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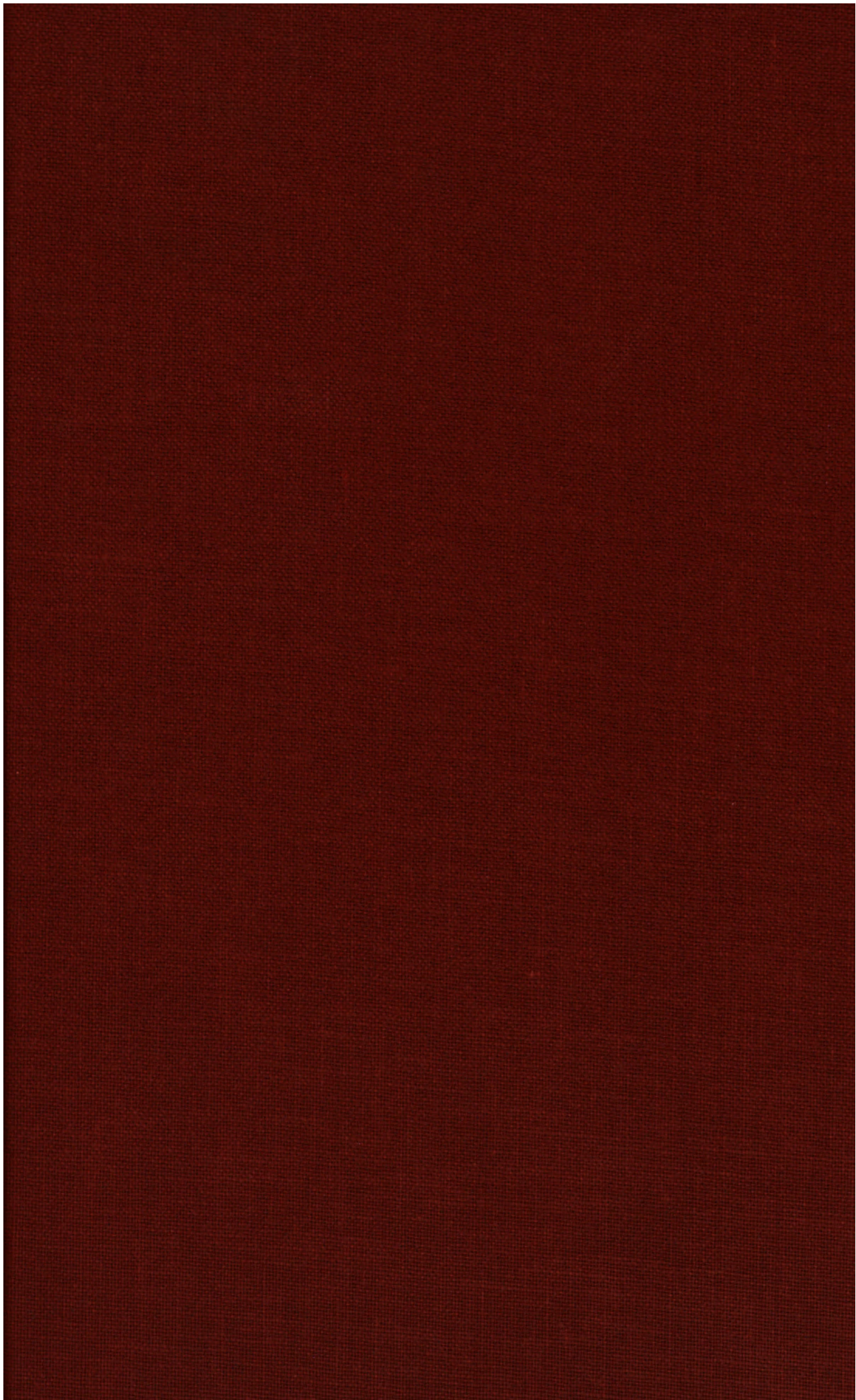
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THE
SESSIONAL PAPERS

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THE HOUSE OF LORDS,

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(6 EDWARD VII.)

ARRANGED IN VOLUMES.

VOL. VIII.

PUBLIC BILLS,

(Five Volumes.)

CONCLUDED.

THE SUBJECTS ALPHABETICALLY ARRANGED:

REC - - WOR

1906.

PUBLIC BILLS, 1906.

(FIVE VOLUMES.)

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A

B I L L

INTITLED

An Act to make provision as to the appointment of A.D. 1906.
Deputies for Recorders, Stipendiary Magistrates, and
Clerks of the Peace, and for the temporary performance
of the duties of those officers in case of vacancies.

BE it 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, as follows:—

5 **1.**—(1) If at any time it appears to the authority having
power to appoint to any office to which this Act applies that
the holder of the office is, by reason of illness, absence, or any
other cause, incapable of appointing or removing a deputy, the
authority may exercise that power on his behalf, and in so
10 doing may assign out of his salary or stipend a suitable
remuneration to any deputy so appointed.

Power to
appoint
deputies and
persons to
act tem-
porarily in
certain
offices.

(2) If any office to which this Act applies becomes vacant
by death or otherwise, any person who immediately before the
vacancy was a duly appointed deputy of the holder of the
15 office, or if there is no such deputy or no such deputy willing
to act, any person appointed for the purpose by the authority
having power to appoint to the office may act temporarily in the
office until a person is duly appointed to fill the vacancy, and
any person while so acting shall be in the same position as
20 respects remuneration and otherwise as if he were the last
holder of the office. Provided that the power of a person to
act temporarily under this provision shall not extend beyond a
period of six months from the occurrence of the vacancy.

(3) All things required or authorised by law to be done by,
25 to, or before the holder of any office to which this Act applies,
may be done by, to, or before any deputy appointed or any

A.D. 1906. person acting temporarily in the office under this Act, as if that deputy or person were the holder of the office.

(4) In cases where His Majesty has power to appoint to an office, the power to appoint a deputy or person to act temporarily under this Act may be exercised by the Secretary of State, and this Act shall be construed as if the Secretary of State were the authority having power to appoint to the office.

(5) Where any qualification is required by law in the case of a deputy of the holder of any office to which this Act applies, the same qualification shall be required as respects any person appointed to act temporarily in the office under this Act.

(6) This Act shall apply to the offices of recorder, stipendiary magistrate, and clerk of the peace.

Short title
and repeal.

2.—(1) This Act may be cited as the *Recorders, Stipendiary Magistrates, and Clerks of the Peace Act, 1906.*

51 & 52 Vict.
c. 23.

(2) The *Recorders, Magistrates, and Clerks of the Peace Act, 1888*, is hereby repealed.

A

B I L L

INTITULED

An Act to repeal the provisions of the Metropolitan Police Act, 1839, with respect to the removal of Offensive Matter in places within the Metropolitan Police District. A.D. 1906.

BE it 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, as follows:—

- 5 **1.** Paragraph (4) of section sixty of the Metropolitan Police Act, 1839 (which paragraph relates to the emptying of privies and the removal of offensive matter), is hereby repealed. Repeal of
2 & 3 Vict.
c. 47. s. 60,
as to offen-
sive matter.
- 2.** This Act may be cited as the Removal of Offensive Matter Act, 1906. Short title.

Reserve Forces Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE EARL OF PORTSMOUTH.

6th June 1906.

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(88 a.)

A

B I L L

[AS AMENDED ON REPORT]

INTITULED

An Act to amend the Law relating to the Reserve Forces. A.D. 1906.

BE it 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, as follows:—

- 5 **1.**—(1) Notwithstanding anything in the Reserve Forces Acts, a man belonging to the Army Reserve may, if so authorised by or under the directions of the Secretary of State, reside in any British protectorate or in any part of His Majesty's dominions outside the United Kingdom, and men may be enlisted into the
- 10 Army Reserve in any British protectorate or in any part of His Majesty's dominions outside the United Kingdom except in a colony possessing responsible government, and those Acts shall, subject to such adaptations as may be made under this section, apply to such men whilst so residing, and to such enlistment.
- 15 (2) Regulations made under section twenty of the Reserve Forces Act, 1882, may prescribe the conditions under which men belonging to the Army Reserve may, if so authorised, reside outside the United Kingdom, and the conditions under which men may be
- 20 may make such adaptations in the Reserve Forces Acts as may be necessary for the purpose of adapting those Acts to the circumstances of the several parts of His Majesty's dominions outside the United Kingdom or of British protectorates.
- (3) In this section the expression "Reserve Forces Acts"
- 25 means the Reserve Forces Act, 1882, as amended by any subsequent enactment, and includes any enactment applied by that Act as so amended; and the expression "colony possessing responsible
- (130.)

Extension
of Reserve
Forces Acts
to men when
outside the
United
Kingdom.

45 & 46 Vict
c. 48.

A.D. 1906. government” means any colony which is specified in the Schedule to this Act, or which may hereafter on the grant to the colony of responsible government be added to that Schedule by Order in Council.

Amendment
of 45 & 46
Vict. c. 48,
s. 14.

2. In subsection (2) of section fourteen of the Reserve Forces Act, 1882 (which relates to the appointment and transfer to corps of men belonging to the reserve forces when called out on permanent service), the words “so, however, that he shall not without his consent be appointed or transferred to a corps which is not in the arm or branch in which he previously served” shall be repealed, but this repeal shall not, without his consent, obtained at or after the time of mobilisation, affect any man enlisted before the passing of this Act.

Short title.
45 & 46 Vict.
c. 48.
61 & 62 Vict.
c. 9.
53 & 54 Vict.
c. 42.
62 & 63 Vict.
c. 40.
63 & 64 Vict.
c. 42.

3. This Act may be cited as the Reserve Forces Act, 1906, and the Reserve Forces Acts, 1882 and 1890, and so much of the Reserve Forces and Militia Act, 1898, as applies to the reserve forces, and the Reserve Forces Act, 1899, and the Reserve Forces Act, 1900, and this Act, may be cited together as the Reserve Forces Acts, 1882 to 1906.

[6 EDW. 7.]

Reserve Forces.

3

SCHEDULE.

A.D. 1906.

LIST OF COLONIES.

- The Dominion of Canada.
- The Commonwealth of Australia.
- New Zealand.
- Cape Colony.
- Natal.
- Newfoundland.

5

Reserve Forces.

A

B I L L

[AS AMENDED ON REPORT]

INTITLED

An Act to amend the Law relating
to the Reserve Forces.

(Brought from the Commons 17th May 1906.)

Ordered to be printed 21st June 1906.

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(130.)

Revenue Bill.

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1. Provisions as to spirits used in art, manufacture, &c.
2. Supplemental amendments of the Spirits Act.
3. Provision as to exportation of tinctures.
4. Interpretation.

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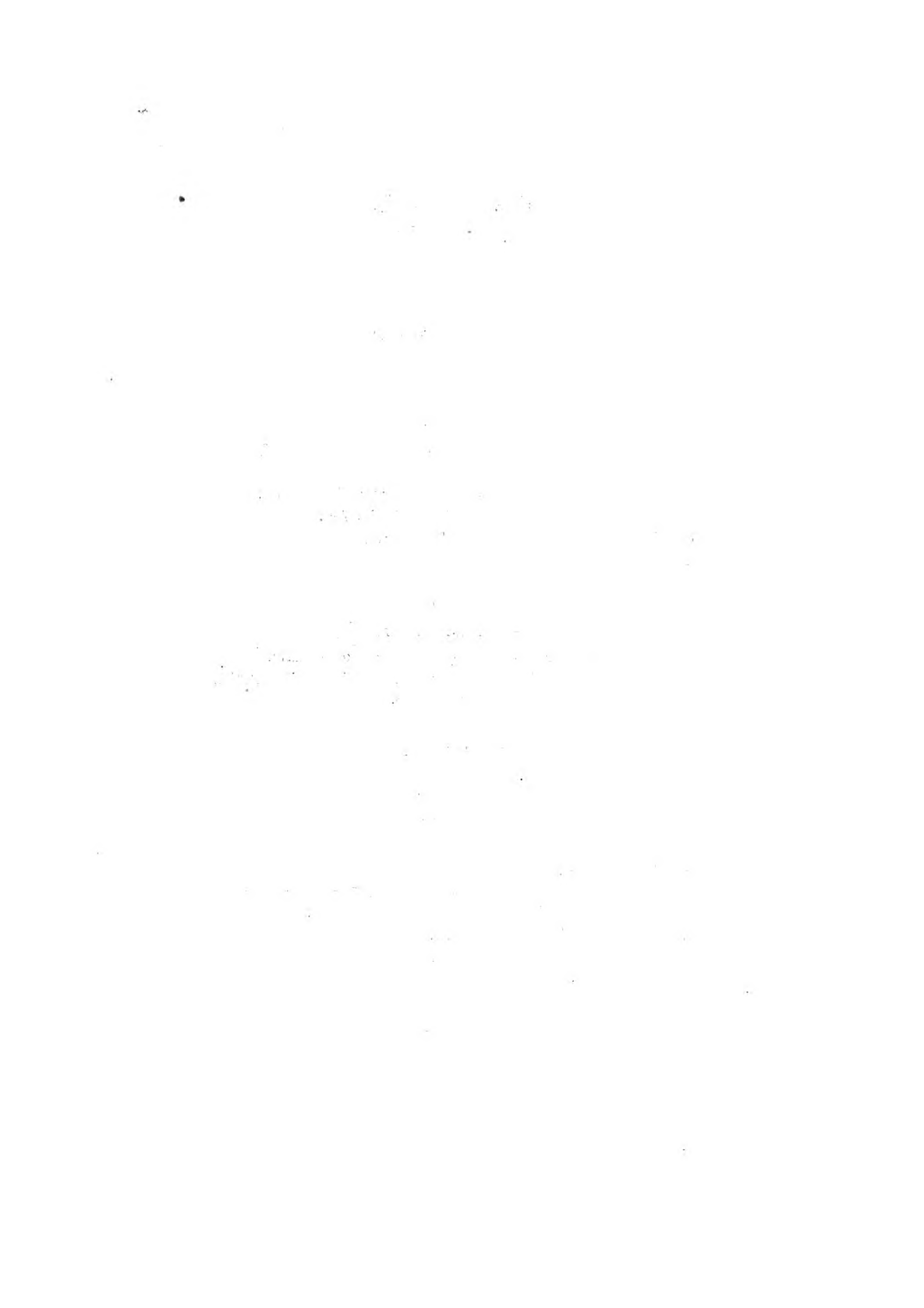
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5. Proceedings in case of offences in relation to saccharin.
6. Power to grant licences removing restriction on importation of tobacco in ships under 120 tons.
7. Regulation as to manufacture of British wines.
8. Amendment of 2 Edw. 7. c. 7. s. 5.

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10. Treasury bills.
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12. Repeal of 19 & 20 Vict. c. 56. s. 43.
13. Commencement and short title.



[6 EDW. 7.]

Revenue.

I

A

B I L L

INTITULED

An Act to amend the Law relating to Customs and Inland Revenue, and for other purposes connected with Finance. A.D. 1906.

BE it 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, as follows:—

5

PART I.

SPIRITS.

1.—(1) Where any spirits are used by an authorised methylator for making industrial methylated spirits, or are received by any person for use in any art or manufacture under section eight of the Finance Act, 1902, the like allowance shall be paid to the authorised methylator or to the person by whom the spirits are received, as the case may be, in respect of those spirits as is payable on the exportation of plain British spirits, and the Commissioners may by regulations prescribe the time and manner of the payment of the allowance and the proof to be given that the spirits have been or are to be used as aforesaid.

Provisions
as to spirits
used in art,
manufacture
&c.
2 Edw. 7.
c. 7.

(2) No allowance shall be payable under this section on methylic alcohol, but foreign methylic alcohol may be received and used under section eight of the Finance Act, 1902, without payment of the difference of duty mentioned in that section.

(3) One-nineteenth shall, as respects methylated spirits other than mineralized methylated spirits, be substituted for one-ninth as the minimum proportion of the substance or combination of substances to be mixed with spirits under subsection (3) of section one hundred and twenty-three of the Spirits Act, 1880.

43 & 44 Vict.
c. 24.

(4) Notwithstanding anything in subsection (2) of section eight of the Finance Act, 1902, an applicant under that section shall not (181.)

A 2

A.D. 1906. be required to pay any expenses incurred in placing an officer in charge of his premises, except such expenses as, in the opinion of the Commissioners, are incurred for special attendances of the officer, made to meet the convenience of the applicant.

(5) Such quantity as the Commissioners may authorise by regulations in each case shall be substituted for fifty gallons in subsection (e) of section one hundred and twenty-six of the Spirits Act, 1880, as the maximum quantity of methylated spirits that may be received or be in the possession of a retailer at any one time; and for one gallon in subsections (e) and (f) of that section as the maximum quantity of methylated spirit which a retailer may receive from another retailer at a time, and as the maximum quantity which a retailer may sell to or for the use of any one person at a time respectively.

Supplemental amendments of the Spirits Act.

2.—(1) Section one hundred and twenty-one of the Spirits Act, 1880 (which forbids the supply of methylated spirits except to the persons mentioned in the section), shall be construed as if, as regards the supply of industrial methylated spirits, a retailer of methylated spirits was not a person excepted under that section.

(2) A retailer of methylated spirits shall not receive or have in his possession any methylated spirits except such as may be authorised by regulations, and if any such retailer contravenes this provision, he shall, for each offence, incur a fine of fifty pounds, and the spirits in respect of which the offence is committed shall be forfeited.

(3) Every vessel in which an authorised methylator stores, keeps, or supplies industrial methylated spirits, or mineralized methylated spirits, must be labelled in such a manner as to show that the methylated spirits are industrial or mineralized as the case may be, and if an authorised methylator fails to comply with this provision, he shall, for each offence, incur a fine of fifty pounds, and the spirits with respect to which the offence is committed shall be forfeited.

(4) In addition to the account required to be kept by the proper officer under subsection (1) of section one hundred and twenty-five of the Spirits Act, 1880, an authorised methylator shall keep distinct accounts in the prescribed forms of any industrial methylated spirits and of any mineralized methylated spirits prepared or received by him and of the sale, use, and delivery thereof, and that section shall apply with reference to each of those accounts and the spirits to which the account relates as it applies

[6 EDW. 7.]

Revenue.

3

with reference to the stock account therein mentioned and to methylated spirits generally. A.D. 1906.

(5) Section one hundred and thirty of the Spirits Act, 1880, shall apply as if it were an offence under that section without the consent in writing of the Commissioners, or otherwise than in accordance with regulations, to purify or attempt to purify methylated spirits or methylic alcohol, or after methylated spirits or methylic alcohol have once been used, to recover or attempt to recover the spirit or alcohol by distillation or condensation, or in any other manner.

(6) Subsection (2) of section one hundred and thirty of the Spirits Act, 1880, shall apply as respects any article specified in an order of the Commissioners as it applies with respect to sulphuric ether or chloroform.

15 **3.**—(1) The Commissioners may permit the exportation on drawback of tinctures or of spirits of wine, subject to regulations, direct from the premises of a person licensed to rectify or compound spirits, and the like drawbacks and allowances shall be payable in respect of tinctures or spirits of wine so exported as would be payable if the tinctures or spirits of wine were exported from an excise or customs warehouse. Provision as to exportation of tinctures.

(2) In ascertaining the amount of drawback on any tinctures so exported, the Commissioners may make such addition as they think just in respect of waste.

25 (3) If any person fails to comply with any regulation made under this section, he shall, in addition to any other liability, incur in respect of each offence a fine of fifty pounds and the article in respect of which the offence is committed shall be forfeited.

30 (4) This section shall apply as respects the shipment of tinctures as stores as it applies with respect to the exportation of tinctures.

4.—(1) In this Part of this Act—

35 The expression “industrial methylated spirits” means any methylated spirits (other than mineralized methylated spirits) which are intended for use in any art or manufacture within the United Kingdom; and

40 The expression “mineralized methylated spirits” means methylated spirits which, in addition to being methylated as provided by subsection (3) of section one hundred and twenty-three of the Spirits Act, 1880, as amended by

Interpretation.

A.D. 1906.

this or any other Act, have mixed with or dissolved in them such quantity of such kind of mineral naphtha as may for the time being be prescribed by regulations of the Commissioners; and

The expression "tinctures" includes medicinal spirits, 5
flavouring essences, perfumed spirits, and any other articles containing spirits and specified in regulations of the Commissioners; and

The expression "regulations" means regulations made under section one hundred and fifty-nine of the Spirits 10
Act, 1880.

(2) This Part of this Act shall be construed with the Spirits Act, 1880.

PART II.

CUSTOMS AND EXCISE.

15

Proceedings
in case of
offences in
relation to
saccharin.
39 & 40 Vict.
c. 36.

5. Section two hundred and thirty-three of the Customs Consolidation Act, 1876 (which relates to the power of justices to proceed summarily in the case of certain offences against the Customs Acts and the limitations on that power), shall, as amended or affected by any other Act, apply to saccharin as it 20
applies to spirits, with the substitution of pounds weight for gallons.

Power to
grant
licences
removing
restriction on
importation
of tobacco in
ships under
120 tons.
39 & 40 Vict.
c 36.

6. The Commissioners of Customs may grant a licence in respect of any ship of less than one hundred and twenty tons burden, relaxing as respects that ship the provisions of section 25
forty-two of the Customs Consolidation Act, 1876; which forbid the importation and bringing into the United Kingdom of tobacco, cigars, cigarillos, or cigarettes, and snuff in such a ship, and may attach to the licence such conditions as they think fit to impose, and the prohibition shall not extend in respect of any ship so 30
licensed so long as the licence continues, and so long as the conditions (if any) attached to the licence are complied with.

Regulation
as to manu-
facture of
British
wines.

7.—(1) There shall, as from the sixth day of July nineteen hundred and six, be charged, levied, and paid the following duty of Excise:—

£ s. d.

35

On a licence to be taken out annually by a
manufacturer for sale of British wines or
sweets or made wines authorising manufacture
only - - - - - 1 0 0 40

[6 EDW. 7.]

Revenue.

5

(2) The Commissioners of Inland Revenue may make regulations prohibiting the manufacture for sale of British wines, or sweets, or made wines, except by persons holding a licence and having made entry for the purpose, and for fixing the date of the expiration of the licence, and may by those regulations apply any enactments relating to brewers of beer to manufacturers for sale of British wines, or sweets, or made wines; and if any person acts in contravention of or fails to comply with any of those regulations, the article in respect of which the offence is committed shall be forfeited, and the person committing the offence shall be liable in respect of each offence to an excise penalty of fifty pounds.

A.D. 1906.

8. The word "by" shall be substituted for the word "without" in subsection (2) of section five of the Finance Act, 1902 (which relates to the allowance on spirits).

Amendment
of 2 Edw. 7,
c. 7, s. 5.

15

PART III.

MISCELLANEOUS.

9. A uniform duty of ten shillings shall be substituted for the duties chargeable under the Stamp Act, 1891, on an AWARD in England or Ireland, and on an AWARD OR DECREET ARBITRAL in Scotland, and specified under that heading in the First Schedule to that Act.

Stamp duty
on awards.

10.—(1) The period during which the power of the Treasury, under section six of the Treasury Bills Act, 1877, to raise money by the issue of Treasury bills for the purpose of paying off any such bills, may be exercised, shall be extended so as to include not only the financial year in which the bills are or are about to be paid off, but also a period of three months after the expiration of that financial year.

Treasury
bills.

(2) The amount payable to the Bank of England under section three of the Bank Act, 1892, for the management in every financial year of Treasury bills shall be calculated at the rate of two hundred pounds for every million pounds of the maximum amount of bills outstanding at any one time during the financial year.

11. The provisions of section nine of the Finance Act, 1904, shall apply in relation to life insurances or contracts for deferred annuities effected in or with any insurance company lawfully carrying on business in Great Britain or Ireland, and accordingly

Extension of
provisions of
4 Edw. 7.
c. 7, s. 9, as
to relief from
income tax

A.D. 1906. such section shall be read and construed as though the words “ or
 on premiums lawfully carrying on business in Great Britain or Ireland ” were
 on insur- inserted therein at the end of the fifth line thereof after the words
 ances. “ British possession.”

