CHAP. 86.

An Act to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the Sheriff; and also to make certain provisions regarding the duties of Sheriffs and Sheriffs Substitute in Scotland. [9th August 1870.]

WHEREAS it is expedient to amend and extend the Act sixteenth and seventeenth Victoria, chapter ninety-two, and to make further provision for uniting counties in Scotland in so far as regards the jurisdiction of the sheriff; and also to make certain provisions regarding the duties of sheriffs and sheriffs substitute in Scotland:

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, as follows:

County of Kincardine to be united to county of Aberdeen.

1. The county of Kincardine, the office of sheriff whereof is now vacant, shall be and is hereby united with the county of Aberdeen into one sheriffdom, to be called the sheriffdom of Aberdeen and Kincardine, and the functions of the sheriff of the said county of Kincardine shall devolve on and are hereby devolved on and shall be discharged by the sheriff of the county of Aberdeen, who shall be and shall be denominated the sheriff of Aberdeen and Kincardine, without the necessity of any new commission being issued in his favour.

County of Banff to be united with counties of Aberdeen and Kincardine, and counties of Elgin and Nairn to be united with county of Inverness.

2. Whenever a vacancy shall occur in the office of sheriff of Banff, Elgin, and Nairn, the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Banff shall be united with the counties of Aberdeen and Kincardine into one sheriffdom, to be thereafter called the sheriffdom of Aberdeen, Kincardine, and Banff, and the functions of the sheriff of the said county of Banff shall thereupon devolve on and be discharged by the sheriff of Aberdeen and Kincardine, who shall be and shall be denominated the sheriff of Aberdeen, Kincardine, and Banff, without the necessity of any new commission being issued in his favour; and the counties of Elgin and Nairn shall in like manner be united with the county of Inverness into one sheriffdom, to be called the sheriffdom of Inverness, Elgin, and Nairn, and the functions of the sheriff of the counties of Elgin and Nairn shall thereupon devolve on and be discharged by the sheriff of the county of Inverness, who shall be and shall be denominated the sheriff of Inverness, Elgin, and Nairn, without the necessity of any new commission being issued in his favour.

Counties of Orkney and Shetland to be united with county of Caithness, and county of Sutherland to be united with counties of Ross and Cromarty.

3. The counties of Sutherland and Caithness are hereby disunited, and shall no longer constitute one sheriffdom, and the counties of Orkney and Shetland, the office of sheriff whereof is now vacant, shall be and are hereby united with the county of Caithness into one sheriffdom, to be called the sheriffdom of Caithness, Orkney, and Shetland, and the now existing sheriff of Sutherland and Caithness shall be and is hereby relieved and discharged of his office of sheriff, in so far as regards the county of Caithness; and the counties of Ross and Cromarty, the office of sheriff whereof is now vacant, shall be and is hereby united with the county of Sutherland into one sheriffdom, to be called the sheriffdom of Ross, Cromarty, and Sutherland, and the functions of the sheriff of the said counties of Ross and Cromarty shall devolve and are hereby devolved on and shall be discharged by the sheriff of Sutherland, who shall be and shall be denominated the sheriff of Ross, Cromarty, and Sutherland, without the necessity of any new commission being issued in his favour.

County of Linlithgow to be united with the county of Mid-Lothian, and the county of Kinross to be

4. Whenever a vacancy shall occur in the office of sheriff of Linlithgow, Clackmannan, and Kinross, the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Linlithgow shall be united with the county of Mid-Lothian into one sheriffdom, to be called the sheriffdom of Mid-Lothian and Linlithgow, and the functions of the said sheriff of Linlithgow shall thereupon devolve on and be discharged by the sheriff of Mid-Lothian, who shall be and shall be denominated the sheriff of Mid-

united with the county of Fife.

