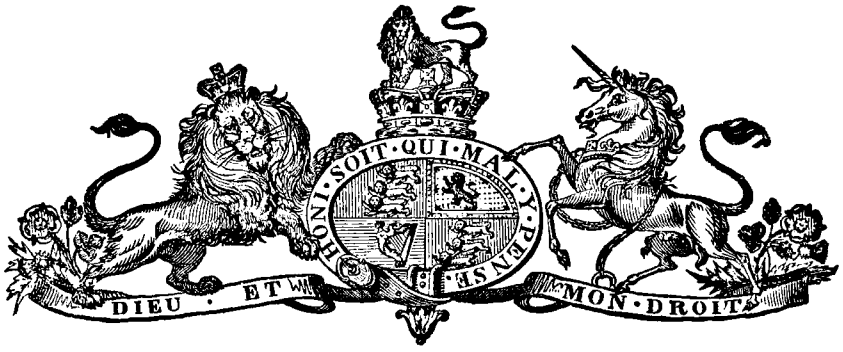


ANNO DECIMO QUARTO & DECIMO QUINTO

VICTORIÆ REGINÆ.

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CAP. LXXXVII.

An Act to regulate certain Proceedings in relation to the Elections of Representative Peers for *Scotland*. [7th *August* 1851.]

WHEREAS it is expedient to provide a Manner in which the Death of a Representative Peer for *Scotland* may be certified to Her Majesty, in order that Her Majesty may direct a Proclamation to be issued for the Election of another Peer of *Scotland* in the Room of such Peer deceased: 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:

Certificate from Two Peers of Scotland held to be formal Notice of the Death of any Representative Peer.

I. That a Certificate under the Hands of any Two Peers of *Scotland*, who shall be at the Time of their signing such Certificate either Representative Peers, or shall have voted at former Elections of a Representative Peer or Peers for *Scotland* without Protest having been made to the Reception of their Votes, according to the Provisions of an Act passed in the Parliament held in the Tenth and Eleventh Years of Her present Majesty, Chapter Fifty-two, or having been so protested against shall have established their Right to vote in respect of

of their Peerages, shall be held to be formal and sufficient Evidence of the Death of such Peer for the Purpose of issuing such Proclamation as aforesaid.

Time of Publication of Proclamation for Election altered from 25 Days to 10 Days.

II. And whereas by an Act passed in the Sixth Year of Her late Majesty Queen *Anne*, Chapter Twenty-three, it is enacted, that every Proclamation issued for such Elections shall be published as therein provided Five-and-twenty Days at the least before the Time thereby appointed for the Meeting of the Peers to proceed to such Election: And whereas on account of the increased Facilities of Communication which now exist such Delay is no longer necessary, and it is expedient that the same should be shortened: Be it enacted, That from and after the passing of this Act, instead of Twenty-five Days, all such Proclamations shall be published Ten Days at least before the Time therein appointed for the Meeting of the Peers to proceed to such Elections, and that the Time to be appointed in any such Proclamation for such Meeting shall not be later than Twenty-five Days from the Date of such Proclamation.

Peers of Scotland may take the Oaths, &c in Courts of Ireland, and before other Officers.

III. And be it enacted, That a Peer of *Scotland* may take the Oaths and subscribe the Declaration required by Law to entitle such Peer to vote by Proxy or signed List at such Elections in Her Majesty's High Court of Chancery in *Ireland*, or Her Majesty's Courts of Queen's Bench, Common Pleas, or Exchequer in *Ireland*, in the same Manner and under the same Regulations as they may take and subscribe the same in the like Courts in *England*, or may take the said Oaths and subscribe the said Declaration before the Lieutenant of any County in *Great Britain* or *Ireland*, or any Member of Her Majesty's Most Honourable Privy Council in *Great Britain* or *Ireland*, or any Judge of a County Court in *England*, or any *British* Ambassador or Minister accredited to any Foreign Court, or the Secretary of any such Embassy or Legation, or the Governor, Lieutenant Governor, or Officer administering the Government of any of Her Majesty's Plantations, Colonies, or Possessions abroad, or any of Her Majesty's Judges residing therein; and every such Person before whom the said Oaths shall be taken and the said Declaration subscribed shall certify the same in a Certificate attached to the Declaration, which shall be produced, together with the Proxy or signed List of the Peer, at such Election: Provided always, that nothing herein contained shall be construed to prevent any Peer taking such Oaths and subscribing such Declaration in any Manner at present competent by Law.

Titles of Peerages in right of

IV. And whereas by the before-mentioned Act passed in the Parliament held in the Tenth and Eleventh Years of Her present

Majesty, Chapter Fifty-two, it is enacted, that at all future Meetings of the Peers of *Scotland* for such Elections the Lord Clerk Register, or the Clerks of Session officiating thereat in his Name, shall not call the Titles of any Peerages standing on the Roll in right of which no Vote shall have been received and counted since the Year One thousand eight hundred, with other Provisions connected therewith, and it is expedient that the Principle on which the said Enactment is founded should be continued and extended: Be it enacted, That after every Meeting 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 transmit to the Clerk of the Parliaments the Titles of any Peerages called at such Meeting in right of which no Vote shall have been received and counted for Fifty Years then last past or for any longer Period, and on receiving an Order from the House of Lords to abstain from calling such Title at future Meetings for such Elections it shall not be lawful for the said Lord Clerk Register or Clerks of Session to call such Title at any subsequent Meeting, or to administer the Oaths to any Person claiming to vote in right of such Peerage, 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.

which no Vote has been given for Fifty Years not to be called at Elections, if the House of Lords shall so direct.

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