ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

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CAP. III.

An Act to indemnify Persons who have acted as Deputy Lieutenants in *Scotland* without due Qualification. [11th *July* 1831.]

WHEREAS an Act was passed in the Forty-second Year of the Reign of His Majesty King *George* the Third, intituled *An Act to raise and establish a Militia Force in* Scotland, whereby the Lieutenants to be appointed for the Counties, Stewartries, Cities, and Places therein mentioned are authorized and empowered to appoint such Persons as they should think fit, being qualified as therein provided, to be their Deputy Lieutenants, with the Powers also therein set forth: And whereas it is provided by the said Act that all Persons to be appointed Deputy Lieutenants (with the Exceptions therein set forth) shall be possessed of an Estate in Property, either in his own Right or the Right of his Wife, of Four hundred Pounds *Scots* of valued Rent, or be the Heir Apparent of a Person possessing such an Estate, and that no Person should be so appointed until he shall have delivered to the Clerk of the Commissioners of Supply of the County or Place for which he should be appointed a specific Description in Writing of his Qualification; and the Clerk of Supply is directed to enter such Qualification in a Roll to be kept for that Purpose, and to cause to be inserted in the *London Gazette* the Dates of the Commissions, and the Name and Rank of the Officers, and to transmit yearly to One of His Majesty's Principal Secretaries of State a complete Account of the Qualifications so left with him; 42 G. 3. c. 91.

and

and the Secretary of State receiving the same is required to cause Copies to be laid annually before both Houses of Parliament; and every Deputy Lieutenant not having already taken the Oaths, and made, repeated, and subscribed the Declaration, therein described, is required to take such Oath, and make, repeat, and subscribe such Declaration, within Six Months after he shall have accepted his Commission; and all Persons executing the Powers thereby directed to be executed by Deputy Lieutenants (with the Exceptions therein specified), not being qualified, and not having delivered such specific Descriptions of their Qualifications as aforesaid, are thereby rendered liable in the Penalties therein set forth: And whereas sundry Persons not so qualified have been appointed and have acted in the Execution of the said recited Act, and of the other Acts relative to the Militia Force in *Scotland*, and in many Instances the Deputy Lieutenants appointed, although qualified, have failed to deliver their Qualifications as thereby required, and the other Regulations by the said recited Act prescribed in regard to Deputy Lieutenants have not been observed, whereby many Individuals have incurred Penalties, and the said recited Acts have not been duly executed: And whereas it is necessary and expedient that the Persons acting as Deputy Lieutenants, not possessing the Qualifications prescribed by the said recited Act, and otherwise informally appointed as aforesaid, should be indemnified, and that Provision to the Effect after mentioned should be made in relation to the Acts, Matters, and Things done and to be done by such Persons in the Execution of the said Acts of Parliament: Be it therefore 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 every Person who shall have been appointed a Deputy Lieutenant of any County, Stewartry, City, or Place in *Scotland*, by the Lord Lieutenant of the said County, Stewartry, City, or Place, and shall have acted as such, and every Person who shall have acted by and under the Authority of such Deputy Lieutenant, shall be and is hereby indemnified for and in respect of any Matter or Thing done by such Person as such Deputy Lieutenant, or by such Person acting by and under his Authority, notwithstanding that such Deputy Lieutenant was not, when appointed, and may not now be, possessed of the Qualification required by the said recited Act, and did not deliver an Account of such Qualification to the Clerk to the Commissioners of Supply, as thereby prescribed, and notwithstanding that all or any of the other Regulations prescribed by the said recited Act in regard to the Appointment of Deputy Lieutenants may not have been observed and fulfilled; and no such Deputy Lieutenants, or such other Persons acting by and under their Authority, shall be liable in any Penalty imposed by the said Act for or in respect of such Deputy Lieutenants having acted in the Execution of the said Act being disqualified, or not having delivered the Qualification as aforesaid.

Deputy Lieutenants indemnified for acting without being possessed of the Qualification required by Law.

All Acts done by such Deputy Lieutenants, or Persons un-

II. And be it further enacted, That every Act, Matter, or Thing done by any such Person appointed Deputy Lieutenant, or by any other Person acting by and under the Authority of such Deputy Lieutenant, as herein-before mentioned, or to be done by such Person

or Persons in the due and lawful Execution of the said Act, until the First Day of *July* One thousand eight hundred and thirty-two, shall be good, valid, and effectual, and shall not be liable to any Question or Challenge for or by reason of such Person not being qualified as aforesaid, or not having performed or observed all or any of the Regulations prescribed and provided by the said Act regarding the Appointment of Deputy Lieutenants, or for or in respect of all or any of such Regulations not having been otherwise performed or observed; any thing in the said Act or in any other Act or Acts to the contrary in anywise notwithstanding.

der them, to be good and valid.

III. And whereas Doubts have been entertained as to the Legality of the Orders and Proceedings of certain General Meetings of Lieutenancy held without the previous Notice prescribed by the said recited Act having been given, and it is necessary and expedient that such Doubts should be removed; be it enacted, That all Orders and Proceedings of such Meetings hitherto held, and every thing done in pursuance thereof, shall be equally valid and effectual as if such Notice had been duly given.

Proceedings of certain General Meetings of Lieutenancy declared valid.

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