Lothian and Linlithgow, without the necessity of any new commission being issued in his favour; and the county of Kinross shall be united with the county of Fife into one sheriffdom, to be called the sheriffdom of Fife and Kinross, and the functions of the sheriff of Kinross shall thereupon devolve on and be discharged by the sheriff of Fife, who shall be and shall be denominated the sheriff of Fife and Kinross, without the necessity of any new commission being issued in his favour; and the county of Clackmannan shall be united with the county of Stirling into one sheriffdom, to be called the sheriffdom of Stirling and Clackmannan, and the functions of the sheriff of Clackmannan shall thereupon be devolved on and be discharged by the sheriff of Stirling, who shall be and shall be denominated the sheriff of Stirling and Clackmannan.

County of Haddington to be united with the county of Mid-Lothian, the county of Berwick to be united with the counties of Roxburgh and Selkirk.

5. Whenever a vacancy shall occur in the office of sheriff of Haddington and Berwick the said counties shall be disunited and shall no longer constitute one sheriffdom, and the county of Haddington shall be united with the county of Mid-Lothian into one sheriffdom, to be called the sheriffdom of Mid-Lothian and Haddington, and the functions of the sheriff of Haddington shall thereupon devolve on and be discharged by the sheriff of Mid-Lothian, who shall be and shall be denominated the sheriff of Mid-Lothian and Haddington, without the necessity of any new commission being issued in his favour; and the county of Berwick shall be united with the counties of Roxburgh and Selkirk into one sheriffdom, to be called the sheriffdom of Roxburgh, Berwick, and Selkirk, and the functions of the sheriff of Berwick shall thereupon devolve on and be discharged by the sheriff of Roxburgh and Selkirk, who shall be and shall be denominated the sheriff of Roxburgh, Berwick, and Selkirk, without the necessity of any new commission being issued in his favour.

Sheriffdom of Mid-Lothian, Linlithgow, Haddington, and Peebles, what to be called.

6. So soon as the counties of Mid-Lothian, Linlithgow, and Haddington are united as herein-before provided they shall constitute one sheriffdom to be called the sheriffdom of the Lothians, and when the county of Peebles is added thereto the said four counties shall be constituted one sheriffdom to be called the sheriffdom of the Lothians and Peebles.

Counties of Wigtown and Kirkcudbright to be united with the county of Dumfries.

7. Whenever a vacancy shall occur in the office of sheriff of Wigtown and Kirkcudbright the said counties shall no longer constitute one sheriffdom, but shall be united with the county of Dumfries into one sheriffdom, to be called the sheriffdom of Dumfries and Galloway, and the functions of the sheriff of Wigtown and Kirkcudbright shall thereupon devolve on and be discharged by the sheriff of Dumfries, who shall be and shall be denominated the sheriff of Dumfries and Galloway without the necessity of any new commission being issued in his favour.

County of Dumbarton to be united with the county of Stirling, and county of Bute with the county of Renfrew.

8. Whenever a vacancy shall occur in the office of sheriff of Dumbarton and Bute, the said counties shall be disunited, and shall no longer constitute one sheriffdom, and the county of Dumbarton shall be united with the county of Stirling into one sheriffdom, to be called the sheriffdom of Stirling and Dumbarton, and the functions of the sheriff of Dumbarton shall thereupon devolve on and be discharged by the sheriff of Stirling, who shall be denominated the sheriff of Stirling and Dumbarton, without the necessity of any new commission being issued in his favour; and the county of Bute shall be united with the county of Renfrew into one sheriffdom, to be called the sheriffdom of Renfrew and Bute, and the functions of the sheriff of Bute shall thereupon devolve on and be discharged by the sheriff of Renfrew, who shall be and shall be denominated the sheriff of Renfrew and Bute, without the necessity of any new commission being issued in his favour.

Sheriffdom of Stirling, Dumbarton, and Clackmannan.

9. As soon as the counties of Stirling, Dumbarton, and Clackmannan are united as herein-before provided, they shall constitute one sheriffdom, to be called the sheriffdom of Stirling, Dumbarton, and Clackmannan.

