II. That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said Acts shall be applied and extended to the Exchequer Bills to be made out in pursuance of this Act, as fully and effectually to all Intents and Purposes as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

The Clauses, &c. in recited Acts extended to this Act.

III. That it shall be lawful for the said Commissioners of Her Majesty's Treasury to issue and apply from Time to Time all such Sums of Money as shall be raised by Exchequer Bills to be made out in pursuance of this Act to such Services as shall then have been voted by the Commons of the United Kingdom of *Great Britain* and *Ireland* in this present Session of Parliament.

The Treasury to apply the Money raised.

IV. That the Principal Sum or Sums of Money to be contained in such Exchequer Bills shall be charged upon and shall be paid out of any Supplies to be granted in the next Session of Parliament.

Bills, how to be charged and paid.

V. That the Exchequer Bills to be made out in pursuance of this Act shall bear Date on the Days on which the same shall be respectively issued, and shall bear an Interest not exceeding the Rate of Threepence Halfpenny *per Centum per Diem* in respect of the whole of the Monies respectively contained therein, payable out of any Aids or Supplies in the Bank of *England* standing to the Credit of the Exchequer.

Interest on Bills.

VI. That all the Exchequer Bills to be made out by virtue of this Act, or so many of them as shall from Time to Time remain undischarged and uncancelled, shall, after Twelve Calendar Months from their respective Dates, be taken and shall pass and be current to all the Receivers and Collectors in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever already granted or payable, or which shall hereafter be granted or payable, to Her Majesty, Her Heirs and Successors, and also at the Bank of *England* to the Account of Her Majesty's Exchequer, from the said Receivers or Collectors, or from any other Person or Persons, Bodies Politic or Corporate whatsoever, making any Payment there to Her Majesty, Her Heirs and Successors, upon any Account whatever.

Bills charged on Supplies to be current in Payment of Public Revenue after Twelve Calendar Months from their Dates.

VII. That it shall be lawful for the Governor and Company of the Bank of *England* to advance or lend to Her Majesty, upon the Credit of the Exchequer Bills to be made out in pursuance of this Act, any Sum or Sums of Money not exceeding in the whole the Sum of Seventeen millions seven hundred and forty-two thousand five hundred Pounds; anything in an Act passed in the Fifth and Sixth Years of the Reign of King *William* and Queen *Mary*, intituled *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors; and for securing certain Recompences and Advantages in the said Act mentioned to such Persons as shall voluntarily advance the Sum of One million five hundred thousand Pounds towards carrying on the War against* France, or in any subsequent Act, to the contrary thereof in anywise notwithstanding.

Bank of England may advance 17,742,500*l.* on the Credit of Bills, notwithstanding 5 & 6 W. & M. c. 20.

CAP. XXVI.

An Act to provide for the supplying of Vacancies in Town Councils of Burghs in *Scotland* consequent on null or irregular Elections. [14th *June* 1853.]

'WHEREAS by an Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in* Scotland, it is enacted, "that no Irregularity or Nullity in the Election of any Councillor or Magistrate shall in any Case after the passing of this Act annul or affect the Election of other Councillors or Magistrates not liable to the same Grounds of Objection, but those particular Elections only in which such Irregularity or Nullity shall have occurred:" And whereas a like Enactment is contained in another Act of the same Years of the Reign of His said Majesty

3 & 4 W. 4. c. 76.

3 & 4 W. 4. c. 77. ‘ Majesty King *William* the Fourth, intituled *An Act to provide for the Appointment and* ‘ *Election of Magistrates and Councillors for the several Burghs and Towns of* Scotland ‘ *which now return or contribute to return Members to Parliament, and are not Royal Burghs:* ‘ And whereas the Evils intended to have been obviated by the said recited Enactments have ‘ not been so obviated, by reason of no Provision having been made in the said Acts for the ‘ Election of Councillors or Magistrates in room of those whose Election may have been null ‘ or irregular, and it is expedient that this Defect should be supplied:’ 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:

On Elections of Councillors being found null, Warrant to be granted for new Election.

I. In all Cases in which any Election of a Councillor or Councillors in any of the Royal Burghs, Burghs, or Towns comprehended in the said recited Acts, or either of them, shall have been legally reduced or found to have been null, the Court of Session in *Scotland* in either of its Divisions shall, on the Application by Petition on the Part of any One or more of the registered Electors of such Royal Burgh, Burgh, or Town, grant Warrant for a new Election of a Councillor or Councillors in room of the Councillor or Councillors whose Election shall have been so reduced or found null, to take place on a Day to be fixed by the said Court, not sooner than Ten nor later than Fourteen Days from the Date of such Warrant, and such new Election shall thereupon proceed on the Day so fixed in the Manner provided by the said recited Acts respectively for the annual Election of Councillors in such Royal Burghs, Burghs, or Towns; and the Councillor or Councillors elected on such Day shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if they had been elected at the annual Election at which the Councillor or Councillors whose Election shall have been reduced or found to have been null were elected.

Election thereupon to proceed as at annual Election of Councillors.

II. As soon as such Warrant shall have been granted the Principal Clerk of Session, being Clerk to the Petition on which it was granted, shall forthwith transmit a certified Copy thereof to the Town Clerk of such Royal Burgh, Burgh, or Town, and such Town Clerk shall immediately on receipt of such certified Copy give Intimation of the Election thereby appointed by Notices to be affixed to the Door of the Parish Church or Churches in such Royal Burgh, Burgh, or Town; and the acting Provost or senior Magistrate, or, failing there being at the Time any Provost or Magistrate, One of the Councillors to be nominated by the Sheriff of the County or his Substitute, shall discharge the Duties and execute the Powers directed by the said recited Acts to be performed by the Provost or senior Magistrate at the annual Election of Councillors.