Repeal of 12. Section forty-three of the Exchequer Court (Scotland) 5
 19 & 20 Vict. Act, 1856 (which precludes a defendant, and the husband or wife
 c. 56. s. 43. of a defendant, in any cause instituted under that Act relating to
 the Customs or Inland Revenue from giving evidence), is hereby
 repealed.

Commence- 13.—(1) This Act shall come into operation, save as otherwise 10
 ment and expressly provided, on the first day of October nineteen hundred
 short title. and six.

(2) This Act may be cited as the Revenue Act, 1906.

Revenue.

A

B I L L

INTITULED

An Act to amend the Law relating to
 Customs and Inland Revenue, and
 for other purposes connected with
 Finance.

(Brought from the Commons 27th July 1906.)

Ordered to be printed 27th July 1906.

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[Price 1d.]

(181.)

A

B I L L

INTITULED

An Act to confirm a Provisional Order under the A.D. 1906.
Private Legislation Procedure (Scotland) Act 1899
relating to Rutherglen Burgh.

WHEREAS His Majesty's Secretary for Scotland has after 62 & 63 Vict.
inquiry held before Commissioners made the Provisional c. 47.
Order set forth in the schedule hereunto annexed under the
provisions of the Private Legislation Procedure (Scotland) Act
5 1899 and it is requisite that the said Order should be confirmed
by 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
10 and by the authority of the same as follows:—

1. The Provisional Order contained in the schedule hereunto Confirmation
annexed shall be and the same is hereby confirmed. of Order in
schedule.

2. This Act may be cited as the Rutherglen Burgh Order Short title.
Confirmation Act 1906.

A.D. 1906.

SCHEDULE.

RUTHERGLEN BURGH.

*Provisional Order to extend the Municipal and Police Boundaries
of the Royal Burgh of Rutherglen and for other purposes.*

WHEREAS the Royal Burgh of Rutherglen was created a 5
Royal burgh during the reign of King David the First of
Scotland and the magistrates and town council thereof have
from time immemorial exercised jurisdiction of a judicial and
administrative character and have levied certain dues and pay-
ments within the whole of the said Royal burgh: 10

And whereas the royalty and the parliamentary boundaries
of the said Royal burgh are more extensive than the boundaries
of the said Royal burgh for municipal and police purposes:

And whereas the population of the said Royal burgh within 15
the municipal and police boundaries thereof and within the royalty
and the parliamentary boundaries thereof beyond the said muni-
cipal and police boundaries and the population of the district
contiguous to the said Royal burgh on the east side thereof
have of recent years considerably increased:

And whereas it is expedient that the municipal and police 20
boundaries of the said Royal burgh should be extended so as to
include the whole of the said burgh within the royalty and the
parliamentary boundaries thereof (so far as not included within
the City of Glasgow) and the district herein-before referred to 25
and the small isolated area bounded on the north by the said
city on the south by the royalty boundary of the said burgh on
the east by the parliamentary boundary thereof and on the west
by the Mall's Mire Burn and that such provisions should be
made for carrying such extension into effect and otherwise in 30
relation thereto as are contained in this Order:

And whereas the purposes aforesaid cannot be effected without
an Order of the Secretary for Scotland confirmed by Parliament
under the provisions of the Private Legislation Procedure
(Scotland) Act 1899:

[6 EDW. 7.] *Rutherglen Burgh Order Confirmation.*

3

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:—

A.D. 1906.

1. This Order may be cited for all purposes as the Rutherglen Burgh Order 1906.

Short title.

2. This Order shall (except as otherwise in this Order provided) commence and have effect on and from the date of the passing of the Act confirming the same which date is herein-after referred to as "the commencement of this Order."

Commencement of Order.

3. In construing this Order the following words and expressions shall have the meanings hereby assigned to them respectively unless there be something in the subject or context repugnant to such construction (that is to say):—

Interpretation of terms.

The expression "the existing burgh" means the Royal burgh of Rutherglen within the municipal and police boundaries thereof as existing immediately previous to the commencement of this Order;

The expression "the burgh" means the existing burgh as extended by this Order;

The expression "the added area" means and comprehends so much of the burgh as is outside the limits of the existing burgh;

The expression "the town council" means the provost magistrates and councillors of the existing burgh or of the burgh as the case may be;

The expression "the county" means the county of Lanark; The expression "the county council" means the county council of the county and includes any district committee having jurisdiction or possessing powers within the added area;

The expression "the sheriff" means the sheriff of the county and includes his substitutes;

The expression "the town clerk" means the town clerk of the existing burgh and of the burgh;

The expression "magistrates" means the magistrates of the burgh for the time being and includes the provost and bailies;

The expression "Valuation Acts" means the Lands Valuation (Scotland) Act 1854 and any Acts amending and extending the same;

A.D. 1906.

The expression "valuation roll" means the valuation roll made up in accordance with the Valuation Acts;

The expression "dean of guild" means the dean of guild court of the existing burgh or of the burgh as the case may be;

The expression "Election Acts" means the Acts in force for the time being relating to the registration of parliamentary and municipal voters and the election of town councillors;

The expression "the Town Councils Acts" means the Town Councils (Scotland) Acts 1900 and 1903.

Limits of extended burgh.

4. The municipal and police boundaries of the existing burgh shall be and are hereby extended and shall include and comprehend the whole of the district the boundaries of which are described in the First Schedule to this Order the description of the said boundaries being subject to the rules of construction laid down in section 5 of the Representation of the People (Scotland) Act 1832.

Map of burgh.

5. A map of the burgh having been signed in triplicate by the Most Noble the Duke of Argyll chairman of the Commissioners to whom this Order was referred one copy thereof shall within one month after the commencement of this Order be deposited in the office of the Secretary for Scotland another copy thereof shall be deposited with the town clerk at his office and another copy shall be deposited with the sheriff clerk of the county at his office in Glasgow and a copy of such map certified as such by the town clerk shall be deposited with the Board of Agriculture and Fisheries and another copy so certified with the Board of Trade If there be any discrepancy between the said map and the description in this Order the said map shall be deemed to be correct and prevail.

Added area disjoined from county.

6. From and after the commencement of this Order the added area shall be and is hereby for the purposes of this Order disjoined from the county.

Provisions of general Acts &c. to apply to burgh as extended.

7. The provisions of all local and private and public or general Acts and Orders and all byelaws rules and regulations made under the same which apply to the existing burgh shall except so far as inconsistent with or varied by the provisions of this Order extend and apply to the burgh.

Power of Town Council &c. extended over added area.

8. Subject to the provisions of this Order the magistrates the dean of guild and the town council respectively shall have and possess and may exercise in and over the burgh and

[6 EDW. 7.] *Rutherglen Burgh Order Confirmation.*

5

the inhabitants thereof all the jurisdictions powers rights and authorities which the magistrates the dean of guild or the town council of the existing burgh respectively now have and possess over the existing burgh and the inhabitants thereof by statute
5 or at common law or otherwise including all powers of imposing levying and recovering rates dues taxes and assessments and all rights privileges immunities and obligations at present enjoyed and possessed by or incumbent on the magistrates the dean of guild or the town council of the existing burgh or the
10 inhabitants thereof by statute or at common law or otherwise shall extend and apply to the magistrates the dean of guild the town council and the inhabitants of the burgh.

A.D. 1906.

9. The several officers of the town council of the existing burgh shall have possess and may exercise in their several
15 characters and capacities the same powers rights and authorities in and over the burgh as they have possess and may exercise in their several characters and capacities within the existing burgh and that whether at common law or by statute.

Officers of existing burgh.

10. Subject to the provisions of this Order all jurisdictions
20 rights powers functions duties and authorities which previous to the commencement of this Order were exercised or exerciseable by the county council or any local or other authority within the added area or any part thereof under any public general Act or Order shall cease and determine Nothing in this Order shall alter
25 diminish or affect the authority and jurisdiction of the sheriff.

Power of other jurisdictions to cease.

11. The burgh shall be and is hereby divided into six wards
which shall consist of the areas respectively described in the Second Schedule to this Order which shall be called and known respectively as Gallowflat Ward Stonelaw Ward Castle Ward
30 Greenhill Ward Shawfield Ward and Crosshill Ward.

Wards of burgh.

12. At and after the next ensuing annual election of
councillors for the burgh in the year one thousand nine hundred and six under the provisions of the Election Acts as modified by
this Order the number of councillors shall be eighteen being three
35 councillors from each of the six wards into which the burgh is divided by this Order and the number of magistrates shall be three one of whom shall be provost.

Number of councillors &c.

13. Subject to the provisions of this Order all the members
of the town council of the existing burgh shall continue in
40 office until the second Tuesday of November one thousand nine

Retirement of councillors.

A.D. 1906. hundred and six and thereupon shall cease to hold their respective offices.

Nomination and withdrawal of candidates.

14. For the purposes of the next ensuing annual election of councillors in the year one thousand nine hundred and six the day for the nomination of candidates required to be made in accordance with the provisions of the Town Councils Acts shall be the first Tuesday of November one thousand nine hundred and six and the day on which any such nomination may be withdrawn in the manner provided by the said Town Councils Acts shall be the Thursday immediately preceding the second Tuesday of November one thousand nine hundred and six. 5

Election of councillors of burgh.

15.—(1) On the said second Tuesday of November one thousand nine hundred and six the electors in each of the six wards into which the burgh is by this Order divided shall elect three councillors from among the persons qualified to be councillors and such election shall be conducted and the whole procedure in connection with the nomination election and induction to office of such councillors under the Town Councils Acts and the ensuing election of the provost magistrates and other office bearers shall be regulated in all respects in the way and manner prescribed by the said Acts and this Order and the date or dates on which any notice is required to be given or other procedure to be taken under the Town Councils Acts shall for the purposes of the nomination and election under this Order be such date or dates as shall correspond with the postponed date or dates of such election. 15 20 25

(2) All subsequent elections shall be conducted in accordance with the Town Councils Acts.

(3) The right of electing the town council in the burgh shall be in and belong to all such persons as have or shall have the qualifications specified and prescribed in relation thereto by the Town Councils Acts. 30

Magistrates councillors &c. to retain office until successors elected.

16. The magistrates councillors and other office bearers of the town council of the existing burgh holding office immediately before the commencement of this Order shall retain their several offices and exercise the respective functions thereof within the burgh but only until the election provided for in the immediately preceding section has taken place. 35

Power to sheriff to sanction procedure.

17. In the event of circumstances arising in connection with the first election under this Order of magistrates councillors or other office bearers which may render it necessary or expedient 40

[6 EDW. 7.] *Rutherglen Burgh Order Confirmation.*

7

to postpone alter or vary any date or any procedure prescribed by or in pursuance of the provisions of the Election Acts or this Order or any other matter arising thereunder the sheriff may on a summary application by the town clerk sanction such 5 postponement alteration variation or procedure as may in his judgment be best fitted to meet the circumstances of the case and the whole procedure following on such sanction and any order made by the sheriff shall be valid and unchallengeable. A.D. 1906.

18. The assessor for the existing burgh under the Valuation Acts shall at the same time as he makes up the valuation roll 10 for the same from Whitsunday one thousand nine hundred and six to Whitsunday one thousand nine hundred and seven also make up a valuation roll for the added area and the assessor for the burgh shall annually thereafter make up a valuation roll 15 for the burgh and the procedure therefor and the right of appeal and forms applicable shall be the same as nearly as may be as are provided by the said Acts in relation to the existing burgh and for all municipal and police purposes and for all assessments such roll shall be taken to be the valuation roll for the burgh 20 under the said Acts Provided that so long as it shall be necessary to include any lands and heritages in the added area within the county for the purposes of the Election Acts such assessor shall give to the assessor for the county access to and the use within the office of the assessor first named of all books and 25 schedules necessary to enable him to make up his list of county voters within the added area.

19. The town council shall on the fifteenth day of May one thousand nine hundred and seven and annually thereafter on the fifteenth day of May so long as any part of the added 30 area shall continue to be part of the county for the purposes of parliamentary elections pay to the county council for the registration of parliamentary voters in the said area such proportion of the total registration expenses payable by the county council as the number of such voters registered yearly in the 35 said area shall bear to the total number of parliamentary voters registered yearly in the county. Payment to county council for parliamentary registration.

20. The assessor for the burgh under the Town Councils Acts shall on or before the fifteenth day of September in the year one thousand nine hundred and six and every subsequent 40 year make out or cause to be made out a list of all persons in Provision as to register of voters.

A.D. 1906. — the added area who shall be entitled to vote in the election of town councillors for the burgh and the same procedure shall be applicable and be followed in reference to such list as is followed with reference to the register and lists of voters for municipal elections in the existing burgh. And on such list being completed 5 the town clerk shall sign the same and the last-mentioned list and the register and list of voters for the existing burgh shall together form the list or roll of persons entitled to vote at the next ensuing municipal election for the burgh. And the assessor for the burgh shall in order to enable him to make up the register 10 of the municipal voters for the burgh for the year from Whitsunday one thousand nine hundred and six to Whitsunday one thousand nine hundred and seven be entitled to access to the books and schedules of the assessor for the county so far as relates to the added area and that assessor shall give the assessor 15 for the burgh the necessary and reasonable facilities for that purpose. And the expenses of making up such registers and lists shall be paid out of the assessments to be levied by the town council under the Election Acts and this Order.

As to levying assessments by town council.

21.—(1) Notwithstanding the date of the commencement of 20 this Order the town council shall levy within the added area the rates and assessments imposed upon the existing burgh for the year from Whitsunday one thousand nine hundred and six to Whitsunday one thousand nine hundred and seven and may issue such notices and adopt such proceedings as may be necessary 25 with the view of the levying and recovery of such rates and assessments within the added area and no county council or other assessing authority other than the town council shall impose or levy rates or assessments for that year within the added area. 30

(2) In consideration of the burgh assessments being levied within the added area during the period between Whitsunday one thousand nine hundred and six and the commencement of this Order the town council shall pay over to the county council a sum equal to one fourth of the assessments which might have 35 been imposed by the county council within the added area for the year from Whitsunday one thousand nine hundred and six to Whitsunday one thousand nine hundred and seven had this Order not been confirmed.

Assessment of minerals.

22. In imposing or levying all rates and assessments within 40 the burgh the yearly rent or value of all underground workings

[6 EDW. 7.] *Rutherglen Burgh Order Confirmation.*

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for minerals shall be deemed to be one half of the amount entered as the rent or value thereof in the valuation roll. A.D. 1906.

23. Section 50 of the Local Government (Scotland) Act 1889 as applied by section 96 of the Burgh Police (Scotland) Act 1903 shall apply and have effect on the extension of the boundaries of the existing burgh by this Order.

Adjustment of indebtedness between town council and county council.

24. Every rate charge or assessment which shall have been actually imposed by the county council or by any local or other authority who had jurisdiction within the added area or any part thereof before the commencement of this Order together with all arrears thereof shall subject to the provisions of this Order continue to be due and payable and may be collected and levied by the authority who imposed the same and by the same ways and means and under the same restrictions and regulations as if this Order had not been confirmed and shall be received and applied by such authority to and for the purposes for which the same were authorised to be levied.

Recovery of assessments &c. within added area.

25. The roads streets bridges foot pavements and footpaths within the added area shall so far as the same are vested in the county council or other public authority be transferred to and vested in and be managed maintained and repaired by the town council along with and in the same way and manner and to the same extent as the roads streets bridges foot pavements and footpaths within the existing burgh and the county council and such other authority shall be freed and relieved of the management repair and maintenance of all such roads streets bridges foot pavements and footpaths within the added area in all time coming.

Roads &c. in added area.

26. Subject to the provisions of this Order all property heritable and movable (including all means revenues and income of every description arising therefrom) belonging to or leviable within the existing burgh including the royalty thereof and to which the existing burgh including as aforesaid is entitled or which is held and administered by any person for or on behalf of the community of the existing burgh including as aforesaid shall be and the same is hereby vested in and shall be held by the town council for the behoof and benefit of the burgh or as the case may be administered by such person for or on behalf of the community of the burgh and all debts and obligations

Property of burgh vested in town council.

(173.)

B

A.D. 1906. due by or exigible from the existing burgh including as aforesaid shall be due by and exigible from the burgh and all debts due to the town council of the existing burgh by any person prior to the commencement of this Order may be demanded and recovered from such person and received and applied by the town council for behoof of the burgh. 5

Borrowing
and assessing
power.

27. The town council in addition to any other powers of borrowing which they now have or may obtain may for the purpose of the payment of any capital sum which may become payable under the provisions of the section of this Order whereof the marginal note is "Adjustment of indebtedness between town council and county council" or for the purpose of paying the costs charges and expenses of and incidental to the preparing for obtaining and confirming this Order or otherwise in relation thereto borrow such money as may be necessary on the security of an assessment to be imposed in the same manner as and along with and as part of the assessment for the maintenance and repair of highways leviable by the town council as local authority under the Roads and Bridges (Scotland) Act 1878 and the public health general assessment leviable under the Public Health (Scotland) Act 1897 or any Act amending the said Acts respectively or either of those assessments and the town council may assign so much or such part as may be required of such assessment as security for the money which may be so borrowed under the provisions of this section. 10
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20
25

Mode of
repayment.

28.—(A) The town council shall pay off all money borrowed by them under this Order either by equal yearly or half yearly instalments of principal or of principal and interest combined or by means of a sinking fund or partly by one of those methods and partly by another or others of them. 30

Periods for
repayment
of borrowed
money.

(B) The town council shall pay off all money so borrowed within the periods following (which periods are herein-after respectively referred to as "the prescribed period") that is to say:— 35

As to money borrowed for the purposes of the section of this Order of which the marginal note is "Adjustment of indebtedness between town council and county council" within twenty-five years from the date or dates of borrowing the same; and 40

As to money borrowed for the payment of the costs charges and expenses of and in relation to this Order and the confirmation thereof within five years from the commencement of this Order. A.D. 1906.

5 29.—(1) If the town council determine to repay by means of a sinking fund any moneys borrowed under the powers of this Order such sinking fund shall be formed or maintained either— Sinking fund.

10 (A) By payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of which the sinking fund is formed. A sinking fund so formed is herein-after called a non-accumulating sinking fund; or

15 (B) By payment to the fund throughout the prescribed period of such equal annual sums as with accumulations at a rate not exceeding three per centum per annum will be sufficient to pay off within the prescribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is herein-after called an accumulating sinking fund.

20

(2) Every sum paid to a sinking fund and in the case of an accumulating sinking fund the interest on the investments of the sinking fund shall unless applied in repayment of the loan in respect of which the sinking fund is formed be immediately invested in securities in which trustees are by law for the time being authorised to invest or in mortgages bonds debentures debenture stock stock or other securities (not being annuity certificates or securities payable to bearer) duly issued by any local authority other than the town council the town council being at liberty from time to time to vary and transpose such investments.

25 30

(3) In the case of a non-accumulating sinking fund the interest on the investments of the fund may be applied by the town council towards the equal annual payments to the fund.

35

(4) The town council may at any time apply the whole or any part of any sinking fund in or towards the discharge of the money for the repayment of which the fund is formed. Provided that in the case of an accumulating sinking fund the town

40

A.D. 1906. council shall pay into the fund each year and accumulate during the residue of the prescribed period a sum equal to the interest which would have been produced by such sinking fund so applied if invested at the rate per centum per annum on which the annual payments to the sinking fund are based. 5

(5)—(A) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any deficiency shall be made good by the town council. 10

(B) If and so often as the income of an accumulating sinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per centum per annum on which the annual payments to the fund are based any such excess may be applied towards such annual payments. 15

(6) Any expenses connected with the formation maintenance investment application management or otherwise of any sinking fund under this Order shall be paid by the town council in addition to the payments provided for by this Order. 20

(7) If it appears to the Secretary for Scotland or to the town council at any time that the amount in the sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will probably not be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed it shall be the duty of the town council to make such increased payments to the sinking fund as will cause the sinking fund to be sufficient for that purpose. 25 30

(8) If the town council desire to accelerate the repayment of any loan they may increase the amounts payable to any sinking fund.

(9) If the amount in any sinking fund with the future payments thereto in accordance with the provisions of this Order together with the accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the town council be more than sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund 35 40

[6 Edw. 7.] *Rutherglen Burgh Order Confirmation.*

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is formed the town council may with the consent of the Secretary for Scotland reduce the payments to be made to the sinking fund either temporarily or permanently to such amounts as will be sufficient to repay within the prescribed period the moneys for the repayment of which the sinking fund is formed.

A.D. 1906.

(10) If the amount in any sinking fund at any time together with the probable accumulations thereon (in the case of an accumulating sinking fund) will in the opinion of the town council be sufficient to repay the loan in respect of which it is formed within the prescribed period the town council may with the consent of the Secretary for Scotland discontinue the annual payments to such sinking fund.

(11) Any surplus of any sinking fund remaining after the discharge of the whole of the moneys for the repayment of which it was formed shall be applied to such purpose as the town council may determine.

(12) The period at which the payments into the sinking fund shall commence shall be not later than one year after the date or dates of borrowing.

30. If after having borrowed the sums of money by this Order authorised or any part thereof the town council shall pay off the same or any part thereof otherwise than by means of instalments or of the sinking fund provided by this Order it shall be lawful for the town council again to borrow the amount so paid off upon the same securities as those upon which the moneys so paid off were secured and so from time to time.

Power to re-borrow.

31. The town council may accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in the name of the town council according to the usage of bankers in Scotland to the extent of the amount which the town council require at the time to borrow or any part thereof and may make and grant mortgages or other securities of the assessment mentioned in the section of this Order the marginal note of which is "Borrowing and assessing power" in the manner authorised by the Burgh Police (Scotland) Acts 1892 to 1903 in security of the payment of the amount of such credit or of the sums advanced from time to time on such cash account with interest thereon.

Town council may borrow on cash account.

A.D. 1906.
Annual
return to
Secretary for
Scotland
with respect
to sinking
fund.

32. The treasurer of the town council shall within two months after the expiration of each year during which any sum is required to be set apart for a sinking fund transmit to the Secretary for Scotland a return in such form as may be prescribed by the Secretary for Scotland and verified by statutory declaration if so required by him showing the amount which has been so set apart in respect of that year and the description of the securities upon which the same has been invested and also showing the purposes to which any portion of such sinking fund and the interest or income thereof have been applied during the same period and the total amount remaining invested at the end of the year and in the event of any default in making such return such treasurer so making default shall be liable to a penalty not exceeding twenty pounds which shall be recoverable by the Secretary for Scotland as a debt to the Crown is recoverable. If it appear to the Secretary for Scotland by any such return or otherwise that the town council have failed to set apart the sum required by this Order to be set apart for the sinking fund or have applied any portion of the moneys set apart for that fund or any interest or income thereof to any purposes other than those authorised by this Order the Secretary for Scotland may by order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund and such order shall be enforceable by decree of either Division of the Inner House of the Court of Session in Scotland pronounced in a summary application presented for that purpose.

Compensa-
tion to
justice of
peace clerk
for lower
ward of
Lanarkshire.

33.—(1) The town council shall pay to the person now holding the office of clerk to the justices of the peace within the lower ward of the shire of Lanark so long as he holds that office compensation in respect of any loss which he may sustain by diminution of salary or emoluments consequent upon the extension of the boundaries of the existing burgh hereby authorised.

(2) In the event of the compensation in this section mentioned appointed to be paid not being agreed between the parties or in so far as such compensation is not so agreed the same shall be determined by an arbiter to be named by the Secretary for Scotland and the decision of such arbiter shall be final and interest at the rate of four pounds per centum per annum shall

[6 EDW. 7.] *Rutherglen Burgh Order Confirmation.* 15

run on the amount of all compensations from the respective dates at which they are agreed or determined as aforesaid till the said several amounts are paid. A.D. 1906.

