ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

****

C A P. LXXXVI.

An Act to explain certain Provisions in an Act of the Third and Fourth Years of His present Majesty, to provide for the 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. [15th *August* 1834.]

WHEREAS by an Act passed in the Third and Fourth Years of His present Majesty's Reign, 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*, it was, *inter alia*, provided, that the Burghs or Towns of *Paisley*, *Greenock*, *Leith*, and *Kilmarnock* should be divided into Wards or Districts, which, together with the Number of Councillors to be chosen by each such Ward or District, should be fixed and ascertained by the Commissioners named and appointed by His Majesty to inquire into and report upon the Condition of the several Burghs and Towns of *Scotland;* in pursuance of which Enactment the Subdivision of the said Burghs or Towns into Wards or Districts, and the Number of Councillors to be annually elected in each of the said Wards or Districts, was duly reported by the said

3 & 4 W. 4. c. 77.

Commissioners to His Majesty's Privy Council, and thereafter published by Royal Proclamation, bearing Date the Sixteenth Day of *October* One thousand eight hundred and thirty-three: And whereas by the said Act it was further enacted, that upon the First *Tuesday* of *November* One thousand eight hundred and thirty-four, and upon the same Day in every succeeding Year, the Electors should, in like Manner, in the said Burghs or Towns of *Paisley*, *Greenock*, *Leith*, and *Kilmarnock*, in their several Wards or Districts, assemble and elect, in manner therein-before prescribed in relation to the First Election under the said Act, One Third Part, or as nearly as may be One Third Part of the Council of each such Burgh or Town in the Place of the Third thereof who should as therein-after directed go annually out of Office, the Wards or Districts into which the Burghs or Towns divided into Wards or Districts are divided then electing such Number of Councillors as by the said Royal Commissioners such Wards or Districts should be directed to elect at such annual Elections subsequent to the First Election: And whereas it was thereby further enacted, that upon the said First *Tuesday* of *November* in the Year One thousand eight hundred and thirty-four, and in every succeeding Year, One Third, or a Number as near as may be to One Third of the whole Council of each such Burgh shall go out of Office, and in the said Year One thousand eight hundred and thirty-four the Third who should go out should consist of the Councillors who had the smallest Number of Votes at the Election of Councillors in the Year One thousand eight hundred and thirty-three; and in the succeeding Year One thousand eight hundred and thirty-five the Third of the Councillors first elected under the said Act who should go out should consist of the Councillors who at such First Election under the said Act had the next smallest Number of Votes (the Majority of the Council always determining, when the Votes for any such Person should have been equal, who should be the Persons to retire); and thereafter the Third of the Councillors so annually going out of Office should always consist of the Councillors who had been longest in Office; provided always, that any Councillors so going out of Office should be capable of being immediately re-elected: And whereas Doubts have been entertained as to the true Meaning and legal Effect of the above last-recited Clause of the said Act, and it is fit that all Hazard of Dispute and Litigation thereon arising should be removed: 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 at the Second Election of Councillors, to take place on the First *Tuesday* of *November* after the passing of this Act, in each of the Wards or Districts, in Terms of the said recited Act and the said Royal Proclamation, there shall go out of Office an equal Number of Councillors with those then to be elected, which Councillors so going out shall be those who at the First Election in such Wards or Districts respectively had the smallest Number of Votes; and that at the Third Election of Councillors, to take place on the First *Tuesday* of *November* One thousand eight hundred and thirty-five, in each of such Wards or Districts, in Terms of the said recited Act and Royal Proclamation, there shall go out of Office an

Regulation as to Councillors going out of Office at the Second and Third Elections of Councillors.

equal Number of Councillors with those then to be elected, which Councillors so going out shall be those who in such Wards or Districts respectively had the next smallest Number of Votes at the said First Election.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1834.