Expenses of Application for Warrant to be a Charge on the Funds of the Burgh.

III. The necessary Expenses incurred by any Elector or Electors in obtaining such Warrant for a new Election as aforesaid as the same shall be taxed by the said Court shall be recoverable by such Elector or Electors from the Treasurer of such Royal Burgh, Burgh, or Town, and when paid shall be chargeable by the Treasurer on the Funds thereof.

On Election of Magistrate being found null, Council to elect a Magistrate.

IV. In all Cases in which the Election of a Councillor to the Office of Provost or Magistrate, or the Election of any Councillor who may have been thereafter appointed Provost or a Magistrate, shall have been legally reduced or found null, the Town Council shall at its First Ordinary Meeting thereafter, the full Number of the Council being always complete, elect a Provost or Magistrate who shall be, in regard to Tenure of Office and in all other respects, in the same Situation as if he had been elected when the Provost or Magistrate whose Election has been reduced or found null or has fallen was elected.

No Challenge of Election to be made after the Lapse of a Month.

V. It shall not be lawful nor competent to institute any Action by way of Reduction, Declarator, Suspension, or otherwise for reducing any Election of a Councillor, Provost, or Magistrate, or for having the same found null, or for interdicting any Party who may have been elected Councillor, Provost, or Magistrate from acting as such, nor to execute any Summons, nor intimate any Suspension concerning the same, after the Lapse of One Month from the Date of his Election, and all such Summonses and Suspensions executed or intimated respectively within such Month shall be deemed summary Processes, and shall have Precedence as such in the Rolls of the said Court of Session.

VI. Be

VI. Be it enacted and declared, That the Acts and Proceedings of any such Town Council prior to the Date when the Election of any of the Councillors thereof shall have been legally set aside or found null shall be valid and effectual, notwithstanding the Nullity or Irregularity of the Election of any One or more of the Councillors, and that the Actings of any Provost or Magistrate whose Election may be set aside or found null prior to its being so set aside or found null shall not be liable to Challenge in respect thereof.

Actings of Council and Magistrates to be valid, notwithstanding Elections being set aside.

CAP. XXVII.

An Act for empowering the Sheriff and Commissary of *Berwickshire* to hold Courts at *Dunse*, and for other Purposes. [14th *June* 1853.]

'WHEREAS by an Act passed in the Parliament of *Scotland* held by King *William* 'at *Edinburgh* the Ninth Day of *October* in the Year One thousand six hundred and 'ninety-six, intituled *Act declaring the Burgh of* Greenlaw *the Head Burgh of the Shire* '*of* Berwick, His Majesty, with Advice and Consent of the Estates of Parliament, statuted, 'ordained, and declared the said Town of *Greenlaw* to be the Head Burgh of the Shire of '*Berwick*, and that thereafter all public Proclamations, Hornings, Inhibitions, Summonses, 'and all other legal Diligences whatsoever, which by Law and Custom ought to be pro-'claimed, used, and executed at the Head Burgh of the Shire of *Berwick*, should be 'proclaimed, used, and executed at the Market Cross of the said Town of *Greenlaw* as the 'Head Burgh of the Shire, and declared all Proclamations and legal Diligences published, 'used, and executed that should be otherways done to be null and void, and ordained the 'Sheriff Court of the said Shire to sit, be holden, and kept in the said Town of *Greenlaw*: 'And whereas by an Act of the Fourth Year of the Reign of His Majesty King *George* the 'Fourth (Public General), Chapter Ninety-seven, it was enacted, that all Sheriffdoms, 'excepting as therein mentioned, but including the said Sheriffdom of *Berwick*, should con-'stitute Commissariats, and that the Sheriffs should become the Commissaries of their 'several Shires in room of the inferior Commissaries, whose Offices were thereby abolished: 'And whereas the Sheriff and Commissary Courts of *Berwickshire* have been and are held at 'the said Head Burgh of *Greenlaw*, but it would tend greatly to the public Convenience that 'Courts for the Despatch of Civil and certain Criminal Business should be held at the Town 'of *Dunse* in the said Shire as well as at the said Head Burgh, and that the Office of the Sheriff 'Clerk of the said Shire of *Berwick* should be situated at *Dunse*:' 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:

Act of Parliament of Scotland, 9th Oct. 1696.

4 G. 4. c. 97.

I. In construing this Act the Word "Sheriff" shall include "Sheriff Substitute," the Word "Commissary" shall include "Commissary Depute," the Words "Sheriff Clerk" shall include "Sheriff Clerk Depute," and the Word "Shire" or "Sheriffdom" shall include "Commissariat."

Construction of Terms.

II. From and after the passing of this Act it shall be lawful for the Sheriff and Commissary of the said Shire to hold Ordinary Courts at *Dunse*, as well as at the Head Burgh of *Greenlaw*, for the Despatch of Civil and Consistorial Business, and also for trying and disposing of such Criminal Causes as may be tried without a Jury: Provided always, that the Sheriff shall hold an Ordinary Court at least Once in every Week during the Summer and Winter Sessions, either at *Greenlaw* or *Dunse*, which shall be deemed and taken to be sufficient Compliance with the Provision contained in the First Section of the Act of Sederunt of the Lords of Council and Session, dated the Tenth Day of *July* in the Year One thousand eight hundred and thirty-nine, passed under Authority of an Act of the First and Second Years of the Reign of Her present Majesty, intituled *An Act to regulate the Constitution, Jurisdiction, and Forms of Process of Sheriff Courts in* Scotland: Provided also, that all Courts for the Trial of Criminal Causes by Jury shall be held at the Head Burgh of *Greenlaw*.

Power to Sheriff and Commissary to hold Courts at Dunse.

1 & 2 Vict. c. 119.

III. From