34. The lands within the burgh shall remain parts and portions of the parishes within which they are now respectively situated *quoad omnia* and shall not in so far as regards the settlement relief or management of the poor the imposing levying or the payment of poor rates or other parochial or ecclesiastical burdens or other parochial or ecclesiastical arrangements or the payment of teinds be affected by any of the provisions of this Order. Parishes not to be affected.

35. Nothing in this Order shall affect or alter the powers duties jurisdictions rights and obligations either at common law or under any Act of Parliament (1) of the parish council of the parish of Rutherglen or (2) of the heritors as a body of the parish of Rutherglen. Order not to affect parish council or heritors.

36. Nothing in this Order shall affect or alter the powers duties jurisdictions rights and obligations of any school board having or which may have schools or other buildings within the burgh or their rights or property or the levying of assessments under the Education (Scotland) Act 1872 and any Acts amending the same and the rights of ratepayers within the existing burgh and the added area to vote for and elect members of their respective school boards shall remain in all respects the same as if this Order had not been passed but nothing herein contained shall interfere with the powers of the Scotch Education Department under the said Acts. Order not to affect school boards.

37. Nothing in this Order shall operate to alter diminish or extend the royalty boundaries of the Royal Burgh of Rutherglen as existing at the commencement of this Order nor the powers rights or privileges vested in the town council within such boundaries by virtue of any Royal Charter or other instrument constituting or conferring privileges on the said Royal Burgh or to subject the inhabitants of or any lands or heritages within any part of the added area outwith such boundaries to any dues or payments exigible by the town council under any such charter or instrument nor shall anything herein contained alter or affect the holding or tenure of any land or heritages within the added area or the records wherein the rights thereof or any deed or writing affecting the same are by law required to be registered. Royalty not to be affected &c.

A.D. 1906. 38. Nothing in this Order contained shall interfere with
 Not to affect the parliamentary boundaries of Rutherglen or the election of
 election of members to serve in Parliament. and the said burgh or the county
 and the said burgh and the county shall for parliamentary
 purposes remain in all respects as if this Order had not been 5
 confirmed.

Saving rights of Crown. 39. Nothing in this Order shall affect prejudicially any
 estate right power privilege or exemption of the King's most
 Excellent Majesty and in particular nothing herein contained
 shall authorise the Town Council to take use or in any manner 10
 interfere with any portion of the shore or bed of the sea or
 of any river channel creek bay or estuary or any land here-
 ditaments subjects or rights of whatsoever description belonging
 to His Majesty in right of his Crown and under the manage-
 ment of the Commissioners of Woods or of the Board of Trade 15
 respectively without the consent in writing of the Commissioners
 of Woods or the Board of Trade as the case may be on
 behalf of His Majesty first had and obtained for that purpose
 (which consent such Commissioners and such Board are hereby 20
 respectively authorised to give).

Costs of Order. 40. All costs charges and expenses of and incidental to the
 preparing for obtaining and confirming this Order or otherwise
 in relation thereto shall be paid by the town council out of
 any moneys which they are by this Order authorised to borrow 25
 for the purpose or out of any other moneys received by them
 or out of any rates or assessments which they are authorised
 to levy.

The SCHEDULES referred to in the foregoing Order.

THE FIRST SCHEDULE.

DESCRIPTION OF THE BOUNDARIES OF THE BURGH.

30

The boundaries are as follows:—

Commencing at the extreme north-east point of the existing burgh
 in the centre of the River Clyde about eight hundred and fifty feet west
 of Dalmarnock Bridge and following the centre line of the said river
 in an easterly direction to the Rutherglen parliamentary boundary at 35

[6 EDW. 7.] *Rutherglen Burgh Order Confirmation.*

17

Dalmarnock Bridge thence southward along the said parliamentary boundary to a point where the said parliamentary boundary meets the centre line of Cambuslang Road at Farne Cross thence in a south-easterly direction along the centre of the said road to the royalty boundary thence along
 5 the said royalty boundary in an easterly south-easterly and southerly direction to the centre line of the said Cambuslang Road thence in a south-easterly direction along the centre line of the said Cambuslang Road to the Scion Burn thence in a south-westerly and thereafter in a south-easterly direction following the centre line of the said Scion Burn to the
 10 point where it joins the said royalty boundary at Hamilton Road opposite Eastfield Colliery thence following the said royalty boundary in an easterly south-westerly south-easterly southerly and north-westerly direction to the point near Aikenhead Colliery where the municipal boundary of the City of Glasgow meets the Mall's Mire Burn thence following the said City
 15 boundary in a north-easterly direction to the centre of the River Clyde at a point about two hundred and thirty feet east from Rutherglen Bridge thence following the centre of the river in a south-easterly and north-easterly direction to the point of commencement herein-before described.

A.D. 1906.

THE SECOND SCHEDULE.

20 DESCRIPTION OF THE BOUNDARIES OF THE WARDS OF THE BURGH.

I. *Gallowflat Ward.*

Commencing at the point where the Rutherglen parliamentary boundary meets the centre line of Cambuslang Road at Farne Cross thence in a south-easterly direction along the centre of Cambuslang Road to the Rutherglen royalty boundary thence along the royalty boundary in an easterly south-easterly and southerly direction to the centre line of Cambuslang Road thence in a south-easterly direction along the centre line of Cambuslang Road to the Scion Burn thence in a south-westerly and thereafter in a south-easterly direction following the centre line of the Scion Burn
 25 to the point where it joins the royalty boundary at Hamilton Road opposite Eastfield Colliery thence following the centre line of Hamilton Road and of Wardlawhill Street to the centre line of Stonelaw Street thence northward along the centre of Stonelaw Street and Farne Loan Road to the point of commencement.

35 II. *Stonelaw Ward.*

Commencing at a point at the junction of the centre lines of Stonelaw Street and Wardlawhill Street thence eastward along the centre line of Wardlawhill Street and Hamilton Road to the point where it joins the royalty boundary opposite Eastfield Colliery thence following the royalty
 40 boundary in an easterly direction to a point on the north-east side of Hamilton Road opposite the Horlpit or Eastfield Burn thence across

A.D. 1906. Hamilton Road following the royalty boundary in a southerly south-westerly and westerly direction to the centre line of East Kilbride Road thence in a northerly direction along the centre line of East Kilbride Road and of Stonelaw Street to the point of commencement.

III. *Castle Ward.*

5

Commencing at the point in the royalty boundary opposite the centre of Quay Road thence following the royalty boundary in a north-easterly direction along the centre line of the River Clyde to the parliamentary boundary at Dalmarnock Bridge thence in a southerly direction along the parliamentary boundary to a point where the parliamentary boundary meets the centre line of Cambuslang Road at Farme Cross thence along the centre line of Farme Loan Road southwards to the centre of Main Street thence in a westerly direction along the centre line of Main Street to a point opposite the centre line of Glasgow Road thence along the centre line of Glasgow Road in a northerly direction to a point opposite the centre of Quay Road and thence along the centre line of Quay Road in a north-easterly and northerly direction to the point of commencement.

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15

IV. *Greenhill Ward.*

Commencing at a point in the centre of Main Street opposite the centre line of Mill Street thence following the centre line of Main Street eastwards to a point opposite the centre line of Stonelaw Street thence in a southerly direction along the centre line of Stonelaw Street to a point opposite the centre line of Clincarthill Road thence along the centre of Clincarthill Road in a westerly north-westerly and westerly direction to the centre line of Mill Street and thence along the centre of Mill Street in a northerly direction to the point of commencement.

20

25

V. *Shawfield Ward.*

Commencing at the municipal boundary of the City of Glasgow in the centre of the River Clyde about 230 feet east from the Rutherglen Bridge thence following the centre line of the River Clyde in a south-easterly southerly and south-easterly direction to a point opposite the centre of Quay Road thence in a southerly and south-westerly direction along the centre line of Quay Road to the centre of Glasgow Road thence along the centre line of Glasgow Road in a southerly direction to a point opposite the centre of Main Street thence along the centre line of Main Street in an easterly direction to a point opposite the centre of Mill Street thence in a southerly direction along the centre line of Mill Street to a point opposite the centre of Bankhead Road thence along the centre line of Bankhead Road and Wallace Street in a westerly direction to a point opposite the centre of Bouverie Street thence in a westerly direction in a straight line to the centre of Cityford or West Burn thence in a northerly direction along the centre line of the said Burn to the centre of Cathcart Road thence along the centre line of the said Cathcart

30

35

40

[6 EDW. 7.] *Rutherglen Burgh Order Confirmation.* 19

Road in a south-westerly direction to the royalty boundary at Westhouse
 thence in a north-westerly direction to the point near Aitkenhead Colliery
 where the municipal boundary of the City of Glasgow meets the Mall's Mire
 Burn thence following the said City boundary in a north-easterly direction
 5 to the point of commencement. A.D. 1906.

VI. *Crosshill Ward.*

Commencing at the royalty boundary at Westhouse at the centre of
 Cathcart Road thence along the centre line of Cathcart Road in a north-
 easterly direction to the centre of Cityford or West Burn thence in a
 10 southerly direction along the centre of the said Burn to a point opposite
 to the continuation of the centre line of Wallace Street thence eastwards
 in a straight line to the centre of Wallace Street thence along the centre
 of Wallace Street and Bankhead Road to the centre of Mill Street thence
 in a southerly direction along the centre line of Mill Street to a point
 15 opposite the centre of Clincarthill Road thence along the centre line of
 Clincarthill Road in an easterly south-easterly and easterly direction to the
 centre of Stonelaw Street thence in a southerly direction along the centre
 line of Stonelaw Street and East Kilbride Road to the royalty boundary
 at East Kilbride Road thence in a westerly south-easterly southerly
 20 and north-westerly direction along the royalty boundary to the point of
 commencement.

**Rutherglen Burgh
Order Confirmation.**

A

B I L L

INTITLED

An Act to confirm a Provisional Order
under the Private Legislation Pro-
cedure (Scotland) Act 1899 relating
to Rutherglen Burgh.

(Brought from the Commons 24th July 1906.)

Ordered to be printed 24th July 1906.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY,
And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, LTD., Fetter Lane, E.C., and
89, Abingdon Street, Westminster, S.W. 1; or
OLIVER and BORD, Edinburgh; or
R. ROSKOPF, 116, Grafton Street, Dublin.

[*Price 2s. 4d.*]]

(173.)

Rutherglen Burgh Order Confirmation.

A M E N D M E N T S

T O B E M O V E D O N T H I R D R E A D I N G

B Y

T H E L O R D H A M I L T O N O F D A L Z E L L.

Page 2, line 22, leave out (" the royalty and ")

line 24, after (" and ") insert (" a portion of the
" royalty of the said burgh outwith the said police and municipal
" and parliamentary boundaries and also ")

Page 8, in the margin of clause 22, leave out (" Assessment of
" Minerals ") and insert (" Deductions from Assessments ")

line 40, after (" 22 ") insert (" (1) ")

Page 9, line 2, after (" roll ") insert—

(2) During the period of ten years from and after Whitsunday one thousand nine hundred and six the Town Council shall in each year allow a deduction of three pence from the rate per pound of the rates and assessments levied upon all lands and heritages within the added area used at the commencement of this Order for or in connection with manufacturing purposes including workings for clay and sand.

leave out clause 23.

after clause 23 insert new clause—

. The Town Council shall within four months after the commencement of this Order pay to the County Council the sum of nine thousand four hundred pounds which sum shall be accepted by the County Council as in full satisfaction of all claims competent to them (and not otherwise provided for in this Order) in connection with the inclusion within the burgh of the added area with interest at the rate of five per centum per annum from the date of payment above specified until paid which sum shall be applied by the County

Adjustment
of financial
relations
with county.

(173 a.)

Council in payment *pro tanto* of the debts or capital expenditure of the County Council applicable to the added area and otherwise for behoof of the County in such manner as the County Council may appoint.

Page 10, line 9, leave out ("any") and insert ("the") and leave out ("which may become")

line 10, after ("payable") insert ("by the Town
" Council ")

line 11, leave out from ("is") to ("or") in line 12 and insert (" ' Adjustment of financial relations with County ' ")

line 37, leave out from ("is") to ("within") in line 39 and insert (" ' Adjustment of financial relations with
" ' County ' ")

Page 14, in the margin of clause 33 leave out ("Justice
" of Peace, Clerk for Lower Ward of Lanarkshire") and insert (" Officials ")

Page 15, line 3, after ("paid") insert—

(3) The provisions of this section shall also apply to and in the case of the persons now holding the offices of clerk and treasurers to the County Council and to and in the case of the Collector of Consolidated Rates for the Lower Ward Collection District of the County.

IN THE SCHEDULES.

Page 16, line 31, leave out from ("follows") to the end of the First Schedule on page 17, and insert ("Commencing at the
" extreme north-east point of the existing burgh in the centre of
" the River Clyde about eight hundred and ninety feet west of
" Dalmarnock Bridge and following the centre line of the said
" river in an easterly direction to the east side of the said bridge
" thence southward along the east side of the said bridge and
" of Dalmarnock Road to the junction of said road with the
" Cambuslang Road thence in a south-easterly direction along the
" south-west side of the Cambuslang Road to the north-east corner
" of Enclosure 41 of the ordnance survey map of the parish of
" Rutherglen (second edition) thence in a straight line in a
" southerly direction to the northern extremity of the fence
" running northwards from the east side of the railway bridge
" north of Gallowflat House thence in a south south-westerly
" direction along the said last-mentioned fence for a distance of
" about one hundred and forty-five feet to the north side of the

(3)

“ Caledonian Railway thence in south-easterly direction along
 “ the north side of the Caledonian Railway (excluding the goods
 “ station) to the Cambuslang Road thence along the south-west
 “ side of said road till it meets the Scion Burn thence in a south-
 “ westerly south-easterly and again in a south-westerly direction
 “ following the centre of the said burn to the eastern boundary of
 “ Enclosure 74 on said map thence in a southerly direction along
 “ the said boundary for a distance of about one hundred and
 “ fifty feet thence in a south-westerly direction in a straight line
 “ to the bend in the north-east side of the Calderwood Road thence
 “ in a southerly direction in a straight line to the north-east corner
 “ of Enclosure 238 of said map thence following the east the south-
 “ east and the southern boundaries of said last-mentioned enclosure
 “ and the southern boundary of Enclosure 237A of said map to
 “ a point one hundred feet east from the east side of the East
 “ Kilbride Road thence in a southerly and south-easterly direction
 “ parallel to the said road till it meets the northern boundary
 “ fence of the Lanarkshire and Ayrshire Railway thence in a
 “ westerly direction along said fence to a point one hundred and
 “ fifty feet west of the Castlemilk Road thence in a north-westerly
 “ direction parallel to the said road to the centre of the Cityford
 “ or West Burn thence generally in a north-westerly direction along
 “ the centre of the said burn to the centre of the Bankhead Road
 “ thence in a north-westerly direction in a straight line to the
 “ point of intersection of the Cathcart Road by the prolongation
 “ southwards of the western boundary of the existing burgh thence
 “ in a northerly direction along the line of said boundary to the
 “ centre of the West Burn thence in a north-westerly direction
 “ in a straight line to the boundary of the city of Glasgow thence
 “ following said city boundary in a northerly and north-easterly
 “ direction to the centre of the River Clyde at a point about
 “ two hundred and thirty feet east from Rutherglen Bridge thence
 “ following the centre of the river in a south-easterly southerly
 “ and north-easterly direction to the point of commencement
 “ hereinbefore described”).

Page 17, line 22, leave out from (“at”) to (“thence”) in
 line 31, and insert (“the junction of Dalmarnock Road with
 “ Cambuslang Road at Farme Cross thence in a south-easterly
 “ direction along the south-west side of Cambuslang Road to the
 “ north-east corner of Enclosure 41 of the ordnance survey map of
 “ the parish of Rutherglen (second edition) thence in a straight
 “ line in a southerly direction to the northern extremity of the

(173 a.)

A 2

“ fence running northwards from the east side of the railway
“ bridge north of Gallowflat House thence in a south south-
“ westerly direction along the said last-mentioned fence for a
“ distance of about one hundred and forty-five feet to the north
“ side of the Caledonian Railway thence in a south-easterly
“ direction along the north side of the Caledonian Railway
“ (excluding the goods station) to the Cambuslang Road thence
“ along the south-west side of the said road till it meets the Scion
“ Burn thence in a south-westerly and south-easterly direction
“ along the centre of the said burn to the centre of Hamilton
“ Road ”)

Page 17, line 38, leave out from the first (“ the ”) to (“ the ”)
in line 2, page 18, and insert (“ centre of the Scion Burn thence in
“ in a south-westerly direction following the centre of the said
“ burn to the eastern boundary of Enclosure 74 on the said map
“ thence in a southerly direction along the said boundary for a
“ distance of about one hundred and fifty feet thence in a south-
“ westerly direction in a straight line to the bend in the north-east
“ side of the Calderwood Road thence in a southerly direction in a
“ straight line to the north-east corner of Enclosure 238 of the said
“ map thence following the east the south-east and the southern
“ boundaries of the said last-mentioned enclosure and the southern
“ boundary of Enclosure 237A of the said map to a point one
“ hundred feet east from the east side of East Kilbride Road
“ thence in a southerly and south-easterly direction parallel to the
“ said road till it meets the northern boundary fence of the
“ Lanarkshire and Ayrshire Railway thence in a westerly direction
“ along the said fence to ”)


Page 18, line 8, leave out from (“ Clyde ”) to (“ Cambuslang ”)
in line 11, and insert (“ to the east side of Dalmarnock Bridge
“ thence in a southerly direction along the east side of Dalmarnock
“ Road to the junction of the said road with ”)

Page 19, line 1, leave out from (“ the ”) to the end of the
paragraph and insert (“ point of intersection of Cathcart Road by
“ the prolongation southwards of the western boundary of the
“ existing burgh thence in a northerly direction along the line of
“ the said boundary to the centre of the West Burn thence in a
“ north-westerly direction in a straight line to the boundary of the
“ City of Glasgow thence following the said City boundary in a
“ northerly and north-easterly direction to the point of commence-
“ ment ”)

(5)

Page 10, line 7, leave out from (“commencing”) to (“to”) in line 10, and insert (“at the point of intersection of Cathcart Road “ by the prolongation southwards of the western boundary of the “ existing burgh thence along the centre line of Cathcart Road in “ a north-easterly direction to the centre of Cityford or West Burn “ thence in a southerly direction along the centre of the said “ burn”)

line 18, leave out from (“the”) to end of paragraph and insert (“northern boundary fence of the Lanarkshire and “ Ayrshire Railway thence in a westerly direction along the said “ fence to a point one hundred and fifty feet west of the Castlemilk “ Road thence in a north-westerly direction parallel to the said “ road to the centre of the Cityford or West Burn thence generally “ in a north-westerly direction along the centre of the said burn to “ the centre of the Bankhead Road thence in a north-westerly “ direction in a straight line to the point of commencement”)

Rutherglen Burgh Order
Confirmation Bill. 

A M E N D M E N T S

TO BE MOVED ON THIRD READING

BY

THE LORD HAMILTON OF DALZELL.

26th July 1906.

PRINTED BY HYR AND SPOTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.
And to be purchased, either directly or through any Bookseller, from
WYMAN and SOHN, LTD., Fetter Lane, E.C.4; and
82, Abchurch Lane, London, E.C.4; or
OLIVER and BOYD, Edinburgh; or
H. KOSKOFF, 116, Grafton Street, Dublin.

[Price 1d.]

(137 a.)

A

B I L L

INTITULED

An Act to amend the Law relating to the Sale of Intoxicating Liquors in Ireland on Saturdays and Sundays, and for other purposes connected therewith. A.D. 1906.

BE it 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, as follows:—

- 5 **1.** The Sale of Liquors on Sunday (Ireland) Act, 1878, as amended by this Act, shall continue in force until Parliament otherwise enacts, with the modification that, in section one thereof, the word "five" shall be substituted for "seven," notwithstanding anything in any public or local Act. Continuance and extension of 41 & 42 Vict. c. 72.
- 10 **2.** It shall not be lawful for any person to sell or expose for sale intoxicating liquor, or to open or keep open any premises for the sale of the same, on Saturdays after ten o'clock at night in the case of cities or towns, the population of which, according to the last parliamentary census, exceeds five thousand, and after nine o'clock at night in all other towns and places in Ireland; and the provisions of every Act (in regard to penalties and otherwise) relating to selling or exposing for sale, or purchasing, intoxicating liquor, or opening or keeping open any premises for the sale of intoxicating liquor, or being present in
- 20 or upon any such premises at any hour, shall be amended in this particular, and shall apply as if the said hours respectively were specified therein as the hours at which licensed premises are required to be closed on Saturdays. Where any business, other than the sale of intoxicating liquors, is carried on in the
- 25 licensed premises the whole of such premises shall be closed at the hours aforesaid, unless the portion of the same in which
- (195.)

Closing hours on Saturday.

A.D. 1906. such sale of intoxicating liquors is carried on is structurally separated from the remainder of the building :

Nothing in this Act shall in any way interfere with the rights of any licensed person who is the owner or lessee of a theatre, music hall, or other place of public amusement, but all such persons shall have the same rights and privileges as they have now under the existing licensing law as if this Act had not been passed.

Exemptions.
Bonâ fide
travellers.

3. Nothing in this Act shall be construed to apply to sales of intoxicating liquor to lodgers, or to sale of intoxicating liquor in packet boats, or in canteens in pursuance of the Acts regulating the same, or shall preclude the sale at a railway station refreshment room which is licensed for the sale of intoxicating liquors on arrival or departure of trains, or to bonâ fide travellers.

For the purposes of this Act and the other Acts relating to the sale of intoxicating liquors, a person residing or lodging within the metropolitan police district of Dublin, or any of the cities of Waterford, Cork, Limerick, and Belfast, shall not be deemed to be a bonâ fide traveller unless the place where he lodged during the preceding night is at least five miles distant from the place where he demands to be supplied with liquor, such distance to be calculated by the nearest public thoroughfare.

Short title
and com-
mencement.

4. This Act may be cited as the Intoxicating Liquors (Ireland) Act, 1906. This Act shall commence and come into operation on the first day of January one thousand nine hundred and seven.

**Sale of Intoxicating Liquors (Ireland)
Bill.**

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D C L O N B R O C K .

Clause 3, page 2, line 16, leave out from ("person") to
("shall") in line 18.

line 20, leave out ("five") and insert
("six")

Sale of Intoxicating Liquors
(Ireland) Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD CLONBROCK.

23rd October 1906.

PRINTED BY HYE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

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OLIVER and BOYD, Edinburgh; or
E. POXSONBY, 116, Grafton Street, Dublin.

[*Price 1d.*]

(195 a.)

A

B I L L

INTITULED

An Act to confirm a Provisional Order made by the Board of Agriculture and Fisheries under the Sea Fisheries Act 1868 relating to the Estuary of the Wash in the County of Norfolk. A.D. 1906.

WHEREAS the Board of Agriculture and Fisheries have made the Provisional Order set forth in the schedule hereto under the provisions of the Sea Fisheries Act 1868 :

31 & 32 Vict.
c. 45.

And whereas it is requisite that the said Order should be confirmed by 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 as follows :—

10 **1.** The Order set out in the schedule hereto shall be and the same is hereby confirmed and all the provisions thereof shall have full validity and force. Order in
schedule
confirmed.

2. This Act may be cited as the Sea Fisheries Provisional Order Confirmation Act 1906. Short title.

A D. 1906.

SCHEDULE.

SEA FISHERIES ACTS 1843 TO 1893.

KING'S LYNN FISHERY ORDER 1906.

