein:

The Ninth Section of the said recited Act shall be read as if the Words "Fourth Day of *September*" were substituted for the Words "Twenty-fifth Day of *August*" therein:

The Tenth Section of the said recited Act shall be read as if the Words "Eleventh Day of *September*" were substituted for the Words "First Day of *September*," and the Words "from the Twelfth to the Twenty-fourth Days of *September*" were substituted for the Words "from the Second to the Fourteenth Days of *September*" therein:

The Eleventh Section of the said recited Act shall be read as if the Words "Eleventh Day of *September*" were substituted for the Words "First Day of *September*" therein:

The Twentieth Section of the said recited Act shall be read as if the Words "Twenty-sixth Day of *August* and the Thirtieth Day of *October*" were substituted for the Words "Sixteenth Day of *August* and the Twenty-first Day of *October*" therein:

The

The Twenty-first Section of the said recited Act shall be read as if the Words "Fourth Day of *September*" were substituted for the Words "Twenty-fifth Day of *August*" therein:

The Twenty-second Section of the said recited Act shall be read as if the Words "Eleventh Day of *September*" were substituted for the Words "First Day of *September*," and the Words "Fourth Day of *September*" were substituted for the Words "Twenty-fifth Day of *August*" therein:

The Twenty-third Section of the said recited Act shall be read as if the Words "Eleventh Day of *September* and the Eleventh Day of *October*" were substituted for the Words "First Day of *September* and the Fifth Day of *October*" therein:

The Twenty-fourth Section of the said recited Act shall be read as if the Words "Eleventh Day of *September*" were substituted for the Words "First Day of *September*" therein:

The Twenty-ninth Section of the said recited Act shall be read as if the Words "Eleventh Day of *October*" were substituted for the Words "Fifth Day of *October*" therein:

The Thirtieth Section of the said recited Act shall be read as if the Words "Eleventh Day of *October*" were substituted for the Words "Fifth Day of *October*" therein.

Appeals from Decisions of Sheriff in Registration Court.

22. All Enactments at present in force regarding Appeals from the Judgments of Sheriffs in Registration Courts for Counties and Burghs are hereby repealed, and in lieu thereof it is enacted as follows:

If any Person whose Name shall have been struck out of any Register or List of Voters by the Sheriff, or who shall claim or object before the Sheriff at any Court, shall consider the Decision of the Sheriff on his Case to be erroneous in point of Law, he may, either himself or by some Person on his Behalf, in open Court, require the Sheriff to state the Facts of the Case, and such Question of Law, and his Decision thereon, in a Special Case; and the Sheriff shall prepare and sign and date such Special Case, and deliver the same in open Court to the Sheriff Clerk or Town Clerk, as the Case may be; and such Person, or some Person on his Behalf, may thereupon in open Court declare his Intention to appeal against the said Decision, and may, within Ten Days of the Date of such Special Case, lay a certified Copy thereof before the Court of Appeal herein-after constituted, for their Decision thereon; and the said Court shall with all convenient Speed hear Parties and give their Decision on such Special Case, and shall specify exactly every Alteration or Correction, if any, to be made upon the Register in pursuance of such Decision; and the Register shall be as soon as may be after the Thirty-first Day

Day of *October* in each Year altered accordingly by or at the Sight of the Sheriff; and if it shall appear to the Sheriff that his Judgments respecting the Qualifications of any Two or more Persons depend on the same Question of Law, he shall append to such Special Case the Names of all such Persons who have appealed against his Judgment on their respective Claims; and the Decision of the said Court on such Special Case shall extend and apply to the Qualifications of all such Persons, in like Manner as if a separate Appeal had been taken in the Case of each of them; and the said Court shall have Power to award the Costs of any Appeal; and the Decision of the said Court shall be final, and not subject to Review by any Court, or in any Manner whatsoever: Provided always, that if the said Court shall be of opinion that the Statement of the Matter of the Appeal in any Special Case is not sufficient to enable them to give Judgment in Law, it shall be lawful for the said Court to remit the said Special Case to the Sheriff by whom it shall have been signed, in order that the same may be more fully stated.

Constitution of Court of Appeal.

23. The Court for hearing Appeals under the preceding Section of this Act shall consist of Three Judges of the Court of Session, to be named from Time to Time by Act of Sederunt of the said Court, One Judge to be named from each Division of the Inner House, and One from the Lords Ordinary in the Outer House; and it shall be competent from Time to Time by Act of Sederunt to supply any Vacancy which may occur in such Court, and to regulate the Sittings and Forms of Process therein so as to carry out the Provisions of this Act, and such Acts of Sederunt may be made, and such Court may sit, either during the Sitting of the Court of Session, or in Vacation or Recess; and the Junior Principal Clerk of Session shall be the Clerk of such Court.

Places for Election and Polling Places.

Places for Election and Returning Officers for new Constituencies.

24. The Writ for the Election of the Member for the District of Burghs enumerated in Schedule (A.) to this Act annexed shall be addressed to the Sheriff mentioned in the Fifth Column of the said Schedule, and, until otherwise directed by Parliament, shall be proclaimed at the Place named for that Purpose in the Third Column thereof; and the Writ for the Election of the Member for the Counties of *Peebles* and *Selkirk* shall be addressed to the Sheriff of the County of *Peebles*, and until otherwise directed by Parliament shall be proclaimed at the Burgh of *Peebles;* and in the Case of a Poll being demanded at any Election for said Counties the Sheriff of the County of *Peebles* shall forthwith send a written Notice

Notice to the Sheriff of the County of *Selkirk* that a Poll has been demanded, and also of the Day on which it is to be taken; and the Sheriffs of the said Counties of *Peebles* and *Selkirk* respectively shall appoint such a Number of Substitutes and Clerks as may be necessary at each of the Polling Places within their respective Counties; and all the Poll Books shall at the final Close thereof be sealed up and delivered or transmitted by the Sheriff Substitutes in charge of the Polls to the said Sheriff of the County of *Peebles;* and the Writs for the Election of Members for the Divisions of Counties enumerated in Schedule (B.) to this Act annexed shall be addressed to the Sheriffs of such Counties, and, until otherwise directed by Parliament, shall be proclaimed at the Places named for that Purpose in the Fourth Column of the said Schedule.

Payments for conveying Voters in Burghs to the Poll illegal.

