ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

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C A P. LII.

An Act for the Correction of certain Abuses which have frequently prevailed at the Elections of Representative Peers for *Scotland*.

[25th *June* 1847.]

WHEREAS by an Act passed by the Parliament of *Scotland*, intituled *An Act settling the Manner of electing the Sixteen Peers and Forty-five Commoners, to represent* Scotland *in the Parliament of* Great Britain, certain Provisions were made for electing the said Sixteen Peers to represent the Peerage of *Scotland:* And whereas by an Act passed by the Parliament of *Great Britain*, intituled *An Act to make further Provision for electing* 6 Ann. c. 23. *and summoning Sixteen Peers of* Scotland *to sit in the House of Peers in the Parliament of* Great Britain, *and for trying Peers for Offences committed in* Scotland, *and for further regulating of Votes in Election of Members to serve in Parliament*, further Provisions were made for the electing of the said Sixteen Peers: And whereas an authentic List of the Peerage of the North Part of *Great Britain* called *Scotland*, as it stood the First Day of *May* One thousand seven hundred and seven, was returned to the House of Lords by the Lord Clerk Register for *Scotland*, attested by him, pursuant to an Order of the House of Lords, the Twenty-second Day of *December* One thousand seven hundred and seven, and entered into the Roll of Peers

by

by Order of the House of Lords on the Twelfth Day of *February* One thousand seven hundred and eight, to which List sundry Peerages of *Scotland* have since been added by Order of the House of Lords at different Times, which List of the said Peerage is called at the Election of a Peer or Peers to represent the Peerage of *Scotland* in the Parliament of the United Kingdom of *Great Britain* and *Ireland*: And whereas divers of the Peerages of *Scotland* have from Time to Time become dormant or extinct, and frequent Abuses have prevailed by Persons assuming Peerages that have become dormant or extinct, and voting in respect thereof at such Elections, to which Peerages such Persons had no Right; and it is expedient in order to prevent such Abuses to provide that no Person shall be allowed to vote at such Elections in right of any Peerage now standing on the said Roll which has been for some Time dormant until his Claim thereto shall have been admitted by the House of Lords, and to make further Rules and Regulations in regard to the Proceedings at such Elections: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That at all future Meetings of the Peers of *Scotland* assembled under any Royal Proclamation for the Election of a Peer or Peers to represent the Peerage of *Scotland* in Parliament the Lord Clerk Register, or the Clerks of Session officiating thereat in his Name, shall not call the Titles of any Peerages now standing on the said Roll, in right of which no Vote shall have been received and counted since the Year One thousand and eight hundred, nor shall it be lawful for the said Lord Clerk Register or Clerks of Session to administer the Oaths to any Person claiming to vote in right of any of the before-mentioned Peerages, or to receive and count the Vote of any such Person, or to permit any such Person to take part in the Proceedings of any such Election, until otherwise directed by Order of the House of Lords.

At future Elections for Scotch Peers certain Titles not to be called by the Lord Clerk Register, nor Oaths to be administered, until otherwise directed by the House of Lords.

II. And be it enacted, That if any Vote or Claim to vote in respect of any Title of Peerage on the Roll called over at any such Meeting shall be disallowed by the said House, upon any Proceeding had in Trial of any contested Election, the House of Lords may, if they shall think fit, order that such Title of Peerage shall not be called over at any future Election; and in the event of such Order being made by the said House it shall not be lawful for the said Lord Clerk Register or Clerk of Session to call over the said Title at any future Election, or to administer the Oaths to any Person claiming to vote in respect of such Title of Peerage, or to receive or count the Vote of any such Person, or permit such Person to take part in the Proceedings of any such Election, until such Claimant or some other Person shall have in due Course established his Right to such Peerage.

If Claim to vote be disallowed by House of Lords, Title of Peerage not to be called over at any future Election, if so ordered.

III. And be it enacted, That if at any such Meeting, any Person shall vote or claim to appear or to vote in respect of any Title of Peerage on the Roll called over at such Meeting, and a Protest against such Vote or Claim shall be made by any Two or more Peers present whose Votes shall be received and counted, the said Lord Clerk Register

If at any Meeting of Peers a Protest be made against any Claim to

Register or Clerks of Session shall forthwith transmit to the Clerk of the Parliaments a certified Copy of the whole Proceedings at such Meeting; and the House of Lords, whether there shall be any Case of contested Election or not, may, in such Manner, and with such Notice to such Parties, including the Person so voting or claiming to appear or to vote in respect of such Title of Peerage and the Persons protesting, as the said House shall think fit, inquire into the Matter raised by such Protest, and, if they shall see Cause, order the Person whose Vote or Claim has been so protested against, to establish the same before the said House; and if such Party shall not appear, or shall fail to establish his Claim, the said House may, if they shall think fit, order as is herein-before provided in respect to Votes disallowed upon any Proceeding had in Trial of any contested Election.

vote, Lord Clerk Register to transmit a Copy of Proceedings to the House of Lords, &c.

IV. And be it enacted, That whenever any Peer or Peeress shall have established his or her Right to any Peerage, or his Right to vote in respect of any Peerage, and the same shall have been notified to the Lord Clerk Register by Order of the House of Lords, the said Lord Clerk Register or Clerks of Session shall not during the Life of such Peer or Peeress allow any other Person claiming to be entitled to the same Peerage to take Part in any such Election, nor shall it be lawful for the said Lord Clerk Register or Clerks of Session to receive and count the Vote of any such other Person till otherwise directed by the House of Lords.

Any Peer or Peeress having established their Claim, and signified the same to the Lord Clerk Register, the Vote of no other Claimant to be admitted.

V. Provided always, and be it enacted, That nothing in this Act contained shall affect the Right of any Person claiming or who may hereafter claim any Peerage, or shall prevent the Right of any Person voting or claiming to vote or having voted or claimed to vote at any Election, being subject and liable to every Objection to which the same would have been subject and liable before the passing of this Act.

Nothing herein to affect the Right of present or future Claimants.

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