No separate appointments to be made to office of sheriff of the counties to be united.

10. After any union of counties shall have occurred under the provisions of this Act no separate appointment shall be made to the office of sheriff of any county so united, but appointment shall only be made to the office of sheriff of such united counties or sheriffdoms as vacancies shall occur after such union.

11. Nothing herein contained shall give any right to the sheriff of any such united counties to any additional salary beyond that enjoyed by him as sheriff of any county or counties before such union; but on any union taking place under this Act, it shall be lawful for the Lords of Her Majesty's Treasury to make such addition to the salary of the sheriffs of the united counties as they shall deem reasonable, to be paid out of money to be provided by Parliament for that purpose.

Sheriff to have no right to additional salary.

12. Every union of counties into one sheriffdom under the provisions of this and the recited Act, or either of them, shall be deemed to be a complete union to all intents and purposes in so far as regards the jurisdiction, powers, and duties of the sheriff and his substitutes, and in so far as regards the powers, duties, rights, and privileges of procurators before the courts of the sheriff. And the several counties of any such united sheriffdom shall not thereafter be regarded as separate sheriffdoms or jurisdictions, but as one sheriffdom and jurisdiction, in so far as regards the powers, duties, rights, and privileges of the sheriff and his substitutes, and the procurators of the sheriff's court.

Union of counties to be complete as regards jurisdiction, &c. of sheriff and powers, privileges, &c. of procurators.

13. It shall be lawful to Her Majesty, by one of her Principal Secretaries of State, to prescribe from time to time the number of courts to be held by the several sheriffs of Scotland who shall be appointed after the passing of this Act, and the times and places for holding such courts; and also from time to time to prescribe the duties of the office of sheriff which such sheriffs respectively are required to perform personally; provided always, that nothing herein contained, and no order made or direction given under the authority of this clause, shall affect the validity or legal authority of any act done by any sheriff or sheriff substitute in pursuance of his jurisdiction and lawful authority; and so much of the Act of the first and second Victoria, chapter one hundred and nineteen, as provides that every sheriff, with the exception of the sheriffs of the counties of Edinburgh and Lanark, shall after his appointment be in habitual attendance upon the Court of Session during the sittings thereof, shall be and is hereby repealed; but nothing herein contained shall affect the qualification for appointment to the office of sheriff as prescribed by the said Act.

Courts to be held and duties to be discharged by sheriffs.

14. It shall be lawful to Her Majesty, by one of her Principal Secretaries of State, from time to time to prescribe the number of salaried sheriff substitutes of the several counties or sheriffdoms, and the places at which such salaried sheriff substitutes respectively are required generally to reside and attend for the performance of their duties, and the number of courts to be held by them, and the times and places of holding such courts.

Courts to be held and duties to be discharged by sheriffs substitute.

CHAP. 87.

An Act to amend the Act twenty-third and twenty-fourth Victoria, chapter fifty, intituled "An Act to abolish the Annuity Tax in Edinburgh and "Montrose, and to make provision in regard to the Stipends of the Ministers "in that City and Burgh, and also to make provision for the Patronage "of the Church of North Leith;" and to make provision for the abolition of the Annuity Tax within the Parish of Canongate, and for the payment of the Minister of said Parish. [9th August 1870.]

WHEREAS it is expedient to amend the Act of the twenty-third and twenty-fourth Victoria, chapter fifty, intituled "An Act to abolish the Annuity Tax in Edinburgh "and Montrose, and to make provision in regard to the stipends of the ministers in "that city and burgh, and also to make provision for the patronage of the church of "North Leith;" to enable the magistrates and council of Edinburgh to redeem the bond of annuity granted by them in virtue of said Act to the Edinburgh Ecclesiastical Commissioners; to abolish the annuity tax within the parish of Canongate; and to make