CAP. XXIX.

An Act to make further Provision for the Registration of Births, Deaths, and Marriages in *Scotland*. [15th *June* 1855.]

17 & 18 Vict. c. 80.

'WHEREAS it is expedient to amend the Act passed in the Seventeenth and Eighteenth 'Year of the Reign of Her present Majesty, intituled *An Act to provide for the better 'Registration of Births, Deaths, and Marriages in* Scotland:' 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:

Landward and Burghal Parts of Parishes may be united.

I. It shall be lawful for the Sheriff if he shall think it expedient, upon a joint Application of the Parochial Board of any Parish and of the Town Council of any Burgh situated within such Parish, or upon the Application of the Registrar General, to unite such Burgh or any Portion thereof to any Landward Portion of such Parish, and also to regulate any Questions which may arise as to the Assessment to be levied upon such Burghs or Portions of Burghs, and upon such Landward Portions of such Parishes respectively.

Registrar General, failing Parochial Board, may apply for Dismissal of incompetent Registrars.

II. If any Parochial Board shall neglect or refuse to apply, under the Authority of the Fifteenth Section of the recited Act, to the Sheriff for the Removal of any incompetent Registrar, after being thereto required by the Registrar General, it shall be lawful for the Registrar General himself to apply to the Sheriff, and such and the like Procedure in all respects shall in such Case be had and take place as if the Application had been made by the Parochial Board.

Examination of Registers by Sheriff repealed, and Examiners appointed.

III. So much of the Fifty-third and Fifty-fourth Sections of the recited Act as requires the Examination of the Registers and the Authentication thereof by the Sheriff shall be and the same is hereby repealed: and no Penalty or Breach of Duty or other Consequence shall be deemed to be incurred or to arise from the Non-authentication heretofore of any of the said Registers or Duplicate Registers which shall have been sanctioned or acquiesced in by the Registrar General or the Sheriff, anything in the said Act to the contrary notwithstanding; and it shall be lawful for the Registrar General, with the Approbation of the Commissioners of the Treasury, from Time to Time to divide *Scotland* into such Districts as he may think fit, and with such Approbation to appoint for each District a fit and competent Person to be the Examiner thereof, who shall be paid such annual Allowance as shall be fixed by the said Commissioners of the Treasury, in such and the like Manner as the Expenses specified in the Fifth Section of the said Act are directed to be paid; and it shall be the Duty of such Examiners, at such Time or Times as shall be fixed by the Registrar General, to proceed to their respective Districts, and there, in such Manner as shall be prescribed by the Registrar General, carefully to examine and compare, along with the several Registrars within their respective Districts, the Registers and Duplicate Registers of such several Registrars, and authenticate and docquet the same, and all Alterations and Additions thereon or thereto, in such Form and Manner as the Registrar General shall direct; and it shall be lawful for the Registrar General, with the Approbation of the Secretary of State for the Home Department, to frame all such Rules and Regulations as shall be necessary and expedient for such Purposes in the Manner, as far as may be, directed by the Fifty-third Section of the said Act or otherwise; and it shall in like Manner be the Duty of such Examiners respectively to aid, under the Direction of the Sheriff within their respective Districts, in executing and carrying into effect the Purposes of the Eighteenth Nineteenth, Twentieth, Fifty-third, and Fifty-fourth Sections of the said Act.

Where Registration District consists of Two Parishes.

IV. Where a Registration District, consisting of Portions of Two or more Parishes, has been erected by the Sheriff under the Provisions of the said recited Act, the Powers thereby and by this Act conferred on Parochial Boards, and the Duties imposed upon such Boards, shall respectively belong to and be discharged by the qualified Heritors of such Registration District, and all Meetings of such Heritors shall be called by the Registrar, or in case of Vacancy in the Office of Registrar, by the Heritor of Lands of the highest Valuation therein; and at such Meetings the Heritor of the highest Valuation present shall preside, and shall be entitled to a casting as well as to a deliberative Vote, and Assessments under

under the said recited Act shall be laid on according to the Manner thereby prescribed for the Case of Parishes in which there is no Assessment for the Poor.

V. In every Case in which the Status of any Person shall be altered by a Decree of any competent Court, the Clerk to the Process shall forthwith report such Decree to the Registrar General; and it shall be lawful for the Registrar General, and he is hereby required, to take all Measures necessary for having the Entries in the Duplicate Registers affected by such Decree rectified, by causing the Date of the Decree and the Import thereof to be noted upon the Margin of both Duplicates opposite to such Entries, as the Registrar General shall think fit and direct. Decrees of Court fixing Status of Parties to be noted in Register.

VI. In reference to the Sixty-third Section of the recited Act, the Register of corrected Entries shall be kept in Duplicate; and One of the Duplicates shall be annually transmitted to the Registrar General along with the Duplicate Registers directed by the Fifty-third Section of the said Act to be annually so transmitted. Register of corrected Entries to be kept in Duplicate.

VII. The Penalties imposed by the said Act, and by the Sixty-fifth Section thereof directed to be recovered by Prosecution by the Procurator Fiscal, and when recovered to go to the Registrar General, shall instead be paid to the Queen's and Lord Treasurer's Remembrancer of the Court of Exchequer in *Scotland*; and the Expense of all such Prosecutions, where not recovered from the Parties, shall be charged and paid in Exchequer, and the Recovery of such Penalties shall be a Part of the ordinary Duties of the Procurator Fiscal. Penalties recovered to be paid into Exchequer.

VIII. It shall in all Cases be lawful for the Sheriff Clerks in the several Counties, and they are hereby required, to act in aid of the Sheriff in the Execution of the Powers, Provisions, and Duties of the recited Act and of this Act, in all respects as the Sheriffs may direct. Sheriff Clerks to act in execution of Act.

IX. The Appointments of the Examiners, and the other Clerks and Officers to be appointed under this Act, shall, in like Manner as the Appointments mentioned in the Sixteenth Section of the recited Act, be exempt from all Stamp Duties. Appointments to be exempt from Stamp Duty.

X. This Act shall be deemed a Part of the recited Act, and shall be construed therewith as if the said Acts formed One Act. This Act and recited Act to be as One.

CAP. XXX.

An Act to empower the Commissioners of Sewers to expend on House Drainage a certain Sum out of the Monies borrowed by them on the Security of the Rates, and also to give to the said Commissioners certain other Powers for the same Purpose. [15th *June* 1855.]

'WHEREAS it is of urgent Importance to the Health of the Metropolis that Powers of House Cleansing, Drainage, and Improvement should be forthwith actively exercised by the Metropolitan Commissioners of Sewers, for the Purpose of executing in Houses which may appear exposed to the Ravages of Zymotic Diseases such palliative and preventive Works, either temporary or permanent, as the Time admits of, to obviate the Outbreak and Spread of such Epidemic Disorders:' 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:

I. That the Metropolitan Commissioners of Sewers be and they are hereby empowered to carry on forthwith such Works as aforesaid, and they are hereby authorized to employ on such Works a Sum not exceeding Twenty-five thousand Pounds out of the Monies in their Hands borrowed on the Security of the Rates, charging the Cost of such Works in each Case upon the Owner or Occupier, as herein-after provided. Power to Commissioners of Sewers to carry on certain Works, at Expense of Owners, &c.

II. To facilitate the Execution of such Works in Cases where it shall appear to the Commissioners, on the Presentment of One of their Engineers, that it is requisite or proper to Commissioners may simultaneously execute