Order for the Establishment and Maintenance by the Corporation of King's Lynn of a Several Mussel Fishery on the East side of the Estuary of the Wash in the County of Norfolk. 5

1. The Mayor Aldermen and Burgesses of the Borough of King's Lynn acting by their Council (in this Order called "the Corporation") the undertakers of the Lynn Deep's Oyster and Mussel Fishery and the grantees of the Lynn Deep's Fishery Order 1872 shall be the grantees of this Order. 10

2. The limits of the area within which the rights and powers conferred by this Order may be exercised (herein-after referred to as the limits of this Order) are shown on a plan sealed by the Board of Agriculture and Fisheries and marked "Corporation of King's Lynn Several Mussel Fishery in the Estuary of the Wash in the County of Norfolk." 15

3. The Corporation may from time to time and as occasion may require :—

(a) With the written consent of the Board of Agriculture and Fisheries set and mark out as reserves such portions of the area within the limits of this Order as they may think necessary for experimental or scientific purposes in connexion with the propagation cultivation breeding fattening or gathering of mussels and may use such reserves for the purposes aforesaid ; and 20

(b) Set and mark out such portions of the area within the limits of this Order (in this Order referred to as layings) as they may think fit for the purpose of being leased as lays or layings or breeding or fattening grounds for the cultivation of mussels : 25

Provided that no such reserve or laying shall extend below low-water mark at ordinary spring tides :

Provided also that no such laying shall be set or marked out so as to include any portion of an existing mussel scalp or oyster or cockle bed and if any question shall arise as to the existence or boundaries of a mussel scalp or oyster or cockle bed such question may be determined for the purposes of this Order by the Board of Agriculture and Fisheries. 30

4. This Order confers on the Corporation a right of several mussel fishery within such reserves and layings as may for the time being be set or marked out in accordance with the provisions of this Order and for the purposes of the Sea Fisheries Acts 1843 to 1893 the limits of such reserves and layings shall be the limits of the several fishery hereby conferred:

A.D. 1906.

Provided that the right of several fishery shall not be exercised by the Corporation themselves within any laying.

5.--(1) The Corporation may by public auction to be held at King's Lynn or by public tender open to all persons offer leases of layings upon such terms for such period and subject to such conditions as may be determined by the Corporation and the Corporation may also with the sanction of the Board of Agriculture and Fisheries carry out leases of layings by private treaty:

Provided that there shall not be leased to any one person or group of persons whether by means of one or more leases and whether in single layings or otherwise an area larger than one acre in extent without the approval of the Board of Agriculture and Fisheries.

(2) Upon the execution of a lease or agreement for a lease of a laying there shall by virtue thereof be transferred to and vested in the tenant as respects the laying the right of several fishery therein as if he were the grantee of an order under the Sea Fisheries Acts 1843 to 1893 conferring on him a right of several mussel fishery within the laying and as if any regulations restrictions terms and conditions comprised in the lease or agreement were restrictions and exceptions contained in that order.

(3) The execution of any such lease or agreement shall except as may otherwise be provided thereby be taken to be a consent on behalf of the tenant to all byelaws under the Sea Fisheries Regulation Acts 1888 to 1894 or under the Lynn Deep's Fishery Order 1872 for the time being in force within the limits.

(4) The conditions of sale or tender under this article shall be approved by the Board of Agriculture and Fisheries.

6.--(1) The limits of this Order and the limits of every reserve and laying in respect of which there is for the time being a right of several fishery under this Order shall be marked out in such manner as the Board of Agriculture and Fisheries may from time to time require whether by notice boards or otherwise and any notice board marking out the limits of this Order shall if the Board of Agriculture and Fisheries so require contain a notice setting forth that the Corporation have power to let layings under this Order and specifying the effect of a lease under this Order and the name and address of the person to whom persons desiring leases are to apply.

(2) Any notice and notice board or other marks required by the Board of Agriculture and Fisheries shall be placed and maintained by the Corporation and in the event of any such notice or notice board or mark being removed obliterated or damaged it shall forthwith be replaced by the Corporation.

A.D. 1906.

7. The Corporation or their lessees may construct and maintain such works as may be necessary for marking the boundaries of or between any reserves and layings under this Order.

8. No buildings erections embankments or other works shall at any time be commenced or executed by the Corporation or their lessees within the limits of this Order without the previous consent in writing of the Board of Trade.

9.—(1) The sanction of the Board of Agriculture and Fisheries shall not be given to setting or marking out any reserve under Article 3 of this Order except on the written application of the Corporation.

(2) The application shall be made and advertised in accordance with such regulations as may be made in that behalf by the Board of Agriculture and Fisheries and the Board before giving their sanction may cause such local inquiry as they think fit to be held with respect thereto.

(3) The sanction of the Board of Agriculture and Fisheries if given shall have effect as if it were contained in this Order.

10 This Order shall not affect the powers of the Corporation under the Lynn Deepes Fishery Order 1872 or the operation of any byelaws made thereunder except (as respects any layings) to the extent specified in the lease or agreement under which the laying is held:

Provided that Article 12 of that Order shall be and hereby is varied by the addition of the following words:—

“ Any person authorised by the Corporation or acting in pursuance of any regulation made by them under the preceding section may remove any brood of mussels from a portion of the fishery to any reserve laying or other several fishery within the district of the Eastern Sea Fisheries Joint Committee but for no other purpose:

“ Provided that no removal of brood of mussels shall be authorised under section 12 of this Order except during the months of April and May, or from any reserve laying or other several fishery or otherwise than in a duly licensed vessel ”:

Provided also that any person removing broods under an authority granted under this section shall on demand by a bailiff appointed under this Order or a fishery officer appointed under the Sea Fisheries Regulation Acts 1888 to 1894 produce the authority for the inspection of such bailiff or officer.

11. The Corporation shall apply the rents and revenues received under this Order to all or any of the following purposes:—

(1) Payment of the costs and expenses incidental to obtaining this Order or to the management and improvement of the fishery or to any other purpose of this Order.

A.D. 1906

- (2) Placing and maintaining the notices notice boards and other marks above-mentioned and in setting and marking out constructing and maintaining the divisions or boundaries of or between reserves and layings.
- 5 (3) Making and maintaining mussel beds and in propagating cultivating breeding fattening and gathering mussels for that purpose.

12. In the event of any question arising as to the obligations of the Corporation under the foregoing articles or the due observance or performance of any of the restrictions provisions or conditions contained in this Order the question shall be referred to the Board of Agriculture and Fisheries whose decision shall be accepted by all parties as final and conclusive without prejudice however to the powers of the Board of Agriculture and Fisheries under the provisions of section 45 of the Sea Fisheries Act 15 1868 and of the Lynn Deepes Fishery Order 1872.

13. The Corporation shall if required by the Board of Agriculture and Fisheries render to the Board of Agriculture and Fisheries such accounts of their expenditure and income and of all mussels sold by them or their lessees in such form and at such times as the Board of Agriculture and Fisheries 20 may require and shall allow the Board of Agriculture and Fisheries or any person appointed by them to inspect the fishery and all books and documents in their possession relating thereto and shall give the Board of Agriculture and Fisheries or such person all such information relating thereto as he or they may require.

25 14. Subject to the provisions of section 45 of the Sea Fisheries Act 1868 this Order shall continue in operation until the twenty-third day of April nineteen hundred and thirty-two.

30 15. This Order shall not be taken as a consent to the surrender of any rights interests powers authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act 1866.

16. Nothing in this Order contained shall take away lessen prejudice or interfere with any of the rights powers authorities liberties and privileges (if any) of the King's Lynn Conservancy Board.

35 Nothing contained in this Order shall in any manner lessen or take away any of the rights powers or privileges now exercised or which may be exercised by the Norfolk Estuary Company under any Act of Parliament now in existence or under any Act continuing or relating to such powers and no reserve or laying shall be set or marked out under this Order on any portion of the tracts of land vested in the said Norfolk Estuary Company 40 under their Acts of Parliament or otherwise except under and in accordance with the terms of a lease or licence in writing granted by that Company or until such portion of the said tracts of land shall have been purchased by the Corporation and for the purposes of any such purchase the Lands Clauses Acts (except section 127 of the Lands Clauses Consolidation Act 1845)

A.D. 1906. shall be incorporated with this Order and shall be read as if this Order were "the special Act" and the Corporation were "the promoters of the undertaking" and as if "lands" included sands covered by the sea partly or wholly.

17. This Order shall not affect the charge created in favour of or the compensation payable to His Majesty under the provisions of the Norfolk Estuary Act 1899 and shall not extend to take away prejudice diminish or alter any right of reverter of lands to His Majesty His heirs and successors under the same Act or any other estate right privilege power or authority vested in or enjoyed or exerciseable by His Majesty His heirs or successors.

18. This Order may be cited as "the Lynn Fishery Order 1906."

Seal of the
Board of
Agriculture and
Fisheries.

WALTER E. ARCHER
An Assistant Secretary to the Board of
Agriculture and Fisheries.

7th May 1906.

15

Sea Fisheries Provisional Order.

A

B I L L

INTITLED

An Act to confirm a Provisional Order made by the Board of Agriculture and Fisheries under the Sea Fisheries Act 1868 relating to the Estuary of the Wash in the County of Norfolk.

(Brought from the Commons 29th May 1906.)

Ordered to be printed 29th May 1906.

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[Price 1d.]

(112.)

A

B I L L

INTITULED

An Act to amend the Law relating to the falsification of Seamen's and Soldiers' Certificates of Service or Discharge, and to false statements made, used, or given in connection with Entry or Enlistment into His Majesty's Naval, Military, or Marine Forces. A.D. 1906.

BE it 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, as follows:—

5 **1.**—(1) If any person forges the certificate of service or discharge of any seaman or soldier, or any certificate purporting to be a certificate of service or discharge of a seaman or soldier, or utters any such certificate knowing it to be forged, or obtains or seeks to obtain any employment or other advantage by means
10 of any forged or counterfeit certificate of service or discharge, or personates the holder of a certificate of service or discharge, he shall on conviction under the Summary Jurisdiction Acts be liable in the case of a first offence to imprisonment, with or without hard labour, for a term not exceeding one month, or to a fine not
15 exceeding twenty pounds, and in the case of a second or subsequent offence to imprisonment, with or without hard labour, for a term not exceeding three months.

Forgery of service or discharge certificate and personation.

(2) For the purposes of this section the expression "seaman" means a man who has served in His Majesty's naval forces, and
20 the expression "soldier" means a man who has served in His Majesty's military or marine forces.

2. If any man when entering or enlisting or offering himself for entry or enlistment in His Majesty's naval, military, or marine forces makes use of any forged or counterfeit statement as to his
Penalty on using or giving false statements

(89.)

A.D. 1906. character or previous employment, or any statement as to his
 for enlist- character or previous employment which to his knowledge is false
 ment. in any material particular, he shall be liable, on conviction
 under the Summary Jurisdiction Acts, to a fine not exceeding
 twenty pounds; and if any person makes a written statement as 5
 to the character or previous employment of any man which
 he knows to be false in any material particular, and which he
 allows or intends to be used for the purpose of the entry or
 enlistment of that man into His Majesty's naval, military,
 or marine forces, he shall be liable, on conviction under the 10
 Summary Jurisdiction Acts, to the like fine.

Extension of 16 & 17 Vict. c. 69. s. 16 to naval reserves. **3.** In section sixteen of the Naval Enlistment Act, 1853 (which imposes a penalty on persons who make or give a false statement upon entering or offering themselves to enter the naval service of His Majesty), the expression "naval service" shall 15 include service in any of the naval reserve forces.

Short title. **4.** This Act may be cited as the Seamen's and Soldiers' False Characters Act, 1906.

A

B I L L

INTITULED

An Act to make provision with respect to loans, and sales made for the purpose of the supply of Seed Potatoes to occupiers and cultivators of land in Ireland. A.D. 1906.

BE it 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, as follows:—

- 5 1.—(1) Where at any time between the first of December
 nineteen hundred and four and the first of September nineteen
 hundred and five the Board of Works have, with the consent of
 the Treasury and the approval of the Local Government Board,
 made out of moneys at their disposal for the purpose of local
 10 loans any loan to the guardians of any union for the purpose of
 providing seed potatoes, the loan shall be deemed to have been
 legally made and shall be repayable by the guardians to the
 Board of Works by two equal instalments, the first of which
 shall be paid on the first day of February nineteen hundred and
 15 seven and the second on the first day of February nineteen hundred
 and eight, with interest at the rate of three and a half per cent.
 per annum on the loan or any outstanding balance thereof from
 the date of the advance to the date of repayment, and the poor
 rate leviable in the union shall as from the date of the loan,
 20 without any deed of mortgage or other instrument, be and be
 deemed to have been charged with the repayment thereof and
 interest by the said instalments.

Validation
 and repay-
 ment of
 loans for
 provision of
 seed potatoes.

- (2) If at any time the Board of Works certify that any sum
 is payable to them by the guardians of any union on account
 25 of any loan or interest as aforesaid, the Local Government Board
 shall, by order under their seal, assess that sum on the union
 (56.)

A.D. 1906. and send copies of the order to the guardians and the treasurer of the union; and within one month of the receipt of the copy of the order the treasurer of the union shall, out of any money then in his hands to the credit of the guardians, or if such money is insufficient, then out of all moneys subsequently 5 received by him on account of the guardians, pay the amount specified in the order to the Board of Works.

Validation
of supply of
seed potatoes
by guardians
and repay-
ment of
price by
purchasers.

2.—(1) Where at any time between the first of December nineteen hundred and four and the first of September nineteen hundred and five the guardians of any union have, with the 10 sanction of the Local Government Board, provided a supply of seed potatoes for the use of any district electoral division of their union, and have sold any such potatoes to any occupier or cultivator of land in that electoral division, the sale shall be deemed to have been legally made, and any sum due to the 15 guardians on account thereof shall be paid by two equal instalments, and the guardians shall certify the amount of each instalment to the council of the county comprising the electoral division affected.

(2) For obtaining payment of each instalment due from any 20 person the county council or urban district council, as the case may be, shall levy the amount, where the person is rated to the poor rate, by a special rate to be added to the poor rate assessed on the tenements occupied by him and to be collected therewith.

(3) Where any such person is not rated to the poor rate, 25 the county council or urban district council shall make a special rate for the purposes of this Act to which he shall be rated.

(4) Every such last-mentioned special rate shall be recoverable in the same manner and with the same remedies by the collectors of the poor rate as if it were poor rate, and shall be paid by the 30 county council or urban district council to the guardians.

(5) Where the poor rate is collected in two moieties the special rate required for the purposes of this Act shall be collected with the first moiety of the poor rate.

(6) The first of the special rates required for the purposes 35 of this Act shall be made at the same time as the first ordinary poor rate made during the year nineteen hundred and six, and the second of those rates shall be made at the same time as the first ordinary poor rate made during the year nineteen hundred and seven. 40

[6 EDW. 7.] *Seed Potatoes Supply (Ireland).* 3

during the year nineteen hundred and six was made before the passing of this Act and the first special rate was not made therewith, then the amount of the instalment payable by any purchaser which would have been leviable by that rate shall be added to the amount of the second instalment payable by him, and the total amount of both instalments shall be levied by the special rate made at the same time as the first ordinary poor rate made during the year nineteen hundred and seven.

A.D. 1906

(7) The first instalment payable by each purchaser of seed potatoes shall be due on the day on which the first of such special rates is made, and the second instalment shall be due on the day on which the second of such special rates is made. Any such instalment may be paid to the guardians at any earlier date.

3. No electoral disability or loss of parliamentary or other franchise shall be incurred by any voter by reason of the purchase of seed potatoes under this Act, nor shall any person be or be deemed to have been disqualified under any Article in the Schedule to the Local Government (Application of Enactments) Order, 1898, by reason of his having entered into a contract for such purchase.

Saving as to franchise and dis-qualification.

4. All orders and regulations made, sanctions given, and things done by the Local Government Board in relation to the provision during the period in that behalf in this Act mentioned of seed potatoes by the guardians of any union, and any rate made before the passing of this Act which would have been valid if this Act had previously passed, shall be and be deemed to have been valid and effectual for all purposes.

Validation of orders, &c. of Local Government Board.

5. In this Act—

The expression “the Local Government Board” means the Local Government Board for Ireland; and

The expression “the Board of Works” means the Commissioners of Public Works in Ireland.

6. This Act may be cited as the Seed Potatoes Supply (Ireland) Act, 1906.

Short title.

A.D. 1906.
As to con-
sents of
tenants for
life.

17.—(1) Where, under the same settlement, land is settled in undivided shares, the tenants for life of each of those shares shall, in any case where the entirety of those shares is to be dealt with, and notwithstanding that the shares are separately settled, be deemed to constitute together the tenant for life for the purposes of the Settled Land Act, 1882, and subsection (2) of section six of the Settled Land Act, 1884, shall have effect accordingly. 5

(2) This section applies to settlements coming into operation before as well as after the commencement of this Act.

Extension of
section 42
of the Act of
1882.

18.—(1) Where the tenant for life directs capital money to be invested on any security or investment which appears to be authorised, the trustees of the settlement shall not be liable to see to the investigation of the title to the security, or be answerable for the value or depreciation in value of any such security or investment, or for the acts of any agent employed by the tenant for life in connection with the transaction, or for not employing a separate agent, or for the disposition of the security, if it purports to vest the same in the trustees in the usual way; and in the case of any sale, mortgage, or other disposition by the tenant for life of settled land or of any easement, right, or privilege over the same, the trustees of the settlement shall not be liable for consenting to the payment or application of the money thereby arising for any purpose which appears to be authorised; and the trustees of the settlement shall not be liable in any way on account of the documents of title relating to the settled land or to the settlement being placed in the custody of the tenant for life, or a person having the powers of a tenant for life. 10 15 20 25

(2) This section applies to dealings and matters effected before as well as after the commencement of this Act. 30

Short title,
commence-
ment, con-
struction.

19.—(1) This Act may be cited as the Settled Land Act, 1906.

(2) This Act shall come into operation on the first day of January one thousand nine hundred and seven.

(3) This Act shall be construed with the Settled Land Acts, 1882 to 1890, and may be cited with those Acts as the Settled Land Acts, 1882 to 1906. 35

Settled Land Bill. [H.L.]

[AS AMENDED BY THE SELECT COMMITTEE.]

MEMORANDUM.

The object of this Bill, which has been prepared on instructions of the Council of the Law Society, is to carry on the amendments of the law introduced by the Settled Land Acts, 1882 to 1890, and to deal with defects which have been disclosed in the administration of the Acts.

The power given to the court by section 10 of the Act of 1882 has been found insufficient in practice, because many special leases, such as those to a golf club, have nothing to do with a custom of a district. Again, in mining leases there are many desirable provisions not affected by any custom, as to which a doubt must arise whether they are within the Acts, see *Re Aldam's S.E.*, 1902, 2 Ch. 46; these difficulties are met by clause 1.

Under section 11 of the Act of 1882 part of the mining royalties are in some cases to be treated as capital money. The tenant for life is the person to grant the mining lease and to whom the royalties must be reserved, but the section does not expressly protect the lessee, who may know nothing of the liability to set aside the money, from seeing that the proper proportion finds its way to the credit of the capital account. This omission is supplied by clause 2.

An extraordinary position of affairs has resulted from the decision in *Re Lord Wimborne and Browne*, 1904, 1 Ch. 537, that a surrender by a tenant for life of his life estate to the next tenant for life does not affect the powers of the surrenderor. He has parted with his entire interest in the land, and the next tenant for life has gone into possession, but the latter though in fact tenant for life has no powers under the Acts till the death of the surrenderor. This is rectified by clause 3.

Clause 4 extends the class of persons to exercise the statutory powers. Sub-clause (1) confirms the rule adopted in *Re Mundy and Roper*, 1899, 1 Ch. 275, that a settlement subsists as long as there is a charge or power of charging on foot though there may be no tenant for life. Sub-clause (2) gives the statutory

(138.)

A

powers to an absolute owner to enable him to override family charges. A tenant in tail who bars after he becomes entitled in possession can do so now, and there is no reason why any other owner in fee simple should not have the same power. Sub-clauses (3) (4) and (5) provide for the money being paid to trustees, for the proper application of it, and for the appointment of trustees where required. Sub-clause (6) excludes the case of a purchaser who buys subject to a charge.

Clause 5 is intended to meet the decision in *Bates v. Kesterton*, 1896, 1 Ch. 159, which showed that land became practically unsaleable when the fee simple was held by a married woman restrained from anticipation.

Clause 6 (1) removes the doubt raised in *Vine v. Raleigh*, 1896, 1 Ch. 37, 41, whether for the purposes of section 58 the tenant for life must be beneficially entitled as in the case of section 2 (5). Sub-clause (2) supplies an obvious omission.

Clause 7 supplements section 62 of the Act of 1882, and removes the defects of the jurisdiction in lunacy disclosed in *Re X*, 1894, 2 Ch. 415; and *Re Salt*, 1896, 1 Ch. 117.

Where there is no person who has the powers of a tenant for life, see *Re Burdin*, 28 L.J. Ch. 840; *Re Strangways*, 34 Ch. D. 423; *Re Atkinson*, 31 Ch. D. 577; clause 8 confers those powers on the trustees.

Clause 9 deals with the important question of compound settlements, see the cases collected in Wolstenholme's Conveyancing Acts, 9th ed., pp. 325-328. Sub-clauses (1) and (2) apply to the ordinary cases of compound settlements and will render unnecessary an application to the court for that purpose. Sub-clause (3) meets the decision *Re Cornwallis-West and Munro*, 1903, 2 Ch. 150, as explained in *Re Lord Wimborne and Browne*, 1904, 1 Ch. 537. Sub-clause (4) meets the decision in *Re Coull's S.E.*, 1905, 1 Ch. 712, and restores the simpler view of the law adopted in *Re Mundy's S.E.*, 1891, 1 Ch. 399; and see *Re Lord Stafford's Settlement and Will*, 1904, 2 Ch. 72. Sub-clause (5) confirms and extends the principle adopted in *Re Morshead's S.E.*, 1893, W.N. 180.

Clause 10 deals further with the difficulties disclosed in *Re Mundy's S.E.*, 1891, 1 Ch. 399; *Re Lord Monson's S.E.*, 1898, 1 Ch. 427; *Re Byng's S.E.*, 1892, 2 Ch. 219; *Re Lord Stafford's Settlement and Will*, 1904, 2 Ch. 72; and *Re Coull's S.E.*, 1905, 1 Ch. 712.

Clause 11 amends section 16 of the Act of 1890. Sub-clause (1) provides for the omission discussed in 34 Sol. J. 812. Sub-clause (2) in effect provides that when trustees have once become trustees for the purposes of the Acts, they will remain such till the settlement is spent, though the power of sale, &c., which constituted them such trustees, has ceased, see S. L. Act, 1882, s. 2 (8); S. L. Act, 1890, s. 16; and compare *Re Moore*, 1906, 1 Ch. 789. A settlement may now subsist when all the limitations are spent, except a family charge, and thus outlive the power of sale; *Re Mundy and Roper*, 1899, 1 Ch. 275.

Clause 12 confers the powers which are now usually conferred on trustees holding land on trust for sale, and will render unnecessary further applications to the court under section 7 of the Act of 1884, unless the tenant for life of the proceeds of sale desires for special reason to exercise the powers in place of the trustees. This clause is now in the form approved by Lord Justice Stirling.

Clause 13 supplies an omission in section 12 of the Act of 1890. There will be no longer an objection (see *Boyce v. Edbrooke*, 1903, 1 Ch. 836) to a lease being granted to the tenant for life, for the trustees are given power to enforce his covenants.

Clause 14 enables the tenant for life to change the settled land by way of substituted or additional security. This will save the costs incidental to paying off the mortgage and advancing the money again under section 11 of the Settled Land Act, 1890.

Under section 16 of the Settled Land Act, 1882, a tenant for life cannot dedicate land to the public after all the leases have been granted under a building scheme. Thus, suppose the leases had run out and he was selling the houses surrounding a square, he could not dedicate the centre of the square to the public. This is met by clause 15.

Instead of raising money for improvements under the Improvement of Land Act, 1864, clause 16 will in future enable the money to be raised in a simple manner, with the consent of the trustees or under an order of the court. The proviso at the end of the clause meets the case where, owing to the nature of the improvement, the money ought to be repaid out of income during a fixed number of years.

Clause 17 improves the trusts affecting the leaseholds acquired with capital money, and follows the modern form. The clause meets the difficulties raised in *Scarsdale v. Curzon*, 1 J. & H.