25. It shall not be lawful for any Candidate, or any one on his Behalf, at any Election for any Burgh to pay any Money on account of the Conveyance of any Voter to the Poll, either to the Voter himself or to any other Person; and if any such Candidate, or any Person on his Behalf, shall pay any Money on account of the Conveyance of any Voter to the Poll, such Payment shall be deemed to be an illegal Payment within the Meaning of the "Corrupt Practices Prevention Act, 1854."

Rooms to be hired for polling wherever they can be obtained.

26. At every contested Election for any County or Burgh, unless some Building or Place belonging to the County or Burgh is provided for that Purpose, the Sheriff Clerk in any County, and in any City or Burgh the Town Clerk, shall, whenever it is practicable so to do, instead of erecting a Booth, hire a Building or Room for the Purpose of taking the Poll at the Places appointed for such County or Burgh.

Where in any Place there is any Room, the Expense of maintaining which is payable out of any Rates levied in such Place, or which is under the Control of the Town Council or other Local Authority, such Room may, with the Consent of those having the Control over the same, be used for the Purpose of taking the Poll at such Place.

Where the Town Clerk incurs any Expenses in erecting Booths or hiring Rooms for taking any Poll under this Act, he shall have the same Right and Means of recovering the same from the Candidates which the Sheriff Clerk has by the present Law and Practice.

Elections in Universities.

Franchise for Universities.

27. The Chancellor, the Members of the University Court, and the Professors for the Time being of each of the Universities of *Scotland,*

Scotland, and also every Person whose Name is for the Time being on the Register, made up in Terms of the Provisions herein-after set forth, of the General Council of such University, shall, if of full Age, and not subject to any legal Incapacity, be entitled to vote in the Election of a Member to serve in any future Parliament for such University in Terms of this Act.

Qualifications for Members of General Councils.

28. Under the Conditions as to Registration herein-after mentioned, the following Persons shall be Members of General Council of the respective Universities, *viz.*:

1. All Persons qualified under the Sixth or Seventh Section of the Act Twenty-first and Twenty-second *Victoria*, Chapter Eighty-three:

2. All Persons on whom the University to which such General Council belongs has after Examination conferred the Degree of Doctor of Medicine, or Doctor of Science, or Bachelor of Divinity, or Bachelor of Laws, or Bachelor of Medicine, or Bachelor of Science, or any other Degree that may hereafter be instituted:

3. And whereas it was provided by the said Sixth Section of the last-mentioned Act that in each University the General Council should consist of, *inter alios*, "all Persons who within Three "Years from and after the passing of this Act shall establish, "to the Satisfaction of the Commissioners herein-after "appointed, that they have as Matriculated Students given "regular Attendance on the Course of Study in the Uni-"versity for Four complete Sessions, or such regular Atten-"dance for Three complete Sessions in the University, and "regular Attendance for One such complete Session in any "other *Scottish* University, the Attendance for at least Two "of such Sessions having been on the Course of Study in "the Faculty of Arts;" and whereas from various Causes many Persons omitted to establish their Qualifications in Terms of the Provision just mentioned before the Expiry of the Time mentioned therein, and it is expedient to afford such Persons the Opportunity of becoming Members of the General Councils of their respective Universities: Be it enacted as follows: Every Person who may have omitted to establish his Qualification in Terms of the recited Provision of the Sixth Section of the Act last mentioned, but who would have been entitled to have become a Member of the General Council of the University in Terms of the said Provision if his Qualification had been established within the said

said Period, and he had applied for Registration in Terms of said Act, shall be a Member of the General Council of the University, provided that such Person shall establish his Qualification in Terms of the recited Provision to the Satisfaction of the Registrar and Assistant Registrars herein-after mentioned, and shall farther comply with the Conditions as to Registration herein-after mentioned:

Provided always, that no Graduate of any University shall be disqualified from being a Member of the General Council of such University by reason of his being enrolled as a Student in any Class of the University: Provided also, that the Conditions as to Registration herein-before mentioned shall not apply to the Chancellor, the Members of the University Court, or the Professors for the Time being of each University, who shall be Members of the General Council of their respective Universities, and entitled to vote as such, although their Names are not inserted on the Register herein-before mentioned.

Registration Book to be kept.

29. The Registrar of each University shall keep a Registration Book, which shall be in the Form of Schedule (E.) to this Act annexed, and in which, under the Conditions herein-after mentioned, shall be entered the Names, Designations, Qualifications, and ordinary Places of Residence of Persons qualified to be Members of General Council, and from which the Registers of General Council herein-after directed to be made up shall from Time to Time be prepared.

Registrar to enter Names therein.

30. Within Two Months after the passing of this Act the Registrar shall transfer to the Registration Book from the presently existing Register the Names of all Persons who before the passing of this Act, and in virtue of the Provisions of any Ordinance of the Commissioners under the Act Twenty-first and Twenty-second *Victoria*, Chapter Eighty-three, have paid a Composition in lieu of annual Fees, and have been enrolled in such presently existing Register in virtue of such Payment; and he shall in like Manner from Time to Time after the passing of this Act, on Payment to the General University Fund of a Registration Fee of Twenty Shillings, enter in the Registration Book the Name of every qualified Person applying for Registration, but who has not compounded under the Provisions of any such Ordinance as aforesaid: Provided always, that an Abatement shall be made from such Fee equal to the Sum that may already have been paid by the Applicant in Name of Entrance Money or annual Fees: Provided also, that after the passing of this Act no Person qualified to be a Member of General Council shall be required to pay any annual Fee as the Condition of having

having his Name retained in the Registration Book, or inserted in the Register to be from Time to Time made up from it, as hereinafter enacted.

Preparation of First Register under this Act.

