CAP. XXIV.

An Act to amend an Act of the Second and Third Years of King *William* the Fourth, for amending the Representation of the People in *Scotland*, in so far as relates to the Procedure in County Elections in that Country.

[25th *May* 1855.]

'WHEREAS it is expedient that the Time between the Receipt of the Writ by the Sheriff and the Day of Election of Members to serve in Parliament for Counties in *Scotland* should be shortened:' 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:

Sheriff to endorse on the Writ the Day on which he received it and announce the Time for the Election. 2 & 3 W. 4. c. 65.

I. Each Sheriff to whom any Writ for the Election of a Member to serve for any County or combined Counties in *Scotland* (except *Orkney* and *Shetland*) shall be directed, under the Provisions of an Act passed in the Second and Third Years of the Reign of His late Majesty, intituled *An Act to amend the Representation of the People in* Scotland, shall endorse on the Writ the Day on which he received it, and shall within Two Days thereafter announce a Day for the Election, which Day shall be not less than Six nor more than Twelve Days in Counties or combined Counties after the Day on which the Writ was received, and shall give due Intimation thereof as is provided in the said Act.

Proviso as to Orkney and Shetland.

II. In the Case of *Orkney* and *Shetland* the Provisions of the said Act, in so far as they relate to the fixing and Announcement of the Day of Election, and the Interval to elapse between the Receipt of the Writ and the Day of Election, shall remain in full Force and Effect, anything in this Act contained notwithstanding.

Provisions of recited Act so far as inconsistent with this Act repealed.

III. In all Cases in which the Provisions of the said Act shall be inconsistent with this Act, and in as far as shall be necessary to give Effect to the true Intent and Meaning of this Act, but no further, the said Act shall be and the same is to such Extent hereby repealed; and the said Act shall in all other respects remain in full Force and Effect, and be as good and effectual to carry this Act into execution, as if the same were herein repeated and re-enacted.

CAP. XXV.

An Act to allow Affirmations or Declarations to be made instead of Oaths in certain Cases in *Scotland*.

[25th *May* 1855.]

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:

Affirmation instead of Oath to be allowed in certain Cases.

I. If any Person called as a Witness in any Court of Civil Judicature in *Scotland*, or required or desiring to make an Affidavit or Deposition, shall refuse or be unwilling from alleged conscientious Motives to be sworn, it shall be lawful for the Court or Judge or other presiding Officer or Person qualified to take Affidavits or Depositions, on being satisfied of the Sincerity of such Objection, to permit such Person instead of being sworn to make his or her solemn Affirmation or Declaration in the Words following, *videlicet*,

'I *A.B.* do solemnly, sincerely, and truly affirm and declare that the taking of any Oath is, according to my Religious Belief, unlawful; and I do solemnly, sincerely, and truly affirm and declare,' &c.

Which solemn Affirmation and Declaration shall be of the same Force and Effect as if such Person had taken an Oath in the usual Form, and shall in like Manner infer the Pains of Perjury in case of Falsehood.

II. It

Her Majesty may, by Order in Council, direct Provisions of this Act to be applied to all Courts in Scotland.

II. It shall be lawful for Her Majesty from Time to Time, by an Order in Council, to direct that all or any Part of the Provisions of this Act shall apply to all or any Court or Courts in *Scotland;* and such Order shall be notified by the Secretary of State to the Clerk or other Officer of the Court or Courts therein named respectively, and shall be published in the *Edinburgh Gazette;* and within One Month after such Order shall have been so notified and published, such Provisions shall extend and apply in manner directed by such Order; and any such Order may be in like Manner from Time to Time altered and annulled.

CAP. XXVI.

An Act to continue an Act of the Thirteenth and Fourteenth Years of Her present Majesty, for enabling the Judges of the Courts of Common Law at *Westminster* to alter the Forms of Pleading. [25th *May* 1855.]

13 & 14 Vict. c. 16.

'WHEREAS by an Act of the Thirteenth and Fourteenth Years of Her present Majesty Queen *Victoria*, intituled *An Act to enable the Judges of the Courts of Common Law at* Westminster *to alter the Forms of Pleading*, Powers were given to the Judges of the Superior Courts of Common Law at *Westminster*, within Five Years from the passing of that Act, to make such Alterations in the Mode of Pleading in the said Courts, and in the Mode of entering and transcribing Pleadings, Judgments, and other Proceedings in Actions at Law, and in the Time and Manner of objecting to Errors in Pleadings and other Proceedings, and in the Mode of verifying Pleas and obtaining final Judgment, without Trial in certain Cases, and such Regulations as to the Payment of Costs, and otherwise for carrying into effect the said Alterations, as to them may seem expedient: And whereas the said Powers so by the said Act conferred are about to expire, and it is desirable that the same should be further prolonged:' 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, That the Powers conferred by the said herein-before recited Act on the Judges of the said Superior Courts of Common Law at *Westminster* shall be continued for a Period of Five Years from the passing of this Act, subject always to the Provisions and Conditions in the said recited Act contained as to any Rules, Orders, and Regulations which may be made by the said Judges under and by virtue of the said Powers.

Powers conferred by the recited Act on Judges of Superior Courts of Common Law at Westminster continued.