Party shall intend to rely on any Proviso, Exception, Incapacity, Disability, Contract, Agreement, Deed, or Writing herein mentioned, or any other Matter of Fact or of Law not inconsistent with the simple Fact of the Exercise and Enjoyment of the Matter claimed, the same shall be specially alleged and set forth in answer to the Allegation of the Party claiming, and shall not be received in Evidence on any general Traverse or Denial of the Matter claimed.

No Presumption allowed in support of any Claim for any less Period than mentioned in this Act.

VIII. And be it further enacted, That in the several Cases mentioned in and provided for by this Act no Presumption shall be allowed or made in favour or support of any Claim upon Proof of the Exercise or Enjoyment of the Right or Matter claimed for any less Period of Time or Number of Years than for such Period or Number mentioned in this Act as may be applicable to the Case and to the Nature of the Claim.

Act to extend to England only.

IX. Provided also, and be it further enacted, That this Act shall not extend to *Scotland* or *Ireland*.

CAP. CI.

An Act to authorize His Majesty to appoint a Person to act as Sheriff of *Selkirkshire* during the Incapacity of the present Sheriff. [9th *August* 1832.]

'WHEREAS the Sheriff of the County of *Selkirk* in *Scotland* 'is incapacitated by Disease from performing any of the 'Functions of his Office, or appointing any Substitute for their 'due Performance: And whereas divers important and urgent 'Duties are now and will speedily be required from such Sheriff, 'for which it is expedient that Provision should be made;' 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 it shall be lawful for His Majesty, His Heirs and Successors, to nominate and appoint, by Warrant under His or Their Sign Manual, some Advocate, of not less than Five Years Standing at the *Scottish* Bar, to perform all the Functions and Duties that are now by Law competent to or may be required from the said Sheriff of *Selkirkshire*, but only during the Period of the Incapacity or Non-resignation of the said Sheriff; and all Acts done by the Person so nominated and appointed in virtue of and under Authority of such Appointment shall be as valid and effectual in all respects, and shall be received and dealt with by all Persons in the same Manner, as if the same had been severally performed by the said Sheriff in his State of Capacity; any Law or Statute to the contrary notwithstanding: Provided always, that such Appointment shall only subsist during the Period of the Incapacity or Non-resignation of the said Sheriff, and until the Appointment of a Successor to the said Sheriff shall be made known to the said Person, or till the End of the next ensuing Session of Parliament; any thing herein contained to the contrary thereof notwithstanding.

His Majesty empowered to nominate an Advocate of the Scottish Bar to perform the Duties of the Sheriff of Selkirkshire during his Incapacity or Non-resignation.