31. On the First Day of *October* One thousand eight hundred and sixty-eight the Registrar shall proceed to make up from the Registration Book an alphabetical Register of Members of General Council, which Register shall be in the Form of Schedule (F.) to this Act annexed, and shall be completed within Fifteen Days; but no Names shall be included therein which have not been entered in the Registration Book before the said First Day of *October;* and the said Register, having been completed by the Registrar as aforesaid, shall forthwith be revised and so far as necessary corrected by him, with the Assistance of Two Members of the General Council acting as Assistant Registrars, and who shall have been nominated and appointed for that Purpose by the University Court at a Meeting to be held of such Court on or before the said First Day of *October;* and the Revision or Correction shall be completed and a Copy of the Register, with the Names numbered from One onwards in regular Order, shall be signed by the Registrar and Assistant Registrars on or before the Twenty-first Day of *October* following; and the Copy so signed shall thereafter be submitted by the Registrar to the Vice-Chancellor, and shall be authenticated by his Signature on every Page thereof, on or before the Twenty-fifth Day of *October* next ensuing; and the Register so authenticated shall, so far as it remains unaltered by the University Court as herein-after provided, be conclusive of the Right of Persons to be Members of the General Council from the Twenty-sixth Day of *October* One thousand eight hundred and sixty-eight to the Thirty-first Day of *December* One thousand eight hundred and sixty-nine, both Days inclusive: Provided always, that at any Meeting of or Election by the General Council of any University appointed to take place on or before the said Twenty-sixth Day of *October* One thousand eight hundred and sixty-eight the Registration Book for such University, as it stood on the Thirtieth Day of *September* immediately preceding, shall be conclusive Evidence of the Right of all Persons whose Names shall be entered therein to be Members of such General Council until the Fifth Day of *November* following.

Revision by Registrar and Assistant Registrars.

Authentication by the Vice-Chancellor.

Register to be conclusive.

Appeal against undue Insertion of Names.

32. The Registration Book and also the Register, authenticated as aforesaid, shall at all reasonable Times be open to Inspection, in the Office of the Registrar, by any Person applying for Inspection of the same, and Copies thereof may be made on Payment of a Fee of One Shilling for every One hundred Names, or fractional Part thereof, copied; and if any Member of the General Council shall consider

consider himself aggrieved by the Insertion in the said Register of the Name of any Person whom he considers not duly qualified, it shall be competent to him, within Ten Days after the Day on or before which the Register is hereby required to be authenticated, to appeal and apply to the University Court to expunge the Name complained of; and Notice of such Appeal shall immediately be given by the Secretary of the Court to the Person against the Insertion of whose Name the Appeal is taken, with an Intimation of the Day on which the Appeal will be heard, and which shall be not sooner than Twenty nor later than Thirty Days after the last Day allowed for the Authentication of the Register; and it shall be in the Power of such Person to appear for his Interest either personally or by Substitute; and whether he appear or not, it shall be the Duty of the Registrar to attend and explain the Reasons for the Insertion of the Name complained of; and the Judgment of the Court sustaining or dismissing the Appeal shall be final, and not subject to any Process of Review, and the Register shall, if necessary, be altered by or at the Sight of the President of the said Court in conformity with such Judgment.

Appeal against Omissions.

33. If any Person whose Name is not inserted in the Register so authenticated as aforesaid shall consider himself aggrieved by its Omission, it shall be competent to him, within the said Period of Ten Days after the Day on or before which the Register is hereby required to be authenticated, to appeal and apply to the University Court to have it so inserted; and the Court shall meet to consider such Appeal not later than Thirty Days after the last Day allowed for the Authentication of the Register, and after hearing the Appellant for his Interest, either personally or by Substitute, and the Registrar in explanation of the Reasons for the Omission of the Appellant's Name, shall give Judgment in the Appeal; and such Judgment shall be final, and not subject to any Process of Review, and the Register shall, if necessary, be altered by or at the Sight of the President of the said Court in conformity with such Judgment.

Quorum of University Court for Purposes of Act.

34. For the Purpose of performing any Duty required by this Act, the Presence of a Quorum of Three shall be sufficient to constitute a Meeting of the University Court.

New Registers to be made up annually.

35. On the First Day of *December* One thousand eight hundred and sixty-nine, and on the First, or when the First is on a *Sunday* on the Second Day of *December* in each succeeding Year, the Registrar shall proceed to prepare, in the Form of Schedule (F.) to this Act annexed, a new alphabetical Register for the Year to commence on

the First Day of *January* next ensuing, which new Register he shall make up by transferring to it from that in force at the Time the Names, Designations, and Addresses (with such Corrections as he may consider necessary) of all Members not known to be dead, and by transferring to it from the Registration Book the Names, Designations, Qualifications, and ordinary Places of Residence of all Persons who shall have paid the Registration Fee since the Day of commencing to make up the Register of the preceding Year, and who are not known to have died since making Payment; and such new Register shall be completed within Fifteen Days, and shall thereafter be revised by the Registrar with the Assistance of Two Assistant Registrars appointed by the University Court, and shall then be authenticated by the Vice-Chancellor on or before the Thirty-first Day of *December* of the same Year, and such Revision and Authentication shall be carried out in the same Way as is provided in regard to the First Register directed to be made up under this Act; and the new Register shall have the same Effect for the Year to which it applies as it is herein-before provided that the said First Register shall have for the Period between the Twenty-sixth Day of *October* One thousand eight hundred and sixty-eight and the Thirty-first Day of *December* One thousand eight hundred and sixty-nine, and shall be subject in the same Way as the said First Register to Alteration by the University Court on Appeal taken either against undue Insertion or against undue Omission of Names.

Allowance to Registrar and Assistant Registrars.

36. The Registrar of each University shall be entitled to receive out of the General University Fund a Payment of One Guinea and a Half for every One hundred Names, or fractional Part thereof, that shall be entered in the First Register prepared under this Act, and of One Guinea for every Hundred Names, or fractional Part thereof, that shall be entered in the subsequent Registers, and to a Payment of Half a Guinea for every Hour, or fractional Part thereof, during which he shall be in attendance on the University Court while considering and disposing of Appeals under this Act, as the same shall be certified by the President or Secretary of the Court; and each Assistant Registrar nominated and appointed by the University Court under this Act, and officiating in Terms thereof, shall be entitled to receive from the same Fund a Payment of One Guinea for every One hundred Names, or fractional Part thereof, that shall be entered in the First Register prepared under this Act, and of Half a Guinea for every Hundred Names, or fractional Part thereof, entered in the subsequent Registers.

Returning Officers and Intimation of Election.

37. The Vice-Chancellor of the University of *Edinburgh* shall be the Returning Officer for the said University and the University of

of *Saint Andrews;* and the Vice-Chancellor of the University of *Glasgow* shall be the Returning Officer for the said University and the University of *Aberdeen;* and the Writs for any Election of a Member to serve in Parliament for such Universities shall be directed to such Returning Officers respectively; and the Vice-Chancellor to whom a Writ for any such Election shall be directed shall endorse on the Back thereof the Day on which he received it, and shall, within Three Days thereafter, announce a Day and Hour (which Day shall not be less than Three or more than Six clear Days after that on which the Writ was received), and a Place within the City of *Edinburgh*, for an Election for the Universities of *Edinburgh* and *Saint Andrews*, or within the City of *Glasgow* for an Election for the Universities of *Glasgow* and *Aberdeen*, as the Case may be, and shall give Intimation thereof by Advertisement in such Newspapers as he shall deem expedient, and shall also, within the said first-mentioned Three Days, give Intimation thereof in Writing to the Vice-Chancellor of the University of *Saint Andrews* or of *Aberdeen*, as the Case may be.