40; followed in *Re Angerstein*, 1895, 2 Ch. 883, and while it enables an effectual resettlement to be made by the tenant for life and tenant in tail in remainder, it prevents the leaseholds from vesting absolutely in the latter if he dies without becoming entitled in possession and without barring the entail in the freeholds.

Clause 18 will render unnecessary, in the future, the express appointment of trustees for the purposes of section 42 of the Conveyancing Act, 1881. It will also save many applications to the court under section 42.

Clause 19 gives further protection to the trustees, deals with the decisions in *Re Hotham*, 1901, 2 Ch. 790, 793; *Re Duke of Cleveland's S.E.*, 1902, 2 Ch. 350; and enables the trustees to hand over the deeds to the tenant for life with safety in accordance with the decisions in *Re Burnaby's S.E.*, 42 Ch. D. 621; *Re Wythes*, 1893, 2 Ch. 369; *Re Beddoe*, 1893, 1 Ch. 547; *Re Newen*, 1894, 2 Ch. 297.

Settled Land Bill. [H.L.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Power to grant special leases under an order of the court.
2. Payments due under mining leases.
3. Effect of surrender of life estate to next remainderman.
4. Extension of class of persons by whom powers of tenant for life are to be exercisable.
5. Exercise of powers of tenant for life by married woman restrained from anticipation.
6. Explanation and amendment of section fifty-eight of the Act of 1882.
7. Tenant for life, lunatic not so found.
8. Powers of trustees when there is no tenant for life.
9. As to trustees of settlements created by more than one instrument.
10. Provisions respecting different estates settled upon the same limitations.
11. As to who are trustees for the purposes of the Acts.
12. Persons holding land on trust for sale to have the powers of a tenant for life.
13. Provision enabling further dealings with tenant for life.
14. Power to raise money for improvements.
15. Amendment of section 24 of the Act of 1882.
16. As to management of land during minority and destination of accumulations.
17. As to consents of tenants for life.
18. Extension of section 42 of the Act of 1882.
19. Short title, commencement, construction.

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B I L L

INTITULED

An Act to amend the Settled Land Acts, 1882 to 1890. A.D. 1906.

BE it 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, as follows:—

5 **1.**—(1) As regards any lease not otherwise authorised under the Settled Land Acts, 1882 to 1890, the same may be made for any term or purpose and subject to any rent and conditions which the court may by order approve. Power to grant special leases under an order of the court.

10 (2) The tenant for life may in conformity with the order make the lease of the settled land or part thereof or of any easement, right, or privilege over or in relation to the same or any part thereof.

15 **2.**—(1) Notwithstanding that under section eleven of the Settled Land Act, 1882, part of the rent reserved by a mining lease is to be set apart as capital money, the whole rent may be reserved and paid to the tenant for life, who shall pay the part to be set apart to the trustees of the settlement. Payments due under mining leases.

20 (2) This section applies to leases and payments made before as well as after the commencement of this Act; but the trustees of the settlement shall not be responsible in respect of such capital money until it is paid to them, nor be required to take any proceedings for the recovery thereof until they have notice, in the case of each lease, that it ought to be paid to them.

25 **3.**—(1) Notwithstanding anything to the contrary contained in section fifty of the Settled Land Act, 1882, on the surrender, whether before or after the commencement of this Act, of the estate of the tenant for life to the person next entitled in Effect of surrender of life estate to next remainderman.

(37.)

A.D. 1906. remainder or reversion, the statutory powers conferred on such tenant for life in respect of the surrendered estate shall cease to be exercisable by him, but without prejudice to anything done in exercise of those powers before the commencement of this Act.

(2) This section shall take effect only where the person next entitled in remainder or reversion and to whom the surrender is made is a person who, if the surrenderor were dead, would have the powers conferred by the Settled Land Acts, 1882 to 1890, or this Act, on a tenant for life.

Extension of class of persons by whom powers of tenant for life are to be exercisable.

4.—(1) Where land or any estate or interest in land has at any time under a settlement been settled land, then, as long as any charge or power of charging subsists or is capable of being exercised under the settlement, it shall for the purposes of the Settled Land Acts, 1882 to 1890, and this Act be deemed settled land.

15

(2) Where a person is beneficially seised or entitled in possession, of or to land for an estate in fee simple or for a customary or copyhold estate in fee, or for any leasehold interest, whether at a rent or not, subject to any estates, interests, or charges subsisting or capable of being conveyed or created under a settlement, then he shall, for the purpose of overriding such estates, interests, and charges (not being estates, interests, or charges conveyed or created for securing money actually raised), have the powers of a tenant for life, and the land shall be deemed settled land:

25

Provided that where any estate, interest, or charge is intended to be overridden under this subsection the land shall, except in the case of a lease, be expressed to be conveyed free from that estate, interest, or charge.

(3) The instrument under which the estate or interest of the person on whom the statutory powers are conferred by this section or by virtue of section fifty-nine of the Settled Land Act, 1882, arises or is acquired shall be deemed the settlement; and the estate of every such person acquired on an intestacy shall be deemed an estate arising under a settlement made by the intestate; and all capital money shall be paid to the trustees of the settlement, or into court.

35

(4) Capital money arising under this section and the income thereof shall be applicable, first towards keeping down, discharging, or providing for payment of such interests or

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charges as are overridden by any disposition under which the capital money is received, and subject thereto shall be invested or applied as capital money under the instrument which is to be deemed the settlement.

A.D. 1906.

5 (5) The Court, where necessary or expedient, may appoint trustees of the instrument which is to be deemed the settlement, and the provisions of section thirty-eight of the Settled Land Act, 1882, shall apply accordingly.

10 (6) This section shall not confer powers on a person acquiring land, under a conveyance on a sale, exchange, or mortgage made subject to estates, interests, or charges in respect of those estates, interests, or charges.

15 5.—(1) Where a married woman is restrained from anticipation in respect of land which, if she were not so restrained, could be disposed of by her, then she, without her husband, shall have the powers of a tenant for life, and subsections (4) and (5) of section sixty-one of the Settled Land Act, 1882, shall apply accordingly.

Exercise of powers of tenant for life by married woman restrained from anticipation.

20 (2) The instrument creating the restraint on anticipation shall be deemed the settlement, or one of the instruments creating the settlement, as the case may require.

25 6.—(1) For removing doubts it is hereby declared that section fifty-eight of the Settled Land Act, 1882, shall confer powers only on persons who are beneficially entitled to an estate or interest in the settled land in possession.

Explanation and amendment of section 58 of the Act of 1882.

(2) For paragraph (ii) in subsection (1) of section fifty-eight aforesaid shall be substituted the following paragraph, namely:—

30 “A person entitled to land for an estate in fee simple, or for a customary or copyhold estate in fee, or for any leasehold interest with or subject to, in any such case, an executory limitation, gift or disposition over on failure of his issue or in any other event.”

35 7.—(1) Any receiver appointed under the Lunacy Act, 1890, may be authorised in any application under that Act to exercise in the name and on behalf of any person described in subsection (1) of section one hundred and sixteen of that Act, not being a lunatic so found by inquisition, who is a tenant for life, or person having the powers of a tenant for life under the Settled Land Acts, 1882
40 to 1890, and this Act, the powers of a tenant for life under the

Tenant for life, lunatic not so found.

A.D. 1906. — said Acts, in like manner and with the same results as such receiver may under the Lunacy Act, 1890, be authorised to exercise the powers conferred by a settlement or any specified power.

(2) This section applies to receivers appointed before as well as after the commencement of this Act. 5

Powers of trustees when there is no tenant for life

8.—(1) Where no person is tenant for life of, or, but for this section, would have the powers of a tenant for life, in regard to settled land, then the trustees of the settlement shall have the powers of a tenant for life in respect of the settled land. 10

(2) This section applies to settlements coming into operation before as well as after the commencement of this Act.

As to trustees of settlements created by more than one instrument.

9.—(1) Persons who are for the time being trustees for the purposes of the Settled Land Act, 1882, of an instrument under which a person is tenant for life or has the powers of a tenant for life, shall be the trustees for the purposes of the Settled Land Acts, 1882 to 1890, and this Act, of the settlement created by that instrument and any prior instruments. 15

(2) Where the estate or interest of the tenant for life or person having the powers of a tenant for life created by an instrument is expressed to be restored by a subsequent instrument, or where his statutory powers under the prior instrument remain exercisable without such restoration, then, for the purposes of subsection (1) of this section, the prior instrument shall be deemed the instrument under which he is tenant for life or has the powers of a tenant for life. 25

(3) But where such estate or interest is restored, either before or after the commencement of this Act, such restoration shall not prevent the person whose estate or interest is restored from exercising, either before or after the commencement of this Act, the powers of a tenant for life under the subsequent instrument, in addition to his powers under the prior instrument, or under all the instruments creating a settlement. 30

(4) Where a settlement takes effect by reference to another settlement, it shall be sufficient, for the purposes of the Settled Land Acts, 1882 to 1890, and this Act, if there are trustees, able and willing to act, of the settlement which is referred to, and such trustees shall be the trustees of the settlement created by the two or several instruments. 35

(5) In the case of a base fee it shall be sufficient, to enable the fee simple to be disposed of, if there are trustees of the settlement whereby the estate tail was created. A.D. 1906.

(6) This section applies to instruments coming into operation before as well as after the commencement of this Act, but is to have effect without prejudice to any appointment by the court of trustees of a settlement consisting of more than one instrument.

10 **10.**—(1) Where different estates are settled upon the same limitations, whether by reference or otherwise, the following provisions shall have effect:—

Provisions
respecting
different es-
tates settled
upon the
same limita-
tions.

15 (i) The several estates or any two or more of them, as the case may require, may be treated as one aggregate estate, in which case the aggregate estate shall be the settled land for all the purposes of the Settled Land Acts, 1882 to 1890, and this Act; and

20 (ii) Where the trustees of the several settlements are the same persons, they shall be the trustees of the settlement of the aggregate estate for all the purposes of the Settled Land Acts, 1882 to 1890, and this Act, and all or any part of the capital money arising from one of the estates may be applied by the direction of the tenant for life as if the same had arisen from any other of the estates; and

25 (iii) Where the trustees of the several settlements are not the same persons, any notice required or authorised to be given by the Settled Land Acts, 1882 and 1884, to the trustees of the settlement and to the solicitor of such trustees shall be given to the trustees (if any)
30 of every settlement which comprises any part of the land to which such notice relates and to the solicitor of such trustees; but any capital money arising on any sale, exchange, lease, mortgage, or charge of land comprised in more than one settlement or on any
35 partition of land, undivided shares of which are comprised in more than one settlement, may by such direction as aforesaid be paid wholly to the trustees of any one of the settlements, or be apportioned between the trustees of any two or more of the settlements in
40 such manner as the tenant for life shall think fit; and all or any part of the capital money arising from

A.D. 1906.

one of the estates may be paid by the trustees of the settlement of that estate, by such direction as aforesaid, to the trustees of any of the settlements of any of the other estates, to be applied by such last-mentioned trustees as if the same had arisen from the last-mentioned estates. 5

(2) For the purposes of this section, money liable to be laid out in the purchase of land to be settled upon the same limitations as other land may be applied and dealt with in like manner in all respects as if the land had been purchased and settled, and the money were capital money arising therefrom. 10

(3) Estates shall be deemed to be settled upon the same limitations, notwithstanding that any of them may be subject to incumbrances, charges, or powers of charging to which the other or others of them may not be subject: Provided that, in any such case as last aforesaid, the powers of this section shall not be exercisable without the consent of the trustees of both or all the settlements, or an order of the court. 15

(4) This section applies to settlements coming into operation before as well as after the commencement of this Act. 20

As to who
are trustees
for the pur-
poses of the
Acts.

11.—(1) The persons described in section sixteen of the Settled Land Act, 1890, shall, in the circumstances therein mentioned, be trustees for the purposes of the Settled Land Acts, 1882 to 1890, and this Act, whether the settled land is to be sold or otherwise dealt with, and accordingly in that section the words “or otherwise dealt with” shall be inserted after the word “sold” wherever that word occurs in that section. 25

(2) Where any persons have, by reason of any power of sale, or trust for sale of the settled land to be dealt with, or of other land comprised in the settlement, or by reason of a power of consent to, or approval of, the exercise of any such power or trust for sale, at any time become trustees of a settlement for the purposes of the Settled Land Acts, 1882 to 1890, then those persons or their successors in office shall remain and be trustees of the settlement for the purposes of those Acts and this Act as long as that settlement is subsisting for the purposes of the said Acts, and notwithstanding that the power of or trust for sale has ceased to be exercisable, or that the land in respect of which the power or trust was created has been disposed of. 30 35 40

(3) This section applies to and shall operate to confirm all dispositions made before as well as after the commencement of this Act, but not so as to render invalid or prejudice any title or right acquired before the commencement of this Act; and shall operate without prejudice to any appointment of trustees of a settlement by the court. A.D. 1906.

12.—(1) Trustees of a settlement within the meaning of section sixty-three of the Settled Land Act, 1882, and other persons holding land in possession upon trust for sale shall, in relation to the land, have all the powers of a tenant for life under the Settled Land Acts, 1882 to 1890, and this Act; and the provisions of section sixty-three aforesaid relating to capital money shall apply to capital money arising under this section. Persons holding land on trust for sale to have the powers of a tenant for life.

15 (2) The powers conferred by or delegated under this section are, if the trust for sale is exercisable with the consent or at the request of any person, to be exercised with the consent or at the request of such person.

(3) The powers conferred by this section are to have effect as if the same were contained in the instrument (if any) creating the trust for sale, and subject to the provisions contained in that instrument and to any order, while in force, made or to be made under section seven of the Settled Land Act, 1884; and may be exercised notwithstanding that there may be no settlement within the meaning of section sixty-three of the Settled Land Act, 1882.

(4) The powers of and incidental to leasing conferred by this section may, until sale of the land, be delegated from time to time by writing, signed by the persons having the same to the tenant for life (if any) within the meaning of section sixty-three of the Settled Land Act, 1882, during his life, or for any less period, or if there shall be no such tenant for life, then to the person (if any) with whose consent, or at whose request, the trust for sale is exercisable; and in favour of a lessee such writing shall, unless the contrary appears, be sufficient evidence that the person named therein is the person to whom the powers may be delegated.

(5) The persons delegating any power under this section shall not, in relation to the exercise or purported exercise of the power, be liable for the acts or defaults of the person to whom the power is delegated, but he shall, in relation to the exercise of

A.D. 1906. the power by him, be deemed to be in the position and to have the duties and liabilities of a trustee.

(6) This section applies to trusts for sale created or arising before as well as after the commencement of this Act, and whether there is a power to postpone the sale or not; and is to operate without prejudice to the right of the tenant for life to apply for and obtain an order under section seven of the Settled Land Act, 1884.

Provision enabling further dealings with tenant for life.

13. Where a lease or mortgage or other disposition of settled land or of any easement, right, or privilege over the same is to be made to the tenant for life, the trustees of the settlement shall stand in the place of and represent the tenant for life, and shall, in addition to their powers as trustees, have all the powers of the tenant for life in reference to negotiating and completing the transaction, and shall have power to enforce any covenants by the tenant for life, or, where the tenant for life is himself one of the trustees, then the other or others of them shall have power to enforce such covenants.

Power to charge by way of additional or substituted security.

14.—(1) Where an incumbrance affects any part of the settled land the tenant for life may, with the consent of the incumbrancer, charge that incumbrance on any other part of the settled land, whether already charged therewith or not, by way of additional or substituted security, and raise the money properly required for payment of the costs of the transaction on mortgage of the settled land or of any part thereof, and by conveyance of the fee simple, or other estate or interest the subject of the settlement, or by creation of a term of years in the settled land, or otherwise, make provision accordingly.

(2) Incumbrance in this section does not include any annual sum payable only during a life or lives or during a term of years absolute or determinable.

Dedication for streets, open spaces, &c.

15. After the two first words “on or” in section sixteen of the Settled Land Act, 1882, the words “after or” shall be and are hereby inserted.

Power to raise money for improvements.

16. Where money is required for the purpose of paying the costs of any improvements authorised by the Settled Land Acts, 1882 to 1890, or by the settlement, the tenant for life may raise the money so required and the costs of raising the same in the manner provided by section eleven of the Settled Land Act, 1890, in regard to money thereby authorised to be raised, and the money raised under this section shall be capital money for the purpose aforesaid,

[6 Edw. 7.]

Settled Land.

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and may be paid or applied accordingly: Provided that the power conferred by this section shall not be exercised without the consent of the trustees of the settlement or an order of the court, and in giving such consent or making such order regard shall be had to the nature of the improvements, and the consent or order may be given or made on condition that the whole or any part of the amount advanced shall be repaid within a fixed time as capital money to the trustees of the settlement out of the income of the settled land or on any other reasonable conditions, and the tenant for life shall give effect to the conditions, and he is by this section authorised to create out of the settled land or any part thereof a rentcharge in favour of the trustees of the settlement, and do all other acts required for giving effect to the conditions so imposed, but a mortgagee shall not be concerned to see that the conditions (if any) are complied with.

17.—(1) In substitution for the words “but shall, on the death of that person under that age go as freehold land conveyed as aforesaid would go” at the end of subsection (3) of section twenty-four of the Settled Land Act, 1882, the following words shall have effect, namely:—

“or who dies before he becomes entitled to the actual possession or the receipt of the income of the leasehold land, or would be so entitled but for the trusts of any term created by or under the settlement or under any statutory power; or who dies before the end of twenty-one years from the determination of all estates for life preceding his estate in tail, or in tail male, or in tail female, without, in any of the above-mentioned events, having with the consent of the protector (if any) of the settlement either barred the entail in the freehold land comprised in the settlement, or declared by deed with the like consent of such protector (if any) that the said leasehold land should, without prejudice to any prior estate, interest, or charge, vest in him absolutely, but shall, on the death of that person before attaining an absolutely vested interest, in manner aforesaid, in the leasehold land, go as freehold land conveyed as aforesaid would go.”

(2) The words “in respect of money actually raised, and remaining unpaid” in subsection (4) of section twenty-four aforesaid are hereby repealed.

(3) Section twenty-four of the Settled Land Act, 1882, as amended by this section, shall have effect, subject to any express directions to the contrary contained in the settlement.

A.D. 1906.

Amendment
of section 24
of the Act of
1882.

A.D. 1906. — (4) This section applies to settlements coming into operation before as well as after the commencement of this Act, but only as respects conveyances executed after such commencement.

As to management of land during minority. 44 & 45 Vict. c. 41.

18.—(1) Where, after the commencement of this Act, any trustees are appointed under section thirty-eight of the Settled Land Act, 1882, or are appointed for the purposes of that Act by a settlement coming into operation after the commencement of this Act, those trustees shall, unless the order or the settlement provides to the contrary, also be trustees of the settlement for the purposes of section forty-two of the Conveyancing and Law of Property Act, 1881. 5 10

(2) This section does not apply to settlements within the meaning of section sixty-three of the Settled Land Act, 1882.

Extension of section 42 of the Act of 1882.

19.—(1) Where the tenant for life directs capital money to be invested on any authorised security or investment, the trustees of the settlement shall not be liable for the acts of any agent employed by the tenant for life in connection with the transaction, or for not employing a separate agent in or about the valuation of the security or the investigation of the title thereto, or for the disposition of the security, if it purports to vest the same in the trustees in the usual way; and in the case of any sale, mortgage, or other disposition by the tenant for life of settled land or of any easement, right, or privilege over the same, the trustees of the settlement shall not be liable for consenting to the payment or application of the money thereby arising for any authorised purpose; and the trustees of the settlement shall not be liable in any way on account of the documents of title relating to the settled land or to the settlement being placed in the custody of the tenant for life, or a person having the powers of a tenant for life. 15 20 25 30

(2) This section applies to dealings and matters effected before as well as after the commencement of this Act.

Short title, commencement, construction.

20.—(1) This Act may be cited as the Settled Land Act, 1906.

(2) This Act shall come into operation on the first day of January one thousand nine hundred and seven. 35

(3) This Act shall be construed with the Settled Land Acts, 1882 to 1890, and may be cited with those Acts as the Settled Land Acts, 1882 to 1906.

Sight-testing Opticians Bill. [H.L.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Interpretation.
3. Act not to apply to medical practitioners.
4. Registration not to imply medical qualification, &c.
5. Provisions as to register of sight-testing opticians.
6. No person to be registered unless provisions of Act complied with. Registered persons may practise, unregistered may not recover fees. Persons not to assume title implying registration.
7. Constitution of central board.
8. Duties and powers of central board.
9. Provisions of register. Custody of register. Evidence of registration. Persons to be heard by central board before removal of name. Notice of death.
10. Penalty for obtaining registration by false pretences.
11. Penalty for falsification of register.
12. Appeals.
13. Registration fees.
14. Application of money.
15. Accounts to be kept.
16. Recovery of penalties.

A
B I L L

INTITULED

An Act to regulate the practice of Opticians as regards A.D. 1906.
the testing of sight.

BE it 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, as follows:—

5 **1.** This Act may for all purposes be cited as the Sight- Short title.
testing Opticians Act, 1906.

2. In this Act—

10 “Sight testing” or “testing sight,” and the practice of sight Interpretation.
testing and testing sight, means the science of measuring
the refraction of the eye and the adaptation of lenses
for aiding defective sight, and the practice of the said
science;

“Sight-testing optician” means a person registered under
this Act;

15 “**The Company**” means the Master, Wardens, and Fellow-
ship of Spectacle Makers of London;

“**The central board**” means the Board of Optical Regis-
tration as constituted by this Act;

20 “**The registrar**” means the registrar to be appointed by
the central board;

“**The appointed day**” means the first of **January** one
thousand nine hundred and eight, or such other day in
January one thousand nine hundred and eight as may
be appointed by the central board;

25 “**Elected members**” means persons elected under section
seven (*d*) to the central board.

3. The provisions of this Act shall not apply to any legally
qualified medical practitioner.

(49.)

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Act not to
apply to
medical prac-
titioners.

A.D. 1906.

Registration
not to imply
medical
qualification,
&c.

4. Registration under this Act shall not confer upon any person any right or title to be registered under the Medical Acts, or to assume any name, title, or designation implying that he is by law recognised as a medical practitioner, or that he is qualified to practise ophthalmic medicine or surgery, or to administer any drug for the purpose of paralysing the accommodation of the eye. 5

Provisions as
to register of
sight-testing
opticians.

5. Subject to the provisions of this Act—

(1) Any person who practises and has bonâ fide continuously for not less than six months next before the passing of this Act practised on his own account sight testing or the testing of sight, or who has an assistant being over the age of twenty-one years, bonâ fide continuously for not less than three years practised sight testing or the testing of sight, shall be entitled to be registered under this Act, provided he applies for registration within one year of the passing of this Act, and produces to the central board such evidence of his title to registration as they may reasonably require; 10

(2) Any person who after the passing of this Act shall pass the examination in sight testing required by the Company or such other examination as may from time to time be approved by the central board shall be entitled to be registered under this Act, provided he has duly complied with the rules and requirements of the central board. 20 25

The Company shall be bound to hold examinations for the purpose of testing the fitness of persons to practise as sight-testing opticians who may be desirous of so being examined from time to time, and at least once in every year so long as the examinations shall be approved by the central board. 30

No person to
be registered
unless provi-
sions of Act
complied with.

6.—(1) No person shall be registered under this Act until he has complied with the rules and regulations to be laid down by the central board from time to time in pursuance of this Act.

Registered
persons may
practise,
unregistered
may not
recover fees.

(2) A person registered under this Act shall be entitled to practise sight testing in any part of His Majesty's dominions subject to any local law in force in that part, and from and after the appointed day no person shall be entitled to recover any fee or charge in any court for giving any attendance or 35

advice or acting in any manner as a sight-testing optician unless he be registered under this Act. A.D. 1906.

