

ANNO TERTIO

GEORGII IV. REGIS.

CAP. XLIX.

An Act concerning the Residence of Sheriffs Depute of the Counties of *Edinburgh* and *Lanark*.

[1st *July* 1822.]

WHEREAS an Act was made in the Twentieth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for taking away and abolishing the Heritable Jurisdictions in that Part of* Great Britain *called* Scotland; *and for making Satisfaction to the Proprietors thereof; and for restoring such Jurisdictions to the Crown; and for making more effectual Provision for the Administration of Justice throughout that Part of the United Kingdom, by the King's Courts and Judges there; and for obliging all Persons acting as Procurators, Writers, or Agents in the Law of* Scotland, *to take the Oaths; and for rendering the Union of the Two Kingdoms more complete;* by which it was enacted, that there should be but One Sheriff Depute or Stewart Depute in every County, Shire, or Stewartry in *Scotland*, not thereby taken away or abrogated, and that he should be an Advocate of Three Years standing at the least, and should, during the Space of Seven Years from the Twenty-fifth Day of *March* One thousand seven hundred and forty-eight, be nominated and appointed by His Majesty, His Heirs and Successors, by Warrant under his or their Sign Manual, with such Continuance as His Majesty, His Heirs or Successors, should think fit; and that after the End of the said Seven Years, the Offices of Sheriff Depute and Stewart Depute should be granted and held *ad vitam aut culpam* only, with competent Salaries, to be ascertained and established for the Time of their Continuance: And whereas another Act was made in the Twenty- 20 G. 2. c. 43.

eighth Year of the Reign of His said Majesty King *George* the Second, 28 G. 2. c. 7. intituled *An Act concerning the Offices of Sheriff Depute or Stewart Depute in that Part of* Great Britain *called* Scotland, by which it was enacted, that so much of the said recited Act as enacted that, after the End of Seven Years from and after the said Twenty-fifth Day of *March*, the Offices of Sheriff Depute and Stewart Depute should be granted and held *ad vitam aut culpam*, should be and was thereby repealed; and the Sheriffs Depute and Stewarts Depute then named, or thereafter to be named, should, during the Space of Fifteen Years from and after the Expiration of the said Seven Years, hold and enjoy their respective Office for such Continuance as His Majesty then had, or His Majesty, His Heirs or Successors, should thereafter think fit to appoint, by Warrant under his or their Sign Manual; and that, from and after the End of the said Fifteen Years, the Offices of Sheriff Depute and Stewart Depute should be granted and held *ad vitam aut culpam*, with competent Salaries, to be ascertained and established for the Time of their Continuance: And whereas it was provided by the said first-recited Act, that every such Sheriff Depute and Stewart Depute should be and reside personally within his County Shire, or Stewartry, during the Space of Four Months at least in the Year: And whereas it is expedient that further Provision should be made for the Residence of the Sheriff Depute of the County of *Edinburgh*, and also for the Residence of the Sheriff Depute of the County of *Lanark*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King'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 from and after the passing of this Act every Person holding the Office of Sheriff Depute of the County of *Edinburgh*, shall reside personally within the City of *Edinburgh*, or within a Distance therefrom not exceeding Six Miles, during the Space of Nine Months at least in every Year; and in like manner, that every Person holding the Office of Sheriff Depute of the County of *Lanark*, shall reside personally within the City of *Glasgow*, or within a Distance therefrom not exceeding Six Miles, during the Space of Nine Months at least in every Year; declaring that if either of the said Sheriff Deputes shall not so reside, such Sheriff Depute being convicted of such Offence, upon a summary Trial before the Court of Session, at the Suit of His Majesty's Advocate, or at the Suit of any Four or more of the Freeholders entitled to vote in Elections of Members to serve in Parliament for such County, shall be deprived of his Office.

Sheriff Depute of Edinburgh to reside there, or within Six Miles thereof, and the Sheriff Depute of Lanark to reside in Glasgow, or within Six Miles thereof, Nine Months every Year.

II. Provided always, and be it enacted, That the said Two recited Acts shall remain unaltered, and continue to receive Effect in all other respects whatsoever.

Recited Acts to remain unaltered in other respects.

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