Proclamation of Writs for Universities.

38. On the Day announced as aforesaid by the Vice-Chancellor for the Election such Vice-Chancellor shall repair to the Place named by him, to which Place all Persons entitled to vote in such Election shall in the aforesaid Advertisement be invited to repair on the Day and at the Hour named; and the said Vice-Chancellor shall then and there proclaim the Writ by reading it; and if no more than One Candidate shall be proposed for the Choice of the Electors, he shall, upon a Show of Hands, forthwith declare the Person so put in Nomination to be duly elected; it being always competent for any Person entitled to vote in such Election under this Act to repair to the Place where the Writ is proclaimed, and to put any Person in Nomination; and if more than One Candidate shall be proposed, and a Poll shall be demanded, the Proceedings shall be adjourned for the Purpose of taking the Poll for not less than Six or more than Ten clear Days, exclusive of *Saturdays* and *Sundays;* and the Vice-Chancellor shall forthwith give public Intimation of such Adjournment, and of the Names of the Candidates who have been proposed, by Advertisement in such Newspapers as he shall deem expedient, and shall also give Intimation thereof in Writing to the Vice-Chancellor of the University of *Saint Andrews* or of *Aberdeen*, as the Case may be.

Polling at University Elections.

39. The following Regulations shall be observed with respect to the Polling:—

1. On the Day to which the Proceedings have been adjourned as aforesaid for the Purpose of taking the Poll the Polling shall

shall commence at each University at Eight o'Clock in the Morning, and may continue for not more than Five Days (exclusive of *Sundays*), but no Poll shall be kept open later than Four o'Clock in the Afternoon.

2. The Vice-Chancellor of each University shall appoint the Polling Place at such University, and, if he shall think fit, shall advertise the same, and also shall have Power to appoint One or more Pro-Vice-Chancellors to take the Poll at such University, and record the Votes in Poll Books, and decide all Questions with regard thereto, in the same Manner as nearly as may be, and except as herein provided, as Polls are now taken at Elections for Members to serve in Parliament for Burghs and Counties in *Scotland*; and such Vice-Chancellor shall have Power to appoint a Poll Clerk or Poll Clerks for the Purpose of assisting the Pro-Vice-Chancellor or Pro-Vice-Chancellors in taking the Poll as herein-before mentioned.

3. The Poll Books in which the Votes have been recorded as herein-before provided shall be forthwith delivered by the Pro-Vice-Chancellor to the Vice-Chancellor by whom he was appointed; and the Vice-Chancellors of the Universities of *Saint Andrews* and *Aberdeen* respectively shall, on receiving such Poll Books, immediately transmit them to the Vice-Chancellor, who is the Returning Officer for such University; and such Vice-Chancellor shall, within Three Days after such Poll Books have been received by him, in Presence of the Candidates or their Agents, or of such of them as shall think proper to attend or to appoint such Agent, cast up the Number of Votes as they appear on the several Books, and shall forthwith publish in the *Edinburgh Gazette* a Notice containing the Name of the Candidate for whom the largest Number of Votes has been given, and declaring such Candidate to be duly elected, and shall make a Return in the Form of similar Returns presently used (as nearly as may be) in Terms of the Writ, under his Hand and Seal, to the Clerk of the Crown in *England*, and if the Votes be equal he shall make a double Return.

4. All the Provisions of an Act passed in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, intituled *An Act to provide that Votes at Elections for the Universities may be recorded by means of Voting Papers*, except so much of the said Act as requires that the Person delivering the Voting Paper shall make Attestation of his personal Acquaintance with the Voter, shall apply to every Election of a Member for the Universities of *Edinburgh* and *Saint*

Saint Andrews, and for the Universities of *Glasgow* and *Aberdeen*, subject to the following Provisions:

The Words "recorded in the Manner heretofore used," in the Second Section of the recited Act, shall in this Act mean "recorded in the Manner herein-before directed."

The Word "Misdemeanor," in the Fifth Section of the recited Act, shall include Crime and Offence.

A Voting Paper may be signed by a Voter being in one of the Channel Islands in the Presence of the following Officers; that is to say,

1. In *Jersey* and *Guernsey*, of the Bailiffs, or any Lieutenant Bailiff, Jurat, or Juge d'Instruction:
2. In *Alderney*, of the Judge of *Alderney*, or any Jurat:
3. In *Sark*, of the Seneschal or Deputy Seneschal:

And for the Purpose of certifying and attesting the Signature of such Voting Paper, each of the said Officers shall have all the Powers of a Justice of the Peace under the recited Act; and a Statement of the official Quality of such Officer shall be a sufficient Statement of Quality in pursuance of the Provisions of the said Act.

In lieu of the Schedule annexed to the recited Act, the Schedule (G.) to this Act annexed shall be substituted in Elections for the Universities of *Edinburgh* and *Saint Andrews*, and for the Universities of *Glasgow* and *Aberdeen*.

University Election Expenses.

40. Every Vice-Chancellor to whom a Writ for the Election of a Member to serve in Parliament shall, under the Provisions of this Act, be directed, shall be allowed in Exchequer such Payments for executing such Writ as are allowed to Sheriffs under the existing Law in the Case of Elections for Counties or Burghs; and in all Cases where a Poll has been demanded the Candidates shall be bound to pay and contribute among them to each Pro-Vice-Chancellor appointed under this Act, for superintending the Poll, a Fee of Three Guineas for the First, and of One Guinea for each subsequent Day in which he shall have been so engaged; and the Candidates shall further be bound to pay and contribute among them to each Poll Clerk One Guinea *per* Day, and the Candidates shall in like Manner be bound to defray the necessary Expenses incurred by the Vice-Chancellors in the Transmission or Receipt of Poll Books or other Communications or in making any Advertisements required or enjoined by this Act; and if any Person shall be proposed as a Candidate without his Consent, the Person so proposing

posing him shall be liable to pay his Share of all such Expenses in like Manner as if he had been himself a Candidate.

Provision for Incapacity of Vice-Chancellor or Registrar.

