CHAPTER 61.

An Act for appointing a Secretary for Scotland and Vice-President of the Scotch Education Department.

[14th August 1885.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Secretary for Scotland Act, 1885.

Appointment of a Secretary for Scotland.

2. It shall be lawful for Her Majesty to appoint a Secretary for Scotland (herein-after called the Secretary), who shall hold office during Her Majesty's pleasure.

There shall be paid to the Secretary, out of moneys to be provided by Parliament, a salary of two thousand pounds a year.

The Secretary may appoint such permanent secretaries, inspectors, clerks, and other officers as he may with the sanction of the Treasury determine.

The salaries of such secretaries and other officers of the Secretary's office shall be fixed with the consent of the Treasury, and shall, together with such other expenses of the said office as may from time to time be sanctioned by the Treasury, be paid out of moneys provided by Parliament.

Secretary may sit in Parliament. 30 & 31 Vict. c. 102. 31 & 32 Vict. c. 48. 31 & 32 Vict. c. 49.

3. The Secretary, if not a member of the House of Lords, shall, if otherwise qualified, be capable of being elected to and of voting in the Commons House of Parliament, and the office of Secretary shall be deemed to be an office included in Schedule H. of the Representation of the People Act, 1867; in Schedule H. of the Representation of the People (Scotland) Act, 1868; in Schedule E. of the Representation of the People (Ireland) Act, 1868; and in Part First of the schedule of the Promissory Oaths Act, 1868, as regards England.

Seal, style, and acts of Secretary.

4. The Secretary may adopt an official seal, and describe himself generally by the style and title of "The Secretary for Scotland."

A rule, order, or regulation made by the Secretary shall be valid if it is made under the seal of the Secretary and signed by him or by any secretary or other officer appointed by him for that purpose, and the production of a copy of such rule, order, or regulation, purporting to be certified to be true by any secretary or other officer appointed by him for that purpose, shall, unless the contrary is shown, be a sufficient proof that any such rule, order, or regulation of the Secretary was duly made.

Transfer of powers of—Secretary of State:

5.—(1.) All powers and duties vested in or imposed on one of Her Majesty's Principal Secretaries of State by the enactments specified in Part I. of the Schedule to this Act, and all powers and duties vested in or imposed on one of Her Majesty's Principal Secretaries of State in relation to the Universities of Scotland;

Privy Council.

(2.) All powers and duties vested in or imposed on the Privy Council by the enactments specified in Part II. of the said Schedule;

Local Government Board and Treasury.

(3.) All powers and duties vested in or imposed on the Commissioners of Her Majesty's Treasury by the enactments specified in Part III. of the said Schedule, or the Local Government Board

for England by the enactments specified in Part IV. of the said schedule, so far as such duties and powers relate to Scotland shall, on and after the appointment of the Secretary, be transferred to, vested in, and imposed on the Secretary.

Any report, act, or thing required or authorized by the said enactments, or any of them, to be made or done to the said Secretary of State, or Privy Council or any committee thereof, or the Commissioners of Her Majesty's Treasury, or the Local Government Board for England, and any report required to be made to Her Majesty by virtue of any of the said enactments, shall, so far as such enactments apply to Scotland, from and after the appointment of the said Secretary be made to or be done by or to the Secretary.

Secretary to be Vice-President of Scotch Education Department.

6. It shall be lawful for Her Majesty from time to time, by warrant under the Royal Sign Manual, to appoint the Secretary for Scotland to be Vice-President of the Scotch Education Department; and the Scotch Education Department shall mean the Lords of any Committee of the Privy Council appointed by Her Majesty on Education in Scotland.

Transference of powers and duties of Scotch Education Department.

7. From and after the appointment of the Vice-President of the Scotch Education Department as herein-before provided, all powers and duties vested in or imposed on the Scotch Education Department constituted under the Education (Scotland) Act, 1872, shall be transferred to, vested in, and imposed on the Scotch Education Department constituted under this Act; and wherever in any Act of Parliament, minute, or regulation, reference is made to the Scotch Education Department, such reference shall be read and construed as applying to the Scotch Education Department constituted under this Act.

Secretary to be Keeper of the Great Seal.

8. The Secretary shall have the place, trust, and office of Keeper of Her Majesty's Seal, appointed by the Treaty of Union to be kept and made use of in Scotland in place of the Great Seal of Scotland, with all such powers, privileges, and liberties as do by law and custom belong to the same.

Reservation of rights of Lord Advocate.

9. Nothing in this Act contained shall prejudice or interfere with any rights, powers, privileges, or duties vested in or imposed on the Lord Advocate by virtue of any Act of Parliament or custom.

SCHEDULE.

PART I.

POWERS AND DUTIES OF SECRETARY OF STATE.