(3) On and after the appointed day any person who not being registered under this Act shall take or use the name or title of "sight-testing optician" (either alone or in combination with any other word or words), or such other name or title as may be prescribed by the rules under this Act to designate sight-testing opticians, or shall take or use any name, title, designation, addition, or description, whether by means of initials or letters placed after his name, or otherwise implying that he is registered under this Act, or that he is a person specially qualified to practise sight testing or testing sight, shall be liable on summary conviction to a penalty not exceeding twenty pounds.

Persons not to assume title implying registration.

7. On the passing of this Act the Lord President of the Council shall take steps to secure the formation of a central board, to be called the Board of Optical Registration (in this Act called "the central board"), which shall consist of—

Constitution of central board.

- (a) Two persons to be appointed for the term of three years by the Lord President of the Council;
- (b) Two registered medical practitioners, one to be appointed by the Royal College of Physicians of London and one by the Royal College of Surgeons of England;
- (c) Six persons to be appointed for the term of three years by the Company;
- (d) Six persons to be elected for the term of one year by direct election of the registered sight-testing opticians in manner to be prescribed by the central board (in this Act called "the elected members").

The appointment of members of the central board under subsections (a), (b), and (c) of this section shall take place within three months of the passing of this Act.

After two years from the commencement of this Act the members appointed under subsection (b) shall retire, but shall be eligible for re-appointment annually.

Any vacancy occurring by resignation or death shall be filled up in the case of a member appointed under subsections (b) and (c), or elected under subsection (d), by the body which appointed or elected such person, and in the case of a member appointed under subsection (a) by the Lord President of the Council.

Members appointed or elected under subsection (c) and (d) shall, on the termination of the period for which they have been

A.D. 1906. — appointed or elected, be eligible for re-appointment or re-election for a like period.

The first election of elected members shall take place not later than first June one thousand nine hundred and eight: Provided always that until after the first election of elected members the members of the central board appointed under subsections (a), (b), and (c) shall have and exercise all the duties and powers of the central board under section eight of this Act.

Duties and powers of central board.

8. The duties and powers of the central board shall be as follows:— 10

(1) To frame rules—

(a) Regulating their own proceedings;

(b) Regulating the manner in which the elected members are to be elected to the central board under section seven subsection (d); 15

(c) Regulating the manner of keeping and controlling the register;

(d) Regulating the issue of certificates and the conditions of admission to the register;

(e) Regulating the admission to the register of persons already in practice as sight-testing opticians at the passing of this Act; 20

(f) Regulating, supervising, and restricting within due limits the practice of sight testing or testing sight by opticians; 25

(g) Deciding the conditions under which the names of opticians should be removed from the register;

(h) Regulating the course of training for sight-testing opticians;

(i) Regulating the conduct and holding of examinations when necessary: 30

(2) To decide upon the removal from the register of the name of any person for disobeying the rules and regulations from time to time laid down under this Act by the central board or for other misconduct, and also to decide upon the restoration to the register of the name of any person so removed: 35

(3) To appoint a registrar and such other officers and assistants including examiners as may be necessary:

[6 EDW. 7.]

Sight-testing Opticians.

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(4) To issue and cancel certificates :

A.D. 1906.

(5) To decide as to the proper title or titles to designate fitly the practice of sight-testing opticians ;

and generally to do any other act or duty which may be necessary
5 or expedient for the due and proper carrying out of the provisions
of this Act.

Rules framed under this section shall be valid only if approved
by the Privy Council, and the Privy Council may confirm any such
rules without modification or with such modification as they may
10 think fit, and any rules so confirmed shall have effect as if enacted
in this Act.

Any rules made under this section may be rescinded, revoked,
amended, or varied by rules made in the same manner and subject
to the same approval.

15 **9.**—(1) A register shall be kept as accurately as possible by
the registrar in accordance with rules to be laid down from time
to time by the central board, to be styled “the register of sight-
testing opticians,” which shall contain a list of—

Provisions
of register.

20 (a) The names of those persons registered under section five
subsection (1) of this Act ;

(b) The names of all other persons registered under this Act
in alphabetical order according to the surnames, and
shall state the full names and addresses of registered
persons, and subject to the provisions of this Act shall
25 contain such particulars and be in such form as the
central board may from time to time direct.

(2) The register shall be deemed to be in proper custody when
in the custody of the registrar appointed by the central board, and
shall be of such a public nature as to be admissible as evidence of
30 all matters therein on its mere production from that custody.

Custody of
register.

(3) The central board shall cause a correct copy of the register
to be from time to time and at least once a year printed under
their direction and published and offered for sale, and any such
copy shall be admissible in evidence ;

Evidence of
registration.

35 Provided always that in the case of any person whose name
does not appear in such copy a certificate under the hand of the
registrar of the entry of the name of such person in the register
shall be evidence that such person is registered under this Act.

40 (4) No person shall have his name removed from the register
without having been previously given an opportunity of being
personally heard by the central board.

Persons to be
heard by cen-
tral board be-
fore removal
of name.

A.D. 1906.
Notice of
death.

(5) Every registrar of deaths in the United Kingdom on receiving notice of the death of any person on the register of sight-testing opticians shall forthwith transmit by post to the registrar a certificate under his hand of such death with particulars of time and place of death, and may charge the cost of such certificate and transmission as an expense of his office, and on the receipt of such certificate the registrar shall erase the name of such person from the register. 5

Penalty for
obtaining
registration
by false
pretences.

10. Any person who procures or attempts to procure registration under this Act by making or producing, or causing to be made or produced, any false and fraudulent declaration, certificate, or representation, either in writing or otherwise, shall be guilty of a misdemeanour, and shall on conviction thereof be liable to be imprisoned with or without hard labour for any term not exceeding twelve months. 15

Penalty for
falsification
of register.

11. Any person wilfully making or causing to be made any falsification in any manner relating to the register, or forging or issuing or assisting in forging or issuing any certificate purporting to be a certificate under this Act, shall be guilty of a misdemeanour, and shall be liable on conviction to imprisonment with or without hard labour for any term not exceeding twelve months. 20

Appeals.

12. Where any person deems himself aggrieved—

(1) By any decision of the central board to remove his name from the register, such person may appeal therefrom to the High Court of Justice within six months after the notification of any such decision to him, but no further appeal shall be allowed; 25

(2) By any determination of any court of summary jurisdiction under this Act, such person may appeal therefrom to a court of quarter sessions. 30

Registration
fees.

13.—(1) There shall be payable to the central board in respect of the registration of any person who applies to be registered under section five subsection (1) of this Act such a fee not exceeding ten shillings and sixpence, and in respect of the registration of any other person who applies to be registered such a fee not exceeding five pounds, as the central board may determine. 35

(2) There shall be payable to the central board by every person on the register on or before the first January in each year such a fee not exceeding one pound as the central board may 40

[6 EDW. 7.]

Sight-testing Opticians.

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determine, and in default of payment such person shall be liable to have his name removed from the register. A.D. 1906.

14.—(1) Any sum or sums of money arising from conviction and recovery of penalties as aforesaid shall be paid to the central board. Application of money.

(2) All moneys received by the central board arising from fees to be paid on registration and from annual payments by persons on the register from the sale of copies of the register, from penalties or otherwise, shall be applied in accordance with such regulations as may be made from time to time by the central board in defraying the expenses of registration and other expenses of the execution of this Act.

15. The central board shall enter or cause to be entered in books to be kept for that purpose a true account of all sums of money by them received and paid under this Act, and such accounts shall be certified as correct by an accountant, who shall be a member either of the Institute of Chartered Accountants or of the Incorporated Society of Accountants, and a statement of such accounts shall be annually laid before the Privy Council. Accounts to be kept.

16. All fees under this Act may be recovered as ordinary debts due to the central board, and all penalties under this Act may be recovered and enforced in accordance with the provisions of the Summary Jurisdiction Acts. A prosecution under this Act may be instituted by the central board in the name of the registrar, but shall not be instituted by a private person without the consent in writing of the central board. The central board may bring and defend all actions or institute any proceedings in the name of the registrar. Recovery of penalties.

Sight-testing Opticians.
[H.L.]

A

B I L L

INTITLED

An Act to regulate the practice of
Opticians as regards the testing of
sight.

The Lord Addington.

Ordered to be printed 5th April 1906.

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(49.)

A

B I L L

INTITULED

An Act to amend the Solicitors Acts.

A.D. 1906.

BE it 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, as follows:—

- 5 **1.** Section sixteen of the Solicitors Act, 1888 (which authorises the registrar of solicitors to refuse to issue certificates in certain cases), shall apply to every solicitor who, being an undischarged bankrupt, applies for a fresh certificate or the renewal of a certificate to practise. Application of 51 & 52 Vict. s. 16 to solicitors who are bankrupts.
- 10 **2.** The registrar of solicitors shall be entitled, without fee, to inspect the file of proceedings in bankruptcy relating to any solicitor against whom proceedings in bankruptcy have been taken, and to be supplied with office copies of such proceedings on payment of the usual charge for such copies. Power of registrar to inspect file of proceedings in bankruptcy of solicitor.
- 15 **3.** This Act may be cited as the Solicitors Act, 1906, and may be cited with the Solicitors Acts, 1839 to 1899. Short title.

A

B I L L

INTITULED

An Act to further promote the Revision of the Statute Law by repealing Enactments which have ceased to be in force or have become unnecessary. A.D. 1906.

WHEREAS it is expedient that certain enactments which may be regarded as spent, or have ceased to be in force otherwise than by express specific repeal by Parliament, or have, by lapse of time or otherwise become unnecessary, should be expressly and specifically repealed :

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, as follows :—

- 10 **1.** The enactments described in the schedule to this Act are hereby repealed subject to the provisions of this Act and subject to the exceptions and qualifications in that schedule mentioned; and every part of a title, preamble, or recital specified after the words "in part, namely," in connexion with an Act mentioned
- 15 in the said schedule, may be omitted from any revised edition of the statutes published by authority after the passing of this Act, and there may be added in the said edition such brief statement of the Acts, officers, persons, and things mentioned in the title, preamble, or recital, as may in consequence of such omission
- 20 appear necessary.

Enactments
in schedule
repealed.

Provided as follows :

The repeal of any words or expressions of enactment described in the said schedule shall not affect the binding force, operation, or construction of any statute, or of any part of a statute, whether as

25 respects the past or the future ;

and where any enactment not comprised in the said schedule has been repealed, confirmed, revived, or perpetuated by any

(162.)

A

A.D. 1906. enactment hereby repealed, such repeal, confirmation, revivor, or
 ——— perpetuation, shall not be affected by the repeal effected by this
 Act ;

and the repeal by this Act of any enactment or schedule shall
 not affect any enactment in which such enactment or schedule has 5
 been applied, incorporated, or referred to ;

nor shall such repeal of any enactment affect any right to any
 hereditary revenues of the Crown, or affect any charges thereupon,
 or prevent any such enactment from being put in force for the
 collection of any such revenues, or otherwise in relation thereto ; 10

and this Act shall not affect the validity, invalidity, effect, or
 consequences of anything already done or suffered—or any existing
 status or capacity—or any right, title, obligation, or liability
 already acquired, accrued, or incurred, or any remedy or proceeding
 in respect thereof—or any release or discharge of or from any 15
 debt, penalty, obligation, liability, claim, or demand—or any
 indemnity—or the proof of any past act or thing ;

nor shall this Act affect any principle or rule of law or equity,
 or established jurisdiction, form or course of pleading, practice,
 or procedure, or the general or public nature of any statute, or 20
 any existing usage, franchise, liberty, custom, privilege, restriction,
 exemption, office, appointment, payment, allowance, emolument,
 or benefit, or any prospective right, notwithstanding that the same
 respectively may have been in any manner affirmed, recognised, or
 derived by, in, or from any enactment hereby repealed ; 25

nor shall this Act revive or restore any jurisdiction, office,
 duty, drawback, fee, payment, franchise, liberty, custom, liability,
 right, title, privilege, restriction, exemption, usage, practice,
 procedure, form of punishment, or other matter or thing not now
 existing or in force. 30

Short title.

2. This Act may be cited as the Statute Law Revision
 (Scotland) Act, 1906.

SCHEDULE.

[NOTE.—The Enactments mentioned in the third column to this Schedule are wholly repealed unless the repeal is expressly confined to a specified part of the Enactment.]

5	Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
			JAMES I.	
			Parliamentum Apud Perth.	
	1424. May 26. Cap. 1	1424. Cap. 1	Of the fredome of halikirk - - -	Sup. 1425, c. 1.
10	" 2	" 2	Of pece to be kepit throu the realme -	Obsolete. State of things contemplated has ceased to exist.
	" 3	" 3	Of rebellouris aganis the kingis persone -	Virt. rep. 7 Anne c. 21. s. 7.
	" 4	" 4	Of inforsing the king aganis notour rebellouris.	Virt. rep. 7 Anne c. 71. s. 7.
15	" 5	" 5	Of ridaris and gangaris throu the cuntre	Obsolete. State of things contemplated has ceased to exist.
	" 6	" 6	Of the ministeris and officiaris of law throu the realme.	Virt. rep. 20 Geo. II. c. 43.
	" 7	" 7	Of sornaris - - - -	Obsolete. State of things contemplated has ceased to exist.
20	" 8	" 8	Of the custumis and buroumaillis of the realme.	Spent.
	" 9	" 9	Anent inquisicione of the kingis landis possessionis and annuel rentis.	Spent.
25	" 10		Of a general yelde to be rasyt for the payment of the finance to be made in Inghland for our lord the kingis costage.	Spent.
	" 11	" 10	Of slauchter of salmonde in tyme forbodyne be the law.	In part, virt. rep. 31 & 32 Vict. c. 123, s. 15. In part expired. Rem. spent.
30	" 12	" 11	Of crufts and yaris - - - - In part, namely: The words "for thre yeris tocum," and from "and thai that has" to the end.	As to part in Ccl. 3, in part virt. rep. 1478, c. 6. Rem. virt. rep. 31 & 32 Vict. c. 123. Sched. F.
35	" 14	" 13	Of clerkis and thair procuratouris passand oure the see.	} Obsolete. State of things contemplated has ceased to exist.
	" 15	" 14	Of clerkis purchessand pensionis out of beneficis.	
40	" 16	" 15	Of the custum of gold and silver had oute of the realme.	Virt. rep. 1707, c. 7. Art. vi.
	" 17	" 16	Of strangeris that sellis merchandise in the realme and takis mone tharfor.	Falls with 1424, c. 16.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1424. May 26. Cap. 18	1424. Cap. 17	Of playing at the fut ball - - - }	Sup. 1491, c. 13.	5
„ 19	„ 18	Of archaris - - - }		
„ 20	„ 19	Of rukis biggande in treis - - - }	Sup. 1457, c. 32.	
„ 21	„ 20	Of murbyrne - - - }	Virt. rep. 13 Geo. III. c. 54. s. 4.	
„ 22	„ 21	Of the custum of hors nolt scheip and hering. }		10
„ 23	„ 22	Of the custum of mertrik skynniss and other furringis. }	Virt. rep. 1707, c. 7. Art. vi.	
„ 24	„ 23	Of the amending of the mone - - - }	Virt. rep. 1707, c. 7. Art. xvi.	
„ 25	„ 25	Of the age and mark of beggers and of idle men.	Sup. 1424, 12 Mar., c. 21.	15
„ 27		Of chevisance to be maide in Flanderis for payment of the finance for the kingis costage.	Spent.	
1424. Mar. 12. Cap. 1	1424. Cap. 26	Parliamentum Apud Perth. Of the fredome of halykirk - - - }	In part sup. 1425, c. 1. Rem. spent.	20
„ 2	„ 27	Anent hospitalis - - - }	Spent.	
„ 3	„ 28	Anent heretikis and lollardis - - - }	Rep. in gen. terms, 1567, c. 4.	
„ 4	„ 29	Anent the keping of the statutis maid in the kingis first parliament.	Spent.	25
„ 5	„ 30	Anent ligis and bandis - - - }	Sup. 1585, c. 6.	
„ 6		Of merchandis passand in Flanderis - }	Spent.	
„ 7	„ 31	Of the selling of hors - - - }	Virt. rep. 1707, c. 7. Art. vi. In desuetude. Sir George Mackenzie's Observations, p. 13.	30
„ 8	„ 32	Anent talch - - - }	Virt. rep. 1707, c. 7. Art. vi.	
„ 9		Of the pricis of vittallis - - - }	Obsolete. State of things contemplated has ceased to exist.	
„ 10	„ 33	Of the steyllaris of greene wode and brekaris of orchardis.	As to warrens and doveccots, virt. rep. 1535, c. 11. Rem. virt. rep. 1555, c. 36.	35
„ 11	„ 34	Of stollyn wode fundyn in uthir lordis landis.	Virt. rep., 20 Geo. II., c. 43.	
„ 13	„ 36	Anent stalkiris that slais deir - - - }	Virt. rep. 1587, c. 43.	
„ 14		Of resettouris of theffis and reffaris - }	Virt. rep. 20 Geo. II. c. 43.	40
„ 15	„ 37	Of resettouris of rebellouris - - - }	Virt. rep. 7 Anne c. 21. s. 7.	
„ 16	„ 38	Of merchandis passand our the see - - }	Obsolete. State of things contemplated has ceased to exist. See Mackenzie's Obs., 15.	

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Statute Law Revision (Scotland).

5

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1424. Mar. 12. 5 Cap. 18	1424.	Anent the ordinance of processionis and prayeris for the king the quen and thar barnytyme.	Spent.
.. 19	Cap. 40	Of the custum of wollyn clayth - - -	Virt. Rep. 1707, c. 7. Art. vi.
10 .. 20	.. 41	Anent the laboraris of the erd - - -	Obsolete. In desuetude, owing to change in social circumstances. See Mackenzie's Obs., 16.
.. 21	.. 42	Of thiggaris - - - - -	Sup. 1698, c. 40.
.. 22	.. 43	Anent lesing makaris - - - - -	Virt. rep. 6 Geo. IV. c. 47.
15 .. 23	.. 44	Of wapynschawingis - - - - -	Obsolete. Virt. rep. by the Militia Acts.
.. 24	.. 45	Anent billis of complayntis - - - - In part, namely: To "Justice ande," and from "Ande gif the Juge" to the end.	As to part in Col. 3, sup. 1540, Mar. 14, c. 22.
20 .. 25	.. 46	Anent remissionis to be gevyn - - -	Spent.
1425. Mar. 11. Cap. 1	1425.	Parliamentum Apud Perth.	
25 .. 2	Cap. 47	Of the fredom of haly kirk - - - -	In part spent. Rem.virt.rep. 1581, c. 3.
.. 4		Anent harnes and armouris to be brocht hame be merchandis.	Spent. See Mackenzie's Obs., 16.
.. 5	.. 49	Anent the registracione of letteris of newe infetment, confirmacion, &c.	Spent.
30 .. 6	.. 50	Of the halding of the mone within the realme.	Virt. rep. 1707, c. 7. Art. vi.
.. 7	.. 51	Of thame that may not gang apon asisse -	Sup. 6 Geo. IV. c. 22.
.. 8	.. 52	Of forthocht felony - - - - -	Virt. rep. 1661, c. 217. See Ersk. Inst. IV. 4, 40.
35 .. 9	.. 53	Of presens in the Parliament - - -	Obsolete. Virt. rep. 1707, c. 7. Art. xxii.
.. 10	.. 54-55	Of attournayis in the Justice ayr - -	Sup. 36 & 37 Vict. c. 63.
40 .. 11	.. 56	Of personis to be chosyn to examyn and mend the bukis of law of this realme.	In part spent. Rem. sup. by Court of Session (Scotland) Acts.
.. 12	.. 57	Anent hostelaris in boroustounis and throuchfaris.	Falls with compulsory establishment of hostelries.
.. 13	.. 59	Of orisones to be maid for the king the queyn and thare childer.	Spent.
.. 14	.. 59	Anent mesuris - - - - -	} Virt. rep. 1707, c. 7. Art. xvi.
45 .. 15	.. 57	Anent wechtis - - - - -	
	.. 57	Of watter mettis - - - - -	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1425. Mar. 11. Cap. 16	1425. Cap. 58	Anent batemen and feriaris - - -	Sup. 1669, c. 37.	5
„ 17	„ 60	Of wapinschawingis - - - -	Sup. by Militia Acts.	
„ 18	„ 61-64	Ordinance anent the passage betuix Scotlande and Irlande.	Virt. rep. 1707, c. 7. Art. vi.	
„ 19	„ 65	Of the Sessionis to be haldin - - -	Sup. 1532, c. 2.	
„ 20	„ 66	Anent inquisicion to be maid of ydil men that has nocht of thare awin to leif upon.	Obsolete, and spent.	10
„ 21	„ 67	Of the registracione and proclamacione of the actis of parliament.	Spent.	
„ 22	1426. Cap. 68-70	Assisa de ponderibus et mensuris -	Virt. rep. 1707, c. 7. Art. xvi.	15
„ 23	„ 71-75	Anentis fyre in townis - - - -	So far as not obsolete from change of social circumstances, virt. rep. 55 & 56 Vict. c. 55. ss. 289-298.	20
1426. Sept. 30. Cap. 1	1426. Cap. 76	Parliamentum Apud Perth. Anent the custum of salmondis and uthir fische.	Virt. rep., 1707, c. 7. Art. vi.	
„ 3	„ 78	Of the price of the werk maid by craftis- men.	} Obsolete, owing to change in social circumstances.	25
„ 4	„ 79	Of the fee of werkmen - - - -		
„ 5	„ 80	Of the punicion of werkmen that fulfillis nocht thar werk at the tyme thai hecht.		
„ 6	„ 81	Anent the sawing of quhete peis and benis.	Sup. 1457 c. 28, and obsolete, owing to change in social circumstances.	30
„ 7	„ 82	Anent the biggyn and reparelling of castellis and maner placis beyonde the mownth.	Spent.	
1427. July 1. Cap. 1	1426. Cap. 83	Parliamentum Apud Perth. De juramento auditorum ad causas et querelas terminandas.	Sup. 31 & 32 Vict. c. 72.	35
„ 2	„ 84	De financia facienda per clericos aut laicos ad partes ultramarinas se transferentes.	Obsolete. State of things contem- plated having ceased to exist.	40
„ 3	„ 85	De hostellariis seu hospiciis publicis -	Spent.	
„ 4	„ 86	Revocacio ordinationum super artificum decanis.	Spent.	
„ 5	„ 87	Pro expedicione litium in curia spiritali	Virt. rep. 1581, c. 20.	
„ 6	„ 87	De arbitriis - - - -	In part as to pending references spent. Rem. obsolete. See Ersk. Inst. IV. 3, 34. Bell Lects. I. 388. Mack. Obs., 20.	45
„ 7		De excepcionibus falsis et frivolis -	Falls with 1425, c. 10.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1427. Mar. 1.	1427.	Concilium Generale Apud Perth.	
5 Cap. 1	Cap.100	Of thaim that has oute of the realme merchandice nocht payande the custum.	Virt. rep. 1707, c. 7. Art. vi.
„ 2	„ 101	Of the commissaris of the schiris and the commoun spekar of the parliament.	Virt. rep. 1707, c. 7. Art. xxi.
„ 3	„ 102	Anentis the men of craftis in burowis -	Expired.
10 „ 4	„ 103	Addicioun to the statut of beggaris -	Virt. rep. 1698, c. 40.
„ 5	„ 104	That baronis ger seik the quhelpis of the wolfis and sla thame.	Obsolete, wolves being extinct.
„ 6		Of cruffis in watteris - - - -	Expired.
15 „ 7		The leife to merchandis to fure thar gudis in schippis of vthair cuntreis.	Expired.
„ 8	„ 105	Anent lipper folk - - - -	So far as not obsolete, sup. by Public Health (Scotland) Acts.
„ 9	„ 106	Anent the passage of clerkis out of the realme.	Obsolete, owing to change of circumstances.
20 „ 10		That na man cum to courtis with gaddering.	Sup. 1457, c. 29.
„ 11	„ 107	Anent interpreting the kingis statntis -	Obsolete. Could not be enforced.
„ 12	„ 108	Anent wylde foulis - - - -	Virt. rep. 13 Geo. III. c. 54, and 43 & 44 Vict. c. 35.
25 1428. July 12. Vol. II., p. 17.	1428.	Concilium Generale Apud Perth.	
	Cap.109	De juramento prestando Domine Regine	Spent.
30 1429. Apr. 26. Cap. 1		Parliamentum Apud Perth.	
„ 2	„ 110	De fugientibus a Rege vel alio quocunque ejus locum tenente.	Virt. rep. 7 Anne c. 21. s. 7.
„ 2		De colonis pro anno futuro non removendis.	Expired.
35 1429. Mar. 6. Cap. 1	1429.	Parliamentum Apud Perth.	
„ 2	Cap.111	Of mayris of fee - - - -	Virt. rep. 1587, c. 30.
„ 2	„ 112	Of summondis - - - -	Virt. rep. by Court of Session Acts.
„ 4	„ 114	Of essonyeis - - - -	} Virt. rep. 1532, c. 2, and Acts of Sederunt following thereon.
40 „ 5	„ 115	Of borghis fundyn be defendouris apon a weir of law and thar fredome to be avisit.	
„ 6	„ 116	Of falsing of domis - - - -	
45 „ 7	„ 117	Of reconteris and of the absens of the partiis at the dome geving of the decrete.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1429. Mar. 6 Cap. 8	1429. Cap. 118	Of the array of knychtis lordis and vtheris.	} Rep. in gen. terms 1681, c. 78.	5
„ 9		Of the array of burgessis and their wyffis.		
„ 10		Of the array of yemen and commonis to landwartis.		10
„ 11	„ 120	Anent the maner of grathing of gentilmen and utheris for weir.	} Obsolete, owing to change of social circumstances.	15
„ 12	„ 121	Anent the maner of grathing of yemen for weir.		
„ 13	„ 122	Of unlawis to be raisit of thaim nocht bodyn as is before writtyn.		
„ 14	„ 123	Anent the maner of grathing of burgessis for weir.		
„ 15	„ 124	Anent schippis that brekis within the boundis of this realme.	Virt. rep. 1707, c. 7. Arts. iv. and v.	20
„ 16	„ 125	Of the aith of advocatis in temporalle courtis.	In desuetude. See McQueen, 5 Br. Sup. 902.	
„ 17	„ 126	Anent the making and reparalling of galayis.	Spent. See Mackenzie's Obs., 27.	
„ 18	„ 127	Of the breif of seysing - - -	Virt. rep. 1540, c. 12. See Mackenzie's Obs., 27.	25
„ 19	„ 128	Of the kingis leigis that remanis in Ingland aganis the kingis will.	Virt. rep. 1707, c. 7. Art. i.	
„ 20	„ 129	Of soverte askit be ony of the kingis liegis that he hes doute of his life. In part, namely: From "Aude gif that the" to the end.	As to part in Col. 3, virt. rep. 20 Geo. II, c. 43.	30
„ 21	„ 130	Anent the service of inquestis and retouris to the kingis chapell.	Virt. rep. 10 & 11 Vict. c. 47.	35
„ 22	„ 131	Anent the act of the fishing of salmonde	Falls with 1424, 12 Mar., c. 12.	
1431. Oct. 16. Cap. 1.	1431.	Parliamentum Apud Perth. Of a contribution to be rasit for the resisting of the rebellouris in the north lande.	Spent.	40
„ 2	Cap. 132	Anent the selling or barteryng of salmonde out of the realme.	Obs. In des. Mack. Obs., 29.	
„ 3		Anent thaim that passit nocht with the king in the north cuntre aganis his rebellouris.	Spent.	45
„ 4	„ 133	Of the analyzing of landis fra the cronne be the governour of the realme.	Spent.	