41. Where the Vice-Chancellor or Registrar of any University is absent, or is incapacitated by Illness for discharging any Duty required of him by this Act, or if the Office of Vice-Chancellor or of Registrar shall be vacant, the Duties herein imposed on the Vice-Chancellor or Registrar respectively shall be discharged by a Person appointed for that Purpose by the University Court of such University; and such Person shall in that respect, but in no other, act for the Time as and be deemed to be Vice-Chancellor or Registrar of such University.

Miscellaneous.

Registration where Counties are divided.

42. Where any County has been divided for the Purposes of this Act, the Commissioners of Supply of such County are hereby empowered to appoint the same Assessor to make up the Register of Voters in both Divisions of such County, or, if they shall think proper, to appoint separate Assessors to make up the said Register for each such Division; but, until they shall otherwise determine, the Assessor appointed for the Purpose of making up the Register for the undivided County shall continue to act as Assessor for both the Divisions of such County, and shall, as herein-before provided, make up a separate Register for each of such Divisions: Provided always, that such Assessors shall in all respects be deemed to be Assessors appointed in Terms of the Act Twenty-fourth and Twenty-fifth *Victoria*, Chapter Eighty-three: Provided also, that the Expenses of Registration shall be defrayed as at present by an Assessment levied on the whole Lands and Heritages within the County, and not by an Assessment levied separately on the Lands and Heritages within the Divisions thereof respectively.

Certain Boroughs in England to cease to return Members.

43. Whereas, in order to provide for the Seats herein-before distributed, it is expedient that certain Boroughs in *England* having small Populations should cease to return Members to serve in Parliament: Be it therefore enacted, That from and after the End of this present Parliament the Boroughs of *Arundel*, *Ashburton*, *Dartmouth*, *Honiton*, *Lyme Regis*, *Thetford*, and *Wells* shall respectively cease to return any Member to serve in Parliament.

Shortening of Period for proceeding to Elections in Burghs.

44. Whereas it is expedient to shorten the Period for proceeding to Election in Cities, Burghs, and Towns, or Districts of Cities, Burghs, and Towns, in *Scotland*, provided by the Acts Fifth and Sixth *William* the Fourth, Chapter Seventy-eight, and Twenty-eight

eight and Twenty-nine *Victoria*, Chapter Ninety-two: Be it enacted, That, except in the Cases of the Districts comprehending *Kirkwall*, *Wick*, *Dornoch*, *Dingwall*, *Tain*, and *Cromarty*, the Day or Days to be announced by the Sheriff for the Election or Elections shall be not less than Three and not more than Six clear Days after the Day on which the Writ was received by such Sheriff.

Galashiels to be wholly in Selkirkshire.

45. In so far as regards the Registration of Voters, and generally for all Purposes connected with the Election of Members to serve in Parliament, the Burgh of *Galashiels* shall be dealt with as if it were locally situated wholly within the County of *Selkirk*.

In Burghs where there are no Magistrates, Police Commissioners to appoint Assessors.

46. In any Burgh on which the Right of contributing to return a Member to serve in Parliament is for the first Time conferred by this Act, and in which there are no Magistrates elected in Terms of the Act Third and Fourth *William* the Fourth, Chapter Seventy-six, or the Act Third and Fourth *William* the Fourth, Chapter Seventy-seven, the Commissioners of Police acting in such Burgh under any General or Local Police Act shall appoint a suitable Person to be the Assessor in such Burgh, and as such to make up a Valuation Roll of Lands and Heritages therein in Terms of the Valuation Acts, and also to perform with reference to the Registration of Voters in such Burgh all Duties which by the Registration Acts can be imposed on Assessors; and all Appeals against Valuations made by such Assessor shall be heard and determined by such Commissioners as the Case may be, and the Determination of such Commissioners shall be dealt with in the same Manner as the Determinations of Magistrates in existing Royal or Parliamentary Burghs.

Where there is no Town Clerk, Police Commissioners or Sheriff to appoint a Person to act as such.

47. If in any such Burgh there is no Town Clerk, it shall be the Duty of the aforesaid Commissioners of Police, as soon as may be after the passing of this Act, to nominate and appoint a fit and proper Person to perform the Duties of Town Clerk in so far as regards the Registration of Voters, and the Election of Members to serve in Parliament; and on every Occasion of the Person so appointed ceasing to act, such Commissioners shall in like Manner, within the Period of Three Weeks thereafter, make a similar Appointment; and failing such Appointment being duly made by the said Commissioners, such Appointment shall be made by the Sheriff of the County; and every Person so nominated and appointed shall, so long as he continues to act, be subject to the same Disqualifications in regard to voting for or being elected a Member of Parliament, or acting as Agent for any Candidate, to which Town Clerks are now subject by Law; and

and every such Person shall be removable at the Pleasure of the said Commissioners or Sheriff respectively by whom he was appointed.

Expenses of Valuation, and Registration of Voters, and Remuneration of Person acting as Assessor and Town Clerk, to be assessed on the Burgh.

48. In every such Burgh on which the Right of contributing to return a Member to serve in Parliament is for the first Time conferred by this Act, an Account of the Costs and Expenses attending the Preparation of the Valuation Roll under the Valuation Acts, and also of the Costs and Expenses attending the annual Registration of Voters, shall be made up annually at the Sight of the Person or Persons by whom the Assessor for such Burgh was appointed; and such Person or Persons shall ascertain and fix the Amount of such Expenses, including therein the reasonable Remuneration of the Assessor, and of the Town Clerk, or of the Person appointed to perform the Duties of Town Clerk, where any such Appointment has been made; and the Amount of all such Expenses and Remuneration shall be assessed and levied on and recovered from the same Description of Persons and Property as the Police Rate within such Burgh; provided that no Person shall be liable to such Assessment who is not a Proprietor or Occupier of a Dwelling House or other Lands and Heritages within the Burgh.

Corrupt Payment of Rates to be punishable as Bribery.

49. Any Person, either directly or indirectly, corruptly paying any Rate on behalf of any Ratepayer for the Purpose of enabling him to be registered as a Voter, thereby to influence his Vote at any future Election, and any Candidate or other Person, either directly or indirectly, paying any Rate on behalf of any Voter for the Purpose of inducing him to vote or refrain from voting, shall be guilty of Bribery, and be punishable accordingly; and any Person on whose Behalf and with whose Privity any such Payment as in this Section mentioned is made shall also be guilty of Bribery, and punishable accordingly.