Subject.	Act.
Poor Law	8 & 9 Vict. c. 83.
Lunacy, except in regard to criminal lunatics and insane prisoners.	20 & 21 Vict. c. 71. 25 & 26 Vict. c. 54. 29 & 30 Vict. c. 51.
Public Health	30 & 31 Vict. c. 101. 34 & 35 Vict. c. 38. 42 & 43 Vict. c. 15.
Wild Birds Protection	43 & 44 Vict. c. 35. 44 & 45 Vict. c. 51.

Subject.	Act.
Public Works Loans	45 & 46 Vict. c. 62.
Fishery Board	45 & 46 Vict. c. 78.
General Register House in Edinburgh	42 & 43 Vict. c. 44. sec. 8.
Registration of Births, Deaths, and Marriages	17 & 18 Vict. c. 80.
Vaccination	26 & 27 Vict. c. 108.
Marriage Notices	41 & 42 Vict. c. 43.
General Police	20 & 21 Vict. c. 72.
Burgh Police and Improvement	25 & 26 Vict. c. 101.
Division of Burghs into Wards	31 & 32 Vict. c. 108. 39 & 40 Vict. c. 25.
Markets and Fairs	10 Vict. c. 14.
Prisons	40 & 41 Vict. c. 53.
Public Parks	41 & 42 Vict. c. 8.
County General Assessment	31 & 32 Vict. c. 82.
Turnpikes Accounts	12 & 13 Vict. c. 31.
Roads and Bridges	41 & 42 Vict. c. 51.
Locomotives Regulation	41 & 42 Vict. c. 58.
Sheriff Court Houses	23 & 24 Vict. c. 79.
Rivers Pollution	39 & 40 Vict. c. 75.
Burial Grounds	18 & 19 Vict. c. 68.
Food and Drugs	38 & 39 Vict. c. 63. 42 & 43 Vict. c. 30.
Artizans and Labourers Dwellings	31 & 32 Vict. c. 130. 38 & 39 Vict. c. 49. 42 & 43 Vict. c. 64. 43 Vict. c. 2. 45 & 46 Vict. c. 54.
Local Taxation Returns	44 Vict. c. 6.
Alkali	44 & 45 Vict. c. 37.
Salmon Fisheries	25 & 26 Vict. c. 97. 27 & 28 Vict. c. 118. 31 & 32 Vict. c. 123.
School Sites	4 & 5 Vict. c. 38. s. 14. 18 & 19 Vict. c. 131.
Parliamentary Divisions	48 & 49 Vict. c. 23. s. 23.
Assessor of Railways and Canals	17 & 18 Vict. c. 91. s. 20.
	And any Acts amending the said Acts, and conferring powers on the said Secretary of State in relation thereto.

PART II.

POWERS AND DUTIES OF THE PRIVY COUNCIL.

Subject.	Act.
Board of Manufactures	10 & 11 Vict. c. 91.
Public Health	30 & 31 Vict. c. 101. Part iii.
	And any Acts amending the said Acts, and conferring powers on the said Privy Council in relation thereto.

PART III.

POWERS AND DUTIES OF THE TREASURY.

Subject.	Act.
Assessor of Railways and Canals - -	17 & 18 Vict. c. 91. s. 29.
Board of Manufactures - - - -	13 Geo. I. c. 26. 13 Geo. I. c. 30. 48 Geo. III. c. 110. 10 & 11 Vict. c. 91.
General Register House in Edinburgh, except the power to fix salaries and emoluments.	42 & 43 Vict. c. 44. sec. 8.
	And any Acts amending the said Acts, and conferring powers on the said Commissioners of Her Majesty's Treasury in relation thereto.

PART IV.

POWERS AND DUTIES OF THE LOCAL GOVERNMENT BOARD FOR ENGLAND.

Subject.	Act.
Loans by Public Works Loan Commissioners	38 & 39 Vict. c. 89. 41 Vict. c. 18. 44 & 45 Vict. c. 38.
Alkali - - - - - -	44 & 45 Vict. c. 37.
	And any Acts amending the said Acts, and conferring powers on the said Local Government Board in relation thereto.

CHAPTER 62.

An Act to amend the law relating to the Charges of Returning Officers at Parliamentary Elections.

[14th August 1885.]

38 & 39 Vict. c. 84.

WHEREAS by the Parliamentary Elections (Returning Officers) Act, 1875, the returning officer may, if he thinks fit, require security to be given for the charges payable under the above Act in respect of an election to an amount not exceeding that specified in the Third Schedule to the Act, and by such Third Schedule it is provided as follows:—"If at the end of the two hours appointed for the "election, not more candidates stand nominated than there are "vacancies to be filled up, the maximum amount which may be "required is one fifth of the maximum according to the above "scale":

41 & 42 Vict. c. 41.

And whereas by the Parliamentary Elections Returning Officers Expenses (Scotland) Act, 1878, the returning officer may, if he thinks fit, require security to be given for the charges payable under the said Act in respect of an election to an amount not exceeding