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Statute Law Revision (Scotland).

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Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5 1432. May 27.	1426.	Parliamentum Apud Perth. Statutis for stanching of fellone slauchteris and barganis and for the abreging of the law in swilk case.	
10 Cap. 1	Cap. 89	Of the persute of thaim that committis slauchter.	
„ 2	„ 90	Of the slaar fugitive fra the law and proclamacion to be maid not to resett him.	
„ 3	„ 91	Of slauchter within a barony - -	
„ 4	„ 92	Of slauchter done within burgh - -	
15 „ 5	„ 93	Of schireffis and ministeris of Regalite that executis nocht the law beforsaid.	As to sheriffs, virt. rep. 1 & 2 Vict. c. 119. s. 25. As to baronies and regalities, virt. rep. 20 Geo. III. c. 43. Rem. obsolete, state of things contemplated by these Acts having ceased to exist. See Mackenzie's Obs., 21.
„ 6	„ 94	Of Lordis of Regalite and Aldermen and Balyeis in burgh that executis nocht the law.	
20 „ 7	„ 95	Of barganis in burgh or on lande and inquisicion thairanent whither it be forthocht felony or suddandly done.	
„ 8	„ 96	Of fugitouris fra burghis in forthocht felony.	
25 „ 9	„ 97	Of hurtis and slauchteris done be the frendis of assoverit partiis.	
„ 10	„ 98	Of the punicion of thaim that rise nocht in suppowel of the schireff persewand fugitouris with the kingis horne.	
30 „ 11	„ 99	That the kingis officiaris and the officiaris of regaliteis and burghis haif wandis and hornis.	Virt. rep. 1587, c. 30.
		Precept tuiching the keping of the forsaid statutis.	Falls with said statutes.
35 1433. Mar. 1. Cap. 1	1433. Cap. 134	Parliamentum Apud Strivelyn. Of the act maid at Perth anentis the breif of the breking of the kingis proteccioun.	Obsolete. In desuetude. See Mackenzie's Obs., 29.
40 „ 2		Of the breif of watter gangis - -	Expired.
„ 3		De vicecomitibus qui non debite fecerunt execucionem actorum parliamenti.	Spent
45 1434. Jan. 10 Cap. 2	1434. Cap. 136	Parliamentum Apud Perth. De literis retinencie et fidelitatis dandis Domine Regine.	Spent.

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B

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1436. Oct. 22. Cap. 1	1436. Cap. 137	Concilium Generale Apud Edinburgh. Anent the selling of thevis be lordis of regalite schireffis or baronis.	Obsolete, owing to state of things contemplated no longer existing.	5
„ 2	„ 138	Of the aithe to be maid be assisouris -	Obsolete. See Mack. Obs., p. 30.	
„ 3	„ 139	Of arrestmentis be crownaris at Justice airis.	Virt. rep. 8 Anne c. 16, and 9 Geo. IV. c. 29.	9
„ 4	„ 140	Of arrestment and persute of trespassouris be schireffis in the kingis name.	Sup. 50 & 51 Vict. c. 35. s. 2.	10
„ 5	„ 141	Of assoverance and proteccion be Inglismen.	Virt. rep. 1707, c. 7. Art. i.	
„ 6	„ 142	Of the setting of courtis for juging of thevis.	Obsolete, and sup. 50 & 51 Vict. c. 35.	15
„ 7	„ 143	Of the inbringing of bulyeon be merchandis.	Virt. rep. 1707, c. 7. Art. vi.	
„ 8	„ 144	Of the tavernaris in the nicht - -	Obsolete, and virt. rep. 50 & 51 Vict. c. 38.	
„ 9	„ 145	Anent Inglis clath and uthir gudis -	} Virt. rep. 1707, c. 7. Arts iv. and xviii.	20
„ 10	„ 146	Tuiching the selling of salmonde to Inglis men.		
„ 11	„ 147	Of bying of wyne fra Flemyngis of the Dam.		
„ 12	„ 148	That the kingis Justice hald the law quhair the trespas wes done.	Expired.	25
„ 13	„ 149	Of golde silver and jowalis - - -	Obsolete, owing to change of political circumstances.	
JAMES II.				
	1437.	Concilium Generale Apud		30
Vol. II., p. 31.	Cap. 2	Of alienacionis of landis and movabill gudis in prejudice of the crown.	Spent and expired.	
„	„ 1	Coronacio Domini Regis Apud monasterium Sancte Crucis de Edinburgh.	Spent.	
1438. Nov. 27. Cap. 1		Concilium Generale Apud Edinburgh. Ordinacio super inquisicionibus captis tempore domini regis Jacobi primi.	Spent.	35
„ 2		Of oppin reyffis and spoliacionis - -	Sup. 1449, c. 7.	
1438. Mar. 13. Cap. 1	1438.	Concilium Generale Apud Strivilyn. Of the halding of twa sessionis yerly -	Spent.	40
„ 2	Cap. 3	Of arresting and taking soverte of rebellis or unrewful men resett or haldyn within castellis or fortalicia.	Spent.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1440. Aug. 2. 5 Cap. 1	1440. Cap. 4	Concilium Generale Apud Strivilyn. Of the fredome of haly kirk - - -	Sup. 1443, c. 1.
„ 2	„ 5	Of Justice airis to be haldin twise in the yere.	Sup. 1672, c. 40, and 50 & 51 Vict. c. 35. s. 46.
„ 3	„ 6	Of remede and punicioun of crymis -	Spent.
10 1443. Nov. 4. Cap. 1	1443. Cap. 7	Concilium Generale Apud Strivilyn. For the supple and defens of haly kirk -	In part sup. 1469, c. 1. Rem. rep. in gen. terms, 1690, c. 58.
15 1445. Jan. 14. Vol. II., p. 33.		Parliamentum Apud Perth. Tuiching the landis quhilkis our soverane lordis fadir had in peceabill possessione the day of his deces.	Expired.
20 1449. Jan. 19. Cap. 1	1449. Cap. 12	Parliamentum Apud Edinburgh. Of letteris of capcione to be gevin apon personis under censuris of haly kirk.	Rep. in gen. terms, 1690, c. 58, and 10 Anne c. 10. s. 12.
„ 2	„ 13	Of general pece to be proclamyt and kept oute throu the realme.	In part obsolete, state of things contemplated having ceased to exist; in part virt. rep. 1581, c. 22. Rem. sup. 1540, Mar. 14, c. 22, and 1670, c. 40.
25 „ 3	„ 14 } „ 15 }	Of rebellione agaynis the kingis persone or his autorite.	Virt. rep. 7 Anne c. 21.
„ 4	„ 16	For the keping of trewis on the bordouris	Virt. rep. 1707, c. 7. Art. i.
30 „ 5	„ 17	Of punicione of officiaris that wilfully trespassis in the ministracion of thar office.	Sup. 1540, Mar. 14, c. 22.
35 „ 6	„ 18 } „ 19 }	Of takis of landis for termes and takis of wedset landis effir the oute quyting of the lande. In part, namely: From "Bot quha sa," to the end.	As to part in col. 3, falls with Wadsets which are now obsolete.
„ 7	„ 20	For the restorance of spoliacion - - -	Obsolete. Mack. Obs., 41.
40 „ 8	„ 21	That Justicez chaumerlanis crownaris and uthir officiaris ryde bot with competent and esy nowmer.	Obsolete, the state of things contemplated having ceased to exist.
„ 9	„ 22	For the away putting of sornaris fenyet fulis bardis and sic lik utheris rynnaris aboute.	Obsolete, the state of things contemplated having ceased to exist.
45 „ 10		Persons chosyn of the thre estatis til examyn the actis of parliamentis and general counsallis.	Spent.
„ 11	„ 23 } „ 24 }	Of the bying and selling of vittale for eschewyn of derthe in the lande.	In part virt. rep. 7 & 8 Vict. c. 24, rein. obsolete in desuetude. Mack. Obs., 41.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1449. Jan. 19. Cap. 12	1449. Cap. 25	Of treson agaynis the kingis persone or his majeste.	Sup. 7 Anne c. 21.	5
„ 13	„ 26	That regaliteis that ar in the kingis handis be haldin in Ryalte.	Virt. rep. 20 Geo. II. c. 43. s. 3.	
„ 14	„ 27	For eschewing of masterful thift and reife	Sup. 1672, c. 40.	
„ 15	„ 28	Anent Justice Clerkis - - -	Virt. rep. 1672, c. 40.	19
„ 16		Anent the biggyn of touris or fortaliciois -	Falls with 1426, c. 7.	
„ 17	„ 29	Anentis the mone - - -	Virt. rep. 1707, c. 7. Arts. xvi. and vi.	
„ 18	„ 30	Ordinance anent the contumacy of partiis summonde befor the king and his consal.	Expired.	15
1450. May 4. Cap. 1	1450. Cap. 31	Concilium Generale Apud Perth. Of the bringing in of poyson be ony person of the realme.	} Obsolete, and probably in desuetude, Mack. Obs., 43. In any view, virt. rep. 1707, c. 7., Art. vi.	20
„ 2	„ 32	Of the bringing in of poyson by strangearis.		
1451. Oct. 25. Cap. 1-13	1451. Cap. 33	Parliamentum Apud Strivilyn. The avisement of the Deputis of the thre Estatis tuiching the mater of the money, &c.	Spent.	25
„ 14	„ 34			
„ 15	„ 35			
„ 16	„ 36			
„ 17-18	„ 37			
1452. Aug. 26. Cap. 1	1452.	Parliamentum Apud Edinburgh. Of the course of the Inglis penny - -	Expired.	30
„ 2		A parliament ordanyt to be haldin at Edinburghe the XXVIII day of Marche next to cum.	Spent.	35
„ 3	Cap. 38	Anent the threschin out of corne - -	Spent.	
„ 4	„ 39	Of halding wittail in gyrnall - -	Expired.	
„ 5	„ 40	Of bying and halding wittail to a derthe	Obsolete. See Note to 1449, c. 11. In any view, rep. in gen. terms, 7 & 8 Vict. c. 24.	40
1454. July 16. Cap. 1	1454.	Parliamentum Apud Edinburgh. Of the statutis anent the keping and execucione of Justice.	Spent.	
„ 2	Cap. 40	For the inbringing of wittalis - -	Virt. rep. 1707, c. 7., Art. vi.	45

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
		Parliamentum Apud Edinburgh.	
5	1455. Aug. 4. Cap. 3	Cap. 42 Of the office and power of the wardanis on the bordouris.	Virt. rep. 1707, c. 7. Art. i., and 20 Geo. II. c. 43.
	" 4	" 43 Of the annexacione of Regaliteis now in the kingis handis to the Rialte.	Virt. rep. 20 Geo. II. c. 43.
10	" 5	" 44 { That na office be geffyn in fee and heritage.	Obsolete. In desuetude. <i>Dun</i> , M. 3462, and virt. rep. 20 Geo. II. c. 43.
	" 6		
	" 7	Of the arestouris of fals cunyeouris -	Expired.
15	" 8	" 45 Of sornouris - - -	Obsolete, state of things contemplated having ceased to exist.
	" 9	" 46 Of the secret consale of burowis - -	Obsolete. In desuetude. <i>Mack</i> . Obs. 48, and virt. rep. 3 & 4 Will. IV. c. 76.
	" 10	Of ane ambaxat to the pape - -	Spent.
20	" 11	" 47 Of the arraymentis for Parliamentis and Generale Consallis.	Rep. in gen. terms 1681, c. 78.
	" 12		
	" 13	Continuacion of this parliament - -	Spent.
		Parliamentum Apud Striviling.	
25	1455. Oct. 13. Cap. 1	" 48 { Of takynnys on the est bordour be balys birnyng.	} Virt. rep. 1707, c. 7. Art. i.
	" 2		
30	" 3	" 49 Of personis sclanderit or suspect of tresone.	Virt. rep. 7 Anne c. 21.
	" 4	" 50 That nane pas in Inglande without leif in tyme of weir.	} Virt. rep. 1707, c. 7. Art. i. See a to this and following Acts, <i>Mack</i> . Obs., 49.
35	" 5	That na Inglisman cum in Scotlande withoutyn conduct or assoverance.	
	" 6	" 51 { That na Scottisman bring in the realme ony Inglismen.	
	" 7	That na Scottisman sit apon speciale assoverance of ony Inglisman.	
40	" 8	" 52 { That na Scottisman supple Bervyk nor Roxburghe.	} Virt. rep. 1707, c. 7. Art. i.
	" 9		
	" 10	" 53 Of reif of gudis or presonaris - -	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.		
1455. Oct. 13. Cap. 11	1455. Cap. 54	Of willfull effray in the hoist - - -	} Virt. rep. 1707, c. 7, Art. i.	5	
„ 12		Thir saide statutis to be proclamyt at raidis maide in Inglande.			
„ 13		Anent Inquisicion of sornouris and oppressouris.	Spent.		
„ 14	„ 55	Of the laying of garnisonis apone the bordouris.	Virt. rep. 1707, c. 7., Art. i.	10	
1456. Oct. 19. Cap. 1	1456. Cap. 56	Concilium Generale Apud Edinburgh.	} Spent.	15	
„ 2		Anent debatis of the taking of prisonaris.			
„ 3		Of the supple of the bordouris - - -	Spent.		
„ 4		Of the defence of the realme - - -	Spent.		
„ 5		Of cartis of weir - - -	Spent.		
„ 6		„ 57	Of the pestilence and governance thairof	Sup. by Public Health Acts.	20
„ 7		„ 58	Of the mone - - -	Virt. rep. 1707, c. 7., Art. xvi.	
„ 8		„ 59	Of Justice and of sessionis halding -	Virt. rep. 1532, c. 2.	
„ 9		„ 59	Of distressis takin be schireffis and constablis at faris.	Spent, and obsolete. Mack. Obs., 51.	
„ 10		„ 60	Of distressis for constabill feis - - -	Spent.	25
„ 11		„ 60	Of vittalys passande to Berwik Roxburghe and Inglande.	Spent.	
1457. Mar. 6. Cap. 1	1457. Cap. 61	Parliamentum Apud Edinburgh.	} Spent.	30	
„ 2		Of the lordis of the sessione - - -			
„ 3		„ 62	Of the causis that the lordis of the sessione sall knaw apone.	} Virt. rep. 1532, c. 2.	35
„ 4		„ 63	Tuiching the expens of the lordis of the sessione.		
„ 5		„ 63	Of uthir lordis of the sessione to be namit the said sessionis endit.		
„ 6		„ 64	Of wapinschawingis - - -	Obsolete, and virt. rep. by the Militia Acts.	40
„ 7		„ 64	Of the mone - - -	Spent.	
„ 8		„ 65	Anent the reformacione of golde and silver wrocht be goldsmythis.	Sup. 6 & 7 Will. IV. c. 69.	

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1457. Mar. 6 5 Cap. 9	1457. Cap. 66	Of litstaris - - - - -	Virt. rep. 1707, c. 7. Art. xviii.
„ 10	„ 67	Anent the estat of merchandice and restricione of the multitude of sailaris.	Virt. rep. 1707, c. 7. Art. xviii. Obs. Mack. Obs., 53.
„ 11	„ 68	Of the arraymentis for Parliamentis -	Rep. in gen. terms, 1681, c. 78.
„ 12	„ 69	Anentis the reformacione of hospitalys -	Spent.
10 „ 13	„ 70	Anent restricione of sumptuose clething	Rep. in gen. terms, 1681, c. 78.
„ 14		Of Justice ayris - - - - -	Sup. 1672, c. 40.
„ 15	„ 71	Anent the setting of landis in feufferme -	In part sup. 1597, cc. 4 and 5; rem. falls with Ward Holding, 20 Geo. II. c. 50.
15 „ 16	„ 72	Of regaliteis - - - - -	Virt. rep. 20 Geo. II. c. 43.
„ 17		Of beggaris - - - - -	Sup. 1698, c. 40.
„ 18	„ 73	Anentis mettis and mesuris - - -	Virt. rep. 1707, c. 7., Art. xvii.
„ 19	„ 74	Anentis the contentacione of parteis plenyeande of personis quhilkis has remissionis of the king.	Sup. in part 1532, c. 2. Rem. obsolete, state of things contemplated having ceased to exist.
20 „ 20		Anentis the reformacione of chaumerlane ayris.	Spent.
„ 21	„ 75	Of frehaldaris cuming to Parliament or general consale.	Virt. rep. 1707, c. 7., Art. xxii.
25 „ 22		Of the use of taking distressis for constable feis.	Spent.
„ 23	„ 76	The punicione of negligent officiaris .	Virt. rep. 1540, Mar. 14, c. 22.
„ 24	„ 77	Of bandis and ligis within burrowis and of manrent.	Sup. 1491, c. 17.
30 „ 25	„ 78	Anent maisterful men that schapis thame to occupy maisterfully lordis landis.	Obs. In des. Mack., Obs., 56.
„ 26	„ 79	Of Inquisicione of Sornaris bardis maisterfull beggaris and fenyeit fulyis.	Obsolete, state of things contemplated having ceased to exist.
„ 27	„ 80	Anent plantacione of woddis and heggis and sawing of broum.	Obsolete, state of things contemplated having ceased to exist.
35 „ 28	„ 81	Anent the sawing of quheit peys and benys.	Obsolete, state of things contemplated having ceased to exist.
„ 29	„ 82	That all personis sall cum to courtis in sobyr and quiet maner.	In part obsolete, state of things contemplated having ceased to exist. Rem., as to Law burrows, virt. rep. 45 & 46 Vict. c. 42. s. 6.
40 „ 30	„ 83	Anent yardis and heggis of dry staikis -	Obsolete, state of things contemplated having ceased to exist.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1457. Mar. 6. Cap.31	1457. Cap.84	Anent the keping of wyld fowlis that ganis to eit for the sustentacione of man.	In part virt. rep., Wild Birds Protection Acts, 1880 to 1896. In part virt. rep., 13 Geo. III., c. 54. Rem. obsolete, state of things contemplated having ceased to exist. 5
„ 32		Anent the distroying of rukis crawys and uthir fowlis of reif.	Obsolete, state of things contemplated having ceased to exist. 10
„ 33	„ 85	Anent the slauchter of rede fische -	In part virt. rep., 31 & 32 Vict. c. 123, s. 15, and Sched. C. Rem. expired and spent.
„ 34	„ 86	Anent ingyis that lat the smoltis to pas to the se.	Virt. rep., 31 & 32 Vict. c. 123. s. 19. 15
„ 35	„ 87	For the destruccione of wolfis - - -	Spent. Wolves extinct.
„ 36	„ 88	Anentis the slaaris of haris and destruccione of cunnyngis.	Obsolete. As regards hares, the Act 1621, c. 32, confirming this Act, was held to be in desuetude, <i>Donald</i> , Syme's Justiciary Reports, Jan. 1828, p. 303. 20
„ 37		The statute anent lesyng makaris confirmyt and apprevyt.	Falls with 1424, Mar. 22., c. 22.
„ 38		The statute of murbyrne apprevyt and ordanit to be kept.	Falls with 1424, May 26, c. 21. 25
„ 39	„ 89	Anent proclamacione of the actis and ordinancis abone writtyn in schyris and burrowis.	Spent.
„ 40		Exhortatione be the thre estatis to our soverane lord tuiching the diligent execucione of thir actis and statutis. 30	
JAMES III.			
1466. Oct. 9. Cap. 1	1466. Cap. 1	Parliamentum Apud Edinburgh.	35
„ 2		Of halikirk - - - - -	Expired.
„ 3	„ 2	Of a comission of Parliament for treating of the mariage of our lorde the king, my lady, my lordis of Albany and Marr and for divers uthir thingis.	Spent. 40
„ 4	„ 3	Anent commendis of beneficis religious or seculare.	Obsolete, as commends have ceased to exist.
„ 5	„ 4	Of pensionis oute of beneficis - - -	Obsolete, as such pensions have ceased.
„ 6	„ 5	Anentis law borowis and the unlawis of thame that brekis the samyn.	Expired. 45
„ 7	„ 6	Anentis summondis to be abregait to xxi dayis.	Virt. rep. 1532, c. 2, and Acts of Sederunt following thereon.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1466. Oct. 9. Cap. 8	A nentis barnes that ar put in feis of landis	Expired.
	„ 9 Cap. 7	That na Inglis man have benefice within Scotlande.	Virt. rep. 1707, c. 7. Art. i.
10	„ 10 „ 8	Anent the money and for the halding of the samyn within the realme.	Obsolete, state of things contemplated having ceased to exist. Mack. Obs., 59.
	„ 11	For the inbringing of the moneye in the realme.	Expired.
	„ 12 „ 9	Of coppir money to be cunyeit and of the cours of all uthir money.	Virt. rep. 1707. c. 7. Art. xvi.
15	„ 13 „ 10	For the reformacionne of the hospitalis -	Spent, in so far as it applied to the Chancellor and Bishop, and so far as general, sup. 1540, c. 19.
	1466. Jan. 31. Cap. 1	Parliamentum Apud Edinburgh. That nane sale nor pass in merchandise out of the realme bot fre men.	Virt. rep. 1707, c. 7. Arts. vi. and xviii.
	„ 2 „ 12	That na man of craft use merchandise -	Obsolete, through change of social circumstances, and virt. rep. 9 & 10 Vict. c. 17.
25	„ 3 „ 13	That na man sale in merchandise without half a last of gudis.	Obsolete. In desuetude. Mack. Obs., 63, and virt. rep. 1707. c. 7. Art. vi.
	„ 4 „ 14	That na schip be frachtyt without a charter party.	Obsolete. In desuetude. Mack. Obs., 64, and virt. rep. 1707, c. 7. Art. vi.
30	„ 5 „ 15	That na schip be frachtit with staple gudis fra the fest of Symondis day and Jude on to Candilmes.	Obsolete. In desuetude. Mack. Obs., 65, and virt. rep. 1707. c. 7. Art. vi.
35	„ 6 „ 16	That nane by nor sel na mak merchandise to the Swyn, the Sluse, the Dam, or Bruges.	Obsolete, and virt. rep. 1707, c. 7. Art. vi.
	„ 7	Tollerance granted till merchandis to do thar merchandis at Myddilburgh.	Spent.
40	„ 8 „ 17	Licence til merchandis to sale to the Rochel Burdeus France and Noroway.	Obsolete, and virt. rep. 1707, c. 7. Art. vi.
	1467. Oct. 12. Cap. 1	Parliamentum Apud Edinburgh. Of the course of the mone of uthir realmis and of the blak pennyis.	Virt. rep. 1707, c. 7. Art. xvi.
45	„ 2 „ 19	Of the payment of dettis and contractis bigane according to the cours of the mone at the making of the contractis.	Spent. Obsolete. In desuetude. Mack. Obs., 65.
	„ 3 „ 20	That briggis of buirdis be maide at ferryis for the eis of schipping of hors.	Spent.