Receipt of Parochial Relief to disqualify for Counties as well as Burghs.

50. The Provision of the Eleventh Section of the Act of the Second and Third Years of King *William* the Fourth, Chapter Sixty-five, disqualifying Persons in receipt of Parochial Relief from being registered as Voters, or voting for a Burgh, shall apply to a County also; and the said Provision of the said Section shall be construed as if the Word "County" were inserted therein before the Word "City."

Members holding Offices of Profit from

51. Whereas it is expedient to amend the Law relating to Offices of Profit, the Acceptance of which from the Crown vacates the Seats of Members accepting the same, but does not render them incapable

incapable of being re-elected: Be it enacted, That where a Person has been returned as a Member to serve in Parliament since the Acceptance by him from the Crown of any Office described in Schedule (H.) to this Act annexed, the subsequent Acceptance by him from the Crown of any other Office or Offices described in such Schedule, in lieu of and in immediate Succession the one to the other, shall not vacate his Seat.

the Crown, as in Schedule (H.), not to vacate their Seats on Acceptance of another Office.

52. Where separate Registers of Voters have been directed to be made in any County divided by this Act, if a Vacancy take place in the Representation of the said County before the summoning of a future Parliament, and after the Completion of such separate Registers, such last-mentioned Registers shall, for the Purpose of any Election to fill up such Vacancy, be deemed together to form the Register for the County.

Provision in case of separate Registers.

53. Nothing in this Act contained shall affect the Rights of Persons whose Names are for the Time being on the Register of Voters for any County in which the Burghs constituted by this Act are situate to vote in any Election for such County in respect of any Vacancy that may take place before the summoning of a future Parliament; but after such summoning no Person shall be entitled to be registered as a Voter or to vote in any Election for any County in respect of any Premises owned or occupied by him within any Burgh.

Temporary Provisions consequent on Formation of new Burghs.

In the Case of a County within the Limits of which is situate a Burgh constituted by this Act, the Sheriff in revising at any Time before the summoning of a future Parliament the List of Voters for such County shall write the Word "Burgh" opposite to the Name of each Voter whose Qualification in respect of the Premises described in the List would not, after the summoning of a future Parliament, entitle such Voter to vote for the County; and at any Election for such County taking place after the summoning of a future Parliament the Vote of every Person against whose Name the Word "Burgh" is written, if tendered in respect of such Qualification, shall be rejected by the Polling Sheriff.

54. The Forty-second Section of the Act passed in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Eighty-three, is hereby repealed, and in lieu thereof it is enacted as follows: At every future Election of a Member to serve in Parliament for any County or Division of a County, the Register of Voters, made up in Terms of the Registration Acts, shall be deemed and taken to be conclusive Evidence that the Persons therein named continue to have the Qualifications which are annexed

Register to be conclusive Evidence of Qualification.

to their Names respectively in the Register in force at such Election; and such Persons shall not be required to take the Oath of Possession.

Right of voting not to be affected by Dependance of Appeal.

55. The Right of voting at any Election of a Member or Members to serve in Parliament for any County, Burgh, or University shall not be affected by any Appeal depending at the Time of issuing the Writ for such Election, and it shall be lawful for every Person whose Name has been entered on the Register of Voters to exercise the Right of voting at such Election as effectually, and every Vote tendered thereat shall be as good, as if no such Appeal were depending; and the subsequent Decision in any Appeal which shall be depending at the Time of issuing the Writ for any such Election shall not in any way whatever alter or affect the Poll taken at such Election, or the Return made thereat by the Returning Officers.

General Saving Clause.

56. The Franchises conferred by this Act shall be in addition to and not in substitution for any existing Franchises, but so that no Person shall be entitled to vote for the same Place in respect of more than One Qualification; and, subject to the Provisions of this Act, all Laws, Customs, and Enactments now in force conferring any Right to vote, or otherwise relating to the Representation of the People in *Scotland*, and the Registration of Persons entitled to vote, shall remain in full Force, and shall apply, as nearly as Circumstances admit, to any Person hereby authorized to vote, and shall also apply to any Constituency hereby authorized to return or contribute to return a Member or Members to Parliament, as if it had heretofore returned or contribute to return such Members to Parliament, and to the Franchises hereby conferred and to the Registers of Voters hereby required to be formed.

Writs, &c. to be made conformable to this Act.

57. All Writs to be issued for the Election of Members to serve in Parliament, and all Mandates, Precepts, Instruments, Proceedings, and Notices consequent upon such Writs, or relating to the Registration of Voters, shall be framed and expressed in such Manner and Form as may be necessary for the carrying the Provisions of this Act into effect.

Construction of Act.

58. This Act, so far as is consistent with the Tenor thereof, shall be construed as One with the Enactments for the Time being in force relating to the Representation of the People in *Scotland*, and with the Registration and Valuation Acts.

59. The

59. The following Terms shall in this Act have the Meanings herein-after assigned to them, unless there is something in the Context repugnant to such Construction; (that is to say,) Interpretation of Terms:

"Month" shall mean Calendar Month: "Month:"

"County" shall not include a County of a City, but shall mean any County or Division of a County, or any Combination of Counties, or of Counties and Portions of Counties, returning a Member to serve in Parliament: "County:"

"Burgh" shall mean any City, Town, Burgh, or District of Cities, Towns, or Burghs, returning a Member or Members to serve in Parliament: "Burgh:"

"Dwelling House" shall include any Part of a House occupied as a separate Dwelling, and (in any Parish in which Poor Rates are levied) the Occupier of which is separately rated to the Relief of the Poor either in respect thereof or as an Inhabitant of such Parish: "Dwelling House:"

"Premises" shall, in regard to Burghs, mean any Dwelling House; and in regard to Counties shall mean Lands and Heritages: "Premises:"

"The Registration Acts" shall mean the Act of the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter Fifty-eight, and the Act of the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, Chapter Eighty-three, and any other Acts or Parts of Acts relating to the Registration of Persons entitled to vote at, and Proceedings in, the Election of Members to serve in Parliament for *Scotland*: "The Registration Acts:"

"Proprietor" or "Owner" shall include any Person who shall hold under a Lease for a Period of not less than Fifty-seven Years, exclusive of Breaks: "Proprietor" or "Owner:"

"The Valuation Acts" shall mean the Act of the Seventeenth and Eighteenth Years of the Reign of Her present Majesty, Chapter Ninety-one, the Act of the Twentieth and Twenty-first Years of the said Reign, Chapter Fifty-eight, the Act of the Thirtieth and Thirty-first Years of the said Reign, Chapter Eighty, and any other Acts or Parts of Acts relating to the Valuation of Lands and Heritages in *Scotland*: "Valuation Acts:"

"Assessor" shall mean an Assessor appointed under the Valuation Acts or any of them, or under the Registration Acts or any of them, or under this Act, as the Case may be: "Assessor:"

"Oath of Possession" shall mean and include the Words "that "I am still Proprietor (or Occupant) of the Property for which "I am so registered, and hold the same for my own Benefit, "and not in trust for or at the Pleasure of any other Person." "Oath of Possession."

