1707 CH 6 OR 1707 CH 40

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Anno Sexto

1707 CH 6 OR 1707 CH 40

Annæ Reginæ.

An Act for rendring the Union of the Two Kingdoms more Intire and Complete.



Wheras by Her Majesties great Wisdom and Goodness the Union of the Two Kingdoms hath been happily Effected, and the whole Island is thereby Subject to one Sovereignty, and Represented by one Parliament: To the end therefore that the said Union may be rendred more Complete and Intire, Be it Enacted by the Queens 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 First Day of May, in the Year of our Lord, One thousand seven hundred and eight, the Queens Majesty, Her Heirs and Successors, shall have but one Privy-Council in or for the Kingdom of Great Britain, to be Sworn to Her Majesty, Her Heirs and Successors, as Sovereigns of Great Britain, and such Privy-Council shall have the same Powers and Authorities as the Privy-Council of England Lawfully Had, Used and Exercised at the time of the Union, and none other.

And to the end the Publick Peace may be in like manner Preserved throughout the whole Kingdom, Be it further Enacted by the Authority aforesaid, That in every Shire and Stewartry within that Part of Great Britain called Scotland, and also in such Cities, Boroughs, Liberties and Precincts within Scotland, as Her Majesty, Her Heirs or Successors, shall think fit, there shall be appointed by Her Majesty, Her Heirs or Successors, under the Great Seal of Great Britain, a sufficient Number of Good and Lawful Men to be Justices of the Peace within their respective Shires, Stewartries, Cities, Boroughs, Liberties or Precincts, which Persons so appointed, over and above the several Powers and Authorities vested in Justices of the Peace by the Laws of Scotland, shall be further Authorized to Do, Use and Exercise over all Persons within their

several Bounds, whatever doth appertain to the Office and Trust of a Justice of Peace, by Virtue of the Laws and Acts of Parliament made in England before the Union, in relation to or for the Preservation of the Publick Peace. Provided nevertheless, That in the Sessions of the Peace the Methods of Tryal and Judgments shall be according to the Laws and Customs of Scotland.

Provided, That nothing in this Act contained shall be construed to Alter or Infringe any Rights, Liberties or Privileges heretofore Granted to the City of Edinburgh, or to any other Royal Borough, of being Justices of the Peace within their respective Bounds.

And whereas by an Act made in Scotland in the Third Session of the Second Parliament of the late King Charles the Second, Intituled, An Act concerning the Regulation of the Judicatories, several Good and Wholsom Provisions were made concerning the Justice-Court, and amongst others it was thereby Enacted, That once a Year Circuit-Courts should be kept at the Time and Places in the said Act mentioned: Now for the better and speedier Administration of Justice, and further Preservation of the Publick Peace in that Part of the Kingdom of Great Britain called Scotland, Be it also Enacted by the Authority aforesaid, That for the future Twice in the Year, that is to say, In the Months of April or May, and in the Month of October, Circuit-Courts shall be kept in the several Places in the said Act mentioned, and in manner and form as in the said Act contained.

And for the more Uniform and Express Method of Electing and Returning Members of Parliament, Be it likewise further Enacted by the Authority aforesaid, That when any Parliament shall at any time hereafter be Summoned or Called, the Forty five Representatives of Scotland in the House of Commons of the Parliament of Great Britain, shall be Elected and Chosen by Authority of the Queens Writs under the Great Seal of Great Britain, directed to the several Sheriffs and Stewarts of the respective Shires and Stewartries; and the said several Sheriffs and Stewarts shall, on Receipt of such Writs, forthwith give Notice of the time of Election for the Knights or Commissioners for their respective Shires or Stewartries, and at such time of Election the several Freeholders in the respective Shires and Stewartries shall Meet and Convene at the Head Burghs of their several Shires and Stewartries, and proceed to the Election of their respective Commissioners or Knights for the Shire or Stewartry; and the Clerks of the said Meetings, immediately after the said Elections are over, shall respectively Return the Names of the Persons Elected to the Sheriff or Stewart of the Shire or Stewartry, who shall Annex it to his Writ, and Return it with the same into the Court out of which the Writ Issued: And as to the manner of Election of the Fifteen Representatives of the Royal Boroughs, the Sheriffs of the Shire of Edinburgh shall, on the Receipt of the Writ directed to him, forthwith direct his Precept to the Lord Provost of Edinburgh, to cause a Burgess to be Elected for that

City; and on Receipt of such Precept, the City of Edinburgh shall Elect their Member, and their Common-Clerk shall Certifie his Name to the Sheriff of Edinburgh, who shall Annex it to his Writ, and Return it with the same into the Court from whence the Writ Issued: And as to the other Royal Burghs, divided into Fourteen Classes or Districts, the Sheriffs or Stewarts of the several Shires and Stewartries, shall on the Receipt of their several Writs, forthwith direct their several Precepts to every Royal Borough within their respective Shires or Stewartries, reciting therein the Contents of the Writ, and the Date thereof, and Commanding them forthwith to Elect each of them a Commissioner as they used formerly to Elect Commissioners to the Parliament of Scotland, and to Order the said respective Commissioners to Meet at the Presiding Borough of their respective District (naming the said Presiding Borough) upon the Thirtieth Day after the Day of the Teste of the Writ, unless it be upon the Lords-Day, commonly called Sunday, and then the next Day after, and then to Choose their Burgess for the Parliament; and the Common-Clerk of the then Presiding Borough shall immediately after the Election, Return the Name of the Person so Elected to the Sheriff or Stewart of the Shire or Stewartry wherein such Presiding Borough is, who shall Annex it to his Writ, and Return it with the same into the Court from whence the Writ Issued: And in Case a Vacancy shall happen in time of Parliament, by the Decease or Legal Incapacity of any Member, a New Member shall be Elected in his Room, conformable to the Method herein before Appointed; and in Case such Vacancy be of a Representative for any one of the said Fourteen Classes, or Districts of the said Royal Boroughs, that Borough which Presided at the Election of the Deceased or Disabled Member, shall be the Presiding Borough at such New Election.

Provided always, That upon the Issuing of Writs of Summons for the Electing of a Parliament, if any Shire or Stewartry wherein a Royal Borough is, hath not then a Turn, or Right to Elect a Commissioner, or Knight of the Shire or Stewartry for that Parliament, That then it shall be Omitted out of the Writ directed to such Sheriff or Stewart, to Cause a Knight, or Commissioner for that Shire or Stewartry to be Elected for that Parliament.

FINIS.