SCHE-

SCHEDULES.

SCHEDULE (A.)

HAWICK DISTRICT.

Name of Burgh.	County in which Burgh is situated.	Place for proclaiming Writ.	Temporary Contents or Boundaries.	Sheriff to whom the Writ is to be addressed.
Hawick -	Roxburgh	Hawick -	The Boundaries of Hawick, as defined in "The Hawick Municipal Police and Improvement Act, 1861."	Sheriff of Roxburghshire.
Galashiels	Selkirk -	Ditto -	The Limits of Galashiels, as fixed and defined under "The General Police and Improvement (Scotland) Act, 1862."	
Selkirk -	Ditto -	Ditto -	The Boundaries of the Royal Burgh of Selkirk.	

SCHEDULE (B.)

Divisions of Counties.

Column 1. Name of County to be divided.	Column 2. Division.	Column 3. Parts temporarily comprised in such Division.	Column 4. Place for proclaiming Writ.
ABERDEENSHIRE.	East Aberdeenshire.	Parishes of— Aberdour. Belhelvie. Bourtie. Crimond. Cruden. Daviot. Ellon. Fintray. Foveran. Fraserburgh. Fyvie. Keith-hall and Kinkell. King-Edward. Logie-Buchan.	Peterhead.

Representation of the People (Scotland).

Column 1. Name of County to be divided.	Column 2. Division.	Column 3. Parts temporarily comprised in such Division.	Column 4. Place for proclaiming Writ.
ABERDEENSHIRE—*cont.*	East Aberdeenshire—*cont.*	Parishes of— Longside. Lonmay. Methlic. Montquhitter. New Deer. New Machar. Old Deer. Old Meldrum. Peterhead. Pitsligo. Rathen. Slains. Strichen. Tarves. Turriff. Tyrie. Udny. Together with so much of the Parish of Old Machar as is situated to the North and East of the River Don, and the Parish of St. Fergus in Banffshire.	Peterhead.
	West Aberdeenshire.	Parishes of— Aboyne and Glentanner. Alford. Auchindoir and Kearn. Auchterless. Birse. Chapel-of-Garioch. Clatt. Cluny. Coull. Crathie and Braemar. Culsamond. Drumblade. Dyce. Echt. Forgue. Glenbucket. Glenmuick, Tullich, and Glengairn. Huntly.	Aberdeen.

Representation of the People (Scotland).

Column 1. Name of County to be divided.	Column 2. Division.	Column 3. Parts temporarily comprised in such Division.	Column 4. Place for proclaiming Writ.
ABERDEENSHIRE—*cont.*	West Aberdeenshire—*cont.*	Parishes of— Insch. Inverurie. Keig. Kemnay. Kildrummy. Kincardine O'Neil. Kinnellar. Kinnethmont. Kintore. Leochel-Cushnie. Leslie. Logie-Coldstone. Lumphanan. Midmar. Monymusk. Newhills. Oyne. Peter Culter. Premnay. Rayne. Rhynie. Skene. Strathdon. Tarland and Migvie. Tough. Towie. Tullynessle and Forbes. Together with so much of the Parish of Old Machar as is situated to the South and West of the River Don, and So much of the Parishes of Banchory-Devenick, Cabrach, Cairnie, Drumoak, and Glass as is situated within the County of Aberdeen, and the Parish of Gartly in the County of Banff.	Aberdeen.
AYRSHIRE -	North Ayrshire	District of Cunningham, consisting of the Parishes of— Ardrossan.	Kilmarnock.

Representation of the People (Scotland).

Column 1. Name of County to be divided.	Column 2. Division.	Column 3. Parts temporarily comprised in such Division.	Column 4. Place for proclaiming Writ.
AYRSHIRE—*continued.*	North Ayrshire—*continued.*	Parishes of— Dalry. Dreghorn. Fenwick. Irvine. Kilbirnie. Kilmarnock. Kilmaurs. Kilwinning. Largs. Loudoun. Stevenston. Stewartown. West Kilbride, and of Beith, and Dunlop, in so far as situated within the County of Ayr.	Kilmarnock.
	South Ayrshire	Districts of Kyle and Carrick, consisting of the Parishes of— Auchinleck. Ayr. Ballantrae. Barr. Colmonell. Coylton. Craigie. Dailly. Dalmellington. Dalrymple. Dundonald. Galston. Girvan. Kirkmichael. Kirkoswald. Mauchline. Maybole. Monkton and Prestwick. Muirkirk. New Cumnock. Newton-on-Ayr. Ochiltree. Old Cumnock.	Ayr.

Representation of the People (Scotland).

Column 1. Name of County to be divided.	Column 2. Division.	Column 3. Parts temporarily comprised in such Division.	Column 4. Place for proclaiming Writ.
AYRSHIRE—*continued.*	South Ayrshire—*continued.*	Parishes of— Riccarton. St. Quivox. Sorn. Stair. Straiton. Symington. Tarbolton.	Ayr.
LANARKSHIRE	North Lanarkshire.	Parishes of— Avondale. Barony. Blantyre. Bothwell. Cadder. Cambuslang. Carmunnock. City Parish of Glasgow. Dalziel. East Kilbride. Glassford. Hamilton. New Monkland. Old Monkland. Rutherglen, and so much of the Parishes of Govan and of Cathcart as is situated in Lanarkshire.	Hamilton.
	South Lanarkshire.	Parishes of— Biggar. Cambusnethan. Carluke. Carmichael. Carnwath. Carstairs. Covington and Thankerton. Crawford. Crawfordjohn. Dalserf. Dolphington. Douglas. Dunsyre. Lanark.	Lanark.

Column 1. Name of County to be divided.	Column 2. Division.	Column 3. Parts temporarily comprised in such Division.	Column 4. Place for proclaiming Writ.
LANARKSHIRE —*cont.*	South Lanarkshire—*cont.*	Parishes of— Lesmahagow. Libberton. Pitinain. Shotts. Stonehouse. Symington. Walston. Wandell and Lamington. Wiston and Roberton, and so much of the Parishes of Culter and Moffat as is situated within the County of Lanark.	Lanark.

SCHEDULE (C.)

To *A.B.*,
County [*or* Burgh] of }

Take Notice, that you will not be entitled to have your Name inserted in the List of Voters for this County [*or* Burgh] now about to be made in respect of the Premises in your Occupation in [*Street or Place*], unless you pay on or before the Day of next all the Poor Rates which have become due from you in respect of such Premises (*or as the Case may be*) up to the Fifteenth Day of May last, amounting to £ ; and if you omit to make such Payment you will be incapable of being entered on the next Register of Voters for this County [*or* Burgh].

Dated the Day of 18 .

C.D., Collector of Poor Rate
for Parish of .

SCHEDULE (D.)

County [*or* Burgh] of
Parish of

I, Collector of Poor Rates for the Parish of do hereby certify that the following Persons in the said Parish have been exempted from Poor Rates therein during the Twelve Months preceding the Thirty-first Day of July on the Ground of Inability to pay; or have failed on or before the Day of to pay all Poor Rates (if any) that have become payable by them up to the preceding Fifteenth Day of May; or have been in the Receipt of Parochial Relief within the Twelve Calendar Months next preceding the said Thirty-first Day of July.

Christian Name and Surname at full Length.	Profession, Trade, or Calling.	Place of Abode, with Number of House, Name of Street, &c. (if any).	State whether "Exempted," "Failed to pay," or "In Receipt of Relief."

Given under my Hand this Day of 18 .

SCHEDULE (E.)

Form of Registration Book of General Council.

Date.	Fee paid.	Name at full Length.	Designation (*i.e.*, Profession or Calling).	Residence and Post Town.	Qualification.
					Admitted by Commissioners; or M.D. of 1860; or M.A. of 1865; and so on.

SCHE-

SCHEDULE (F.)

UNIVERSITY OF .

Register of Members of the General Council for the [Fourteen Months] *or* Year commencing 1st _____.

Number.*	Name in full.	Designation.	Residence and Post Town.	Number in last Register.†	Number in Registration Book.‡

* The Numbers to be consecutive.

† Reference to Number of the Member in the Register of the preceding Year. This Reference will not occur in the First Register prepared under this Act.

‡ Reference to Number of Member in the Registration Book. This will be the only Reference in the First Register under the Act. In subsequent Years it will occur only when the Member's Name has not been in the previous Year's Register.

SCHEDULE (G.)

UNIVERSITY OF [*Name of University*].

Universities of [*Name the Universities*], Election 18 .

I, *A.B.*, [*the Christian and Surnames of the Elector in full, and his Degree or other Qualification to be here inserted,*] do hereby declare that I have signed no other Voting Paper at this Election, and I do hereby give my Vote at this Election for .

And I nominate

C.D.,
E.F.,
G.H.,

or One of them, to deliver this Voting Paper at the Poll.

Witness my Hand this Day of 18 .

(*Signed*) *A.B.*, of [*the Elector's Place of Residence to be here inserted*].

Signed in my Presence by the said *A.B.*, who is personally known to me, on the above-mentioned Day of 18 , the Name of , as the Candidate voted for, having been previously filled in.

(*Signed*) *J.N.*, of [*the Justice's or other Officer's Place of Residence to be here inserted*] a Justice of the Peace for (*or as the Case may be*).

SCHE-

SCHEDULE (H.)

Offices of Profit referred to in this Act.

Lord High Treasurer.
Commissioner for executing Offices of Treasurer of the Exchequer of Great Britain and Lord High Treasurer of Ireland.
President of the Privy Council.
Vice-President of the Committee of Council for Education.
Comptroller of Her Majesty's Household.
Treasurer of Her Majesty's Household.
Vice-Chamberlain of Her Majesty's Household.
Equerry or Groom in Waiting on Her Majesty.
Any Principal Secretary of State.
Chancellor and Under Treasurer of Her Majesty's Exchequer.
Paymaster General.
Postmaster General.
Lord High Admiral.
Commissioner for executing the Office of Lord High Admiral.
Commissioner of Her Majesty's Works and Public Buildings.
President of the Committee of Privy Council for Trade and Plantations.
Chief Secretary for Ireland.
Commissioner for administering the Laws for the Relief of the Poor in England.
Chancellor of the Duchy of Lancaster.
Judge Advocate General.
Attorney General for England.
Solicitor General for England.
Lord Advocate for Scotland.
Solicitor General for Scotland.
Attorney General for Ireland.
Solicitor General for Ireland.

SCHEDULE (I.)

FORM No. 1.

Claim of Lodger.

Burgh of

To the Assessor of the Burgh of

I hereby claim to be inserted in the List of Voters in respect of the Occupation of the under-mentioned Lodgings, and the Particulars of my Qualification are stated in the Columns below.

Christian Name and Surname at full Length.	Profession, Trade, or calling.	Description of Lodgings.	Description of House or Houses in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Persons or Person to whom Rent paid.

I, the above-named hereby declare that I have been, during the Twelve Months immediately preceding the last Day of July in this Year, the Occupier as sole Tenant of the above-mentioned Lodgings, and that I have resided therein during the Twelve Months immediately preceding the said last Day of July; and that such Lodgings are of a clear yearly Value, if let unfurnished, of Ten Pounds or upwards.

Dated the Day of .

Signature of Claimant _____

Witness to the Signature of the said _____

And I certify my Belief in the Accuracy of the above Claim

Name of Witness _____

Residence and Calling _____

This Claim must bear Date the First Day of August, or some Day subsequent thereto, and must be delivered to the Assessor after the last Day of July, and on or before the Twenty-first Day of September.

FORM No. 2.

List of Claimants in respect of Lodgings to be published by the Assessors.

The following Persons claim to have their Names inserted in the List of Persons entitled to vote in the Election of a Member [*or* Members] for the City or Burgh of_____

Christian Name and Surname of each Claimant at full Length.	Profession, Trade, or Calling.	Description of Lodgings.	Description of House in which Lodgings situate, with Number, if any, and Name of Street.	Name, Description, and Residence of Landlord or other Person to whom Rent paid.

(*Signed*) *A.B.*, Assessor of

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1868.