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1467. Oct. 12. Cap. 4	1467. Cap. 21	The proposition of the clergy and burrowis touching the payment of subsidis procuracyis customis and dewteis gif the mone be proclaimit to lawer price grantyt be the king.	Spent.	5
1467. Jan. 12. Cap. 1		Parliamentum Apud Strivelin. Anent the mariage of our soverane lord -	Spent.	10
„ 2		Anent the mater of Noroway - -	Spent.	
„ 3	„ 22	Of the cours of the Scottis grote of the croune.	} Virt. rep. 1707, c. 7. Art. xvi.	15
„ 4	„ 22	Of the cours of the Inglis penny - -		
„ 5	„ 22	Of the cours of the quhite Scottis pennyis		
„ 6	„ 22	Of the cours of the blak mone - -		
„ 7	„ 22	Anent the heing of the avale of the crounite grote and Inglis penny.		
„ 8		Anent the inbringing of bulyon - -	Expired.	
„ 9	„ 22	Anentis mettis and mesuris - - -	Virt. rep. 1707, c. 7. Art. xvii.	
„ 10		Anent the taxt of the barounis—Inquisicion to be takin and retourit of the avale of ilk mannis rent.	Spent.	25
„ 11		The resavouris of the taxt—The personis ordanit to take the said Inquisicions in the several schirefdomis.	Spent.	
1468. Cap. 1		Parliamentum Apud Edinburgh. Anent the mone - - - -	In part virt. rep. 1707, c. 7., Art. xvi; rem. spent.	30
„ 2	„ 23	Of the Sessione - - - -		
„ 3	„ 24	That no catel be sellit out of the realme -	Obsolete. In desuetude, Mack. Obs., 65. Virt. rep. 1707, c. 7., Art. vi.	35
„ 4		That thar salbe bot twa sessiounis—ane in edinburgh and ane in perth.		
„ 5		For autorizing of Justice aris set in feriale tyme.	Spent.	
„ 6		Of the unlawis of the session - -	Spent.	40
„ 7		The king and his consale to chese utheris in case ony of the personis nemmyt to the sessiounis be seeke or absent.	Spent.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
		Parliamentum Apud Edinburgh.	
1469. Nov. 20. 5 Cap. 1	1469. Cap. 25	Of the fredome of halye kirk - - -	Sup. 1471, c. 1.
" 2	" 26	Of schireffis and uthir Jugis ordinaris quhilkis wil nocht minister Justice to the pure pepil.	Virt. rep. 1540, Mar. 14, c. 22.
10 " 3	" 27	Tuiching the new Inventionis of selling of landis be chartir and sesing and takin again of reversions. In part, namely: From "and because sik" to the end.	As to part in Col. 3. sup. 1617, c. 16.
15 " 5	" 29	Anent the electiounes of aldermen bailyis and uthiris officiaris of burowis.	Virt. rep. 3 & 4 Will. IV. c. 76.
" 6	" 30	Of notaris and tabellionis - - -	Sup. 1563, c. 17.
" 7	" 31	Of the metting of woln claith be the rig and nocht be the selwich.	Virt. rep. 1707, c. 7., Art. vi.
20 " 8	" 32	Of the indorsing of the kingis brevis and letteris.	Virt. rep. 1686, c. 5.
" 9	" 33	Of the takin of feis be constablis of castellis schireffis and bailyeis of burowis at faris parliament tymes and generale counsallis.	Obs.; in des., state of matters contem- plated having ceased to exist.
25 " 10	" 34	Anent the punding for malis and incasting and owtcasting of tennandis at wit- sunday or martymes.	Virt. rep. 1555, c. 12.
" 11	" 35	Of slachteris of forethocht felony and of sudante and of the immune of haly kirk and girth.	Obsolete, as girth and the immunity of Holy Kirk ceased at Reformation. Mack. Obs., 69.
30 " 12	" 36	Anent the distrenying of tenandis for the lordis dettis. In part, namely: From "And gif the soume optenit" to "said is or nocht," and from "And gif thair can nocht" to "before the schireff," and from "And failzeing thereof" to the end.	As to part in Col. 3, rep. in gen. terms, 1762, c. 45, and 37 & 38 Vict. c. 94.
35 " 13	" 37	For the multiplicacione of fisch salmonde grilses and trowtis.	In part expired. Rem. virt. rep. 31 & 32 Vict. c. 123. s. 19.
40 " 14	" 38	Anent the continuatiounis of the court of parliament and uthir courtis.	Falls with the Scottish Parliament, and by the establishment of perma- nent criminal courts.
45 " 15		Anent the executione of the act for the reformacione of hospitalis.	Falls with 1466, c. 13.
" 16		Anent the executione of the statute for the making of briggis at the ferryis.	Falls with 1467, c. 3.

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1469. Nov. 20. Cap. 17	1469. Cap. 39	Anent putting the Kingis Rollis and Register in bukis.	Spent.	5
„ 18	„ 40	Of blac mone of uthir realmes and counterfetis of the kingis blac mone.	Virt. rep. 1707, c. 7., Art. xvi.	
„ 19		The personis to quhom the thre estatis hes committit ful power to auise comone and refer again to the next parliament of certane materis viz. the inbringing of bullion—the reductione of the kingis lawis—the reformatione of mane sworne athis—and uthir articlis.	Spent.	10
				15
		Parliamentum Apud Edinburgh.		
1471. Maii 6. Cap. 1		Of the fredome and privilege of halikyryk	Sup. 1474, c. 1.	
„ 2		Of ane ambaxate to be sende to the king of France and the duc of Burgunye.	Spent.	20
„ 3	1471. Cap. 42	Act anentis the stanchyn of slachtir ratifeit with addicion.	Virt. rep. 1555. c. 4.	
„ 4	„ 43	That na clerkis purches abbasyis and uthir beneficis at the court of Rome quhilkis was nocht thairat of befor—nor offices of collectory—nor unyownys and annexacionis of benefices.	Virt. rep. 1587, c. 8.	25
„ 5		Of cartis of weir to be maid - -	Spent.	
„ 6	„ 44	Of armouris—and of wapynschawing -	Spent and obsolete, the state of things contemplated having ceased to exist.	30
„ 7	„ 45	Anent the weiring of silkis - -	Rep. in gen. terms, 1681, c. 78.	
„ 8	„ 46	Of the cours of the mone - - -	Virt. rep. 1707, c. 7. Art. xvi.	
„ 9	„ 47	For the eschewing of maneswering of fals Inquestis and assisis.	Virt. rep. 6 Anne c. 40.	35
„ 10	„ 48	Anent schippis and buschis for fysching -	Spent.	
„ 11	„ 49	Of unlawis in accionis befor the lordis of consail.	Falls with establishment of Court of Session.	
„ 12		The personis that the power of the thre estatis is committit to.	Spent.	40
		Parliamentum Apud Edinburgh.		
1471. Aug. 2. Vol. II., p. 101.	1471. Cap. 41	Anent the ordour and forme in the taking of excepcions to breffis.	Virt. rep. 1532, c. 2.	45
		Parliamentum Apud Edinburgh.		
1474. Maii 9. Cap. 1		Of the fredome of halykirk - -	Sup. 1475, c. 1.	

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5	1474. Maii 9. Cap. 2	Of an ambassat to be sende in Ingland for redres of the barge and uthir attemptis.	Spent.
	„ 3	Of a commission to be sende till the king of Denmark.	Spent.
10	„ 4 1474. Cap. 50	Anent the mone and the inbringyne of bulyeone.	Virt. rep. 1707, c. 7. Art. vi.
	„ 5	Anentis the cartis of weir - -	Spent.
	„ 7 „ 52	Anent the pruing of arestmentis - -	Falls with crouners and serjeands.
15	„ 8 „ 53	Anent the aierschipe of movabill gudis of baronis gentilmen and frehaldaris.	Virt. rep. 31 & 32 Vict. c. 101. s. 160.
	„ 10 „ 55	Anent the awail of landis to be answerde in the Retour of the breifis of Inquest.	Virt. rep. 31 & 32 Vict. c. 101. s. 29.
20	„ 11	That complayntis be first persewit to the Juge ordinar.	Falls with discontinuance of Privy Council. 6 Anne c. 40.
	„ 12 „ 56	Anent the consale to be chosin in burowis.	Virt. rep. 3 & 4 Will. IV. c. 76.
25	„ 13 „ 57	Anent ourlordis that fraudfully deferris till enter to thair landis.	Virt. rep. 37 & 38 Vict. c. 94. s. 4.
	„ 14 „ 58	Anent the apprehending of persons arrestit to the Justice ayr.	Obsolete, and virt. rep. 1672, c. 40, and 50 & 51 Vict. c. 35. s. 16.
	„ 15 „ 59	Anent the steling of haukis hundis, &c. -	Obsolete. As to hounds, now treated as theft. As to hawks, virt. rep. 1685, c. 25. As to eggs, virt. rep. Wild Birds Protection Acts, 1880, to 1896.
30	„ 16 „ 60	Anent the hunting and slaing of dais and rays and the taking of cunnyrgis, &c.	In part obs., rem. virt. rep. 1535, c. 11.
35	„ 17 „ 61	Of the fraucht to be takin be feriaris -	Sup. 1669, c. 37. In desuetude, Mack. Obs., 80.
	„ 18	Continuation of the Parliament—and the power of the thre estatis committit to certane personis.	Spent.
40	1475. Nov. 20. Cap. 1	Parliamentum Apud Edinburgh. Of the fredome of haly kirk - -	Sup. 1478, c. 1.
45	„ 2	Of Justice aris to be set twise in the yer and of the executioun of the act anent fugitivis to the girth, &c.	In part, virt. rep. 1672, c. 40, and 50 & 51 Vict. c. 35. s. 46. Rem. falls with 1469, c. 11.
	„ 3 1475. Cap. 62	Anent the administracione of Justice in civile accions and complantis.	Virt. rep. 1532, c. 2.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1475. Nov. 20. Cap. 4	1475. Cap. 63	Twiching the reformatione of fals assisis passand upone criminale accions.	Obsolete. Hume, Criminal Law, I. 413. 5
" 5		Anent the mariage of our soverane lordis sistir.	Spent.
" 6	" 64	Anent the money - - - -	Virt. rep. 1707, c. 7., Art. vi.
" 7	" 65	That cunyit money be not put to the fire to be maid bulyone.	Virt. rep. 1707, c. 7., Art. xvi. 10
" 8	" 66	Anent the breif of Idiotrie and furiosite -	Virt. rep. 31 & 32 Vict. c. 100. s. 101.
" 9	" 67	Of the cours of the money - -	Virt. rep. 1707, c. 7., Art. xvi.
" 10	" 68	Of the payment of dettis according to the former cours of the money.	Spent, In desuetude. Mack. Obs., 83. 15
" 11	" 69	Of courtis of guerra - - -	Spent.
1476. July 1. Vol. II., p. 113		Parliamentum Apud Edinburgh.	
p. 114.	" 70	Revocacio omnium alienacionum corone regie prejudicialium.	Spent. 20
"		Continuacio parlamenti - - -	Spent.
"		The persons to whom the hail power of the parliament is committit.	Spent.
1478. June 1. Cap. 1		Parliamentum Apud Edinburgh.	25
" 2		Of the fredome of halikirk - -	Sup. 1485, c. 1.
" 3		Of the granting of remissionis and respettis for slauchter.	Spent.
" 4		Of the striking of cunye and of bulyeon -	Spent. 30
" 5	1477. Cap. 72	For inbringing of vitalis and uthir lauchful merchandice in the realme.	Obsolete, and virt. rep. 1707, c. 7., Art. vi. 35
" 6	" 73	For observing of the act anent the cruvis sett in watteris. In part, namely:— The words "under the pain of v li for ilk cruf," "under the samyn payne", and from "And that the myd streme" to the end.	As to part in Col. 3, in part virt. rep. 9 Geo. IV. c. 38. s. 7, rem. in desuetude, <i>Barclay v. Scott</i> , 1684, M. 14,286. 40
" 7	" 74	Anent the feriaris that rasis fraucht, uppoune the kingis liegis.	Virt. rep. 1669, c. 37. 45

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1478. June 1 5 Cap. 8	1477. Cap. 75	Anent the murburne - - - -	Virt. rep. 13. Geo. III. c. 54. s. 4.
„ 9	„ 76	Of the bind of salmonde - - - -	Virt. rep. 1693, c. 12.
„ 10	„ 77	Of masterfull beggaris and sornaris -	Sup. 1698, c. 40.
„ 11	„ 78	Of schoyn of hors in the quyk be ignorant smethis.	Obsolete, owing to change in social circumstances.
10 „ 12		The power of the Parliament committit to certane persons of the thre estatis.	Spent.
1481. Apr. 2. 15 Cap. 1	1481.	Parliamentum Apud Edinburgh. The liegis to be warnyt to be redy to cum to the king bodin in feir of were.	} Spent.
„ 2	Cap. 80	Of speris and jakkis - - - -	
„ 3		Of targeis - - - -	
„ 4	„ 81	Anent personis cummand to the oist -	
20 „ 5		Of the execucioun of the actis anent the wapinschawin and abilyement for were.	
„ 6	„ 82	For reparaling and stuffing the kingis castellis.	} Spent.
„ 7		Anent the privilege of the crown tueching the presentacions of beneficis the tyme of the vacacioun of the sege of bischoppis.	
25 „ 7			Sup. 1481, Mar. 18, c. 16.
1481. Mar. 18. 30 Cap. 1		Parliamentum Apud Edinburgh. Of the breking of the trewis be the revare Edward calland him king of England.	} Spent.
„ 2		Grant to the king and promit be the estates to abide with thare persons and substance in his defence.	
35 „ 3		The kingis promit for ministracione of justice and gude reull.	
„ 4		The maner of redynes for resisting and aganostanding of the said revare Edward.	
40 „ 5		Of the beraris of the kingis letteris to warnh is liegis.	
„ 6		Twiching the resisting of the tratour James of Dowglace.	
45 „ 7		Grant of VIe men of were to be layd in garnysoun on the bordouris.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1481. Mar. 18. Cap. 8	1481.	Of the placis that the said men of were salbe layd in.	} Spent.	5
„ 9		Of the captanis of the saidis placis - -		
„ 10		Of the waigis of the Capitanys foresaide -		
„ 11		Of the wardane on the west bordouris -		
„ 12		Anent the punitioun of personis quhilkis favouris the tratour James of Dowglas.		10
„ 13		Of an ambaxat to the king of France for help and supplie.		
„ 16	Cap. 84	Of the privilege of the croun anent the presentacioun of benefices in the tyme of the vacacioun of the segis of bischopis.	Virt. rep. 1560, c. 2.	15
„ 17	„ 85	Of the punitioun of thame that takis officis of procuracion, &c. contrare the said privilege.	Falls with said privilege.	
„ 18		For the inbringing of merchandise and vittalis in the realme be strangearis and alienaris.	Obsolete, and virt. rep. 1707, c. 7. Art. vi.	20
Vol. II., p. 141.	„ 79	Declaracioun of the law tuiching the halding of courtis of Purprusioun.	Obsolete. In desuetude. Ersk Inst. II. 5. 52. See Mack. Obs., p. 85.	
		Parliamentum Apud Edinburgh.		25
1482. Dec. 2. Cap. 1		Of pece and aliance with England -	Spent.	
„ 2		Anent the Duke of Albany—to tak apon him to be lieutenant generale of the realme.	Spent.	30
„ 3		For the defence of the realme baith be sey and land.	Spent.	
„ 4		On the ministracione of Justice be war- danis schireffs and uthir officiaris.	Spent.	
„ 5	1482. Cap. 86	Of the continuacioun of wardanis courtis	Falls with the abolition of these courts.	35
„ 6	„ 87	Aganis thame that breikis sauf conduct -	Obsolete, state of thinga contemplated having ceased to exist.	
„ 7	„ 88	Aganis the inbringing of corrupt or mixt wyne within the Realme.	Sup. 38 & 39 Vict. c. 62.	40
„ 8		Anent the halding of money within the realme.	Falls with the acts it ratifies.	
„ 9		Anent the purchesing of pensions furth of benefices.	Obsolete, as such pensions have ceased.	45

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1482. Dec. 2. Cap. 10	1487. Cap.114 For the inbringing of victualis and nede- full merchandise be strangearis of uthir realmes.	Virt. rep. 1707, c. 7. Art. vi.
10	„ 11	For remede of the complaynt made be divers merchandis that thair gudis are haldin fra them in France.	Spent.
15	1483. Feb. 16. Cap. 1	1483. Cap.89 Parliamentum Apud Edinburgh. Of proclamacion to the liegis to cum to the king for the defens of the Realme— and of wapinschewingis.	Spent and sup. by the Militia (Scot- land) Act.
	„ 2	Tueching the recovering of the castell of Dunbar.	Spent.
20	„ 3	Tueching the personis that ar summound for airt and part and tresonable as- sistance to Alexander sum tyme duc of Albany.	Spent.
	„ 4	Of Justice airis to be sett and haldin generally throu the Realme and of wardane Courtis.	Virt. rep. 1672, c. 40.
25	„ 5	Aganis the gevin of remissionis or re- spettis.	Expired.
	„ 6	„ 90 Tueching the kingis malis rentis and fermez.	Spent.
30	„ 7	Anent the blame of the estatis and lordis that ar not cumin to this parliament.	Spent.
	„ 8	„ 91 Anent the discordis that standis ymangis our souerane lordis liegis.	Spent.
35	„ 9	Anent Impetraciouns made in the Court of Rome Incontraroure souerane lordis privelege.	Falls with 1481, Mar. 18, c. 16.
	„ 10	Cap.93 Of the money and Inbringing of bulloun	Virt. rep. 1707, c. 7., Art. xvi.
	„ 11	Anent the having of mone furth of the Realme for promocions and pleis in the Court of Rome.	Virt. rep. 1560, c. 2.
40	1485. Maii 9. Cap. 1	Parliamentum Apud Edinburgh. Of the fredome of halikirk - -	Sup. 1487, c. 1.
45	„ 2	Anent the pece now takin betuix our soverane lord and Richard king of England. And the meriage and aliance appunctit to be maid and per formyt.	Spent.
	„ 3	Anent the fischgarth of Esk debatable betuix the Realmes.	Spent.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1485. Maii 9. Cap. 4	1485. Cap. 94	Of Justice airis to be haldin in all partis of the Realme twys in the yer—and of Remissions and Respittis.	As to Justice airis, virt. rep. 1672, c. 40. Rem. virt. rep. 1587, c. 31. Mack. Obs. 91.	5
„ 5		Of an ambassat to our haly fader the paip.	Spent.	
„ 6-12		Materis to be put in the Instruccions that salbe gevin to the commissioneris forsaid to be send to the paip.	Spent.	10
„ 13	„ 95	Of feriaris that takis duble and trible fraucht.	Virt. rep. 1669, c. 37.	
„ 14		Of speciale letteris to be writtin to the paip tuiching benefices elective.	Spent.	15
„ 15	„ 96	For eschewing of the dammage sustenit be the liegis in the mynysyng in the finace of silver werk.	Virt. rep. 6 & 7 Will. IV. c. 69. s. 1.	
„ 16		Of the cours of the money and for the inbringing of bulyone—And anent the plakkis and half plakkis.	Virt. rep. 1707, c. 7., Art. xvi.	20
„ 17		Anent the execucion of the act aganis the purchessaris of benefices pertening to our soverane lordis presentacioun the sege vacand.	Virt. rep. 1560, c. 2.	25
1486 (P).		Parliamentum Apud . . .		
Cap. 1	„ 97	The crying doune of the new plakkis	Virt. rep. 1707, c. 7., Art. xvi.	
„ 2		Anent the halding and keping of talloun within the realme.	Falls with the Acts it ratifies.	
„ 3		That na hydys saltit dry nor barkit be had out of the realme.	Expired.	30
1487.		Parliamentum Apud Edinburgh.		
Oct. 1. Cap. 1		Aganis the gevin of remissiounis and respectis for vii yeiris nixt tocum.	Expired.	35
„ 2		Of Justicez generale to be deput—and of Justice airis to be haldin in all partis of the Realme.	Virt. rep. 1672, c. 40.	
„ 3	1487. Cap. 98	Promitt be the estatis not to manteine or defend tratouris nor uthir trespassouris.	Spent. Mack. Obs. 91.	40
„ 4	„ 99	Anent the Crounar quhen he Ressaavis his portews.	Obsolete, as the office of coroner has ceased to exist.	
„ 5	„ 100	Of the execucion of the actis of parliament anent the punycion of slachter—with addicioun.	Virt. rep. 1701, c. 6.	45
„ 6	„ 101	Of the keping of trespassouris eftir that thai ar takin and arrestit be the crounar.	Obsolete, since the office of coroner ceased.	50

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1847. Oct. 1. Cap. 7.	Cap. 102 Anent the gudis of convict trespassouris and bringing in the samin to the chekker.	} Obsolete. In desuetude. Mack. Obs. 92.
10	8	103 Of an assise to be gevin at Justice airis to the schireff and Cronnaris gif thai have usit and done thair office trewly.	
	9	104 Of the execucion of the act anent the cumin to Courtis in sobre and quiet wise with addioun.	Obsolete, state of things contemplated having ceased to exist.
15	10	105 Of jurisdiction and process in Civile accionis questionis and pleyis.	Sup. 1532, c. 2. In desuetude. Mack. Obs. 92.
	11	That thair be ane ambaxiat send to the king of Romanis with commissioun to laubour for the doun putting of the letter of marque.	Spent.
20	12	106 That the Actis of parliament made apon salaris furth of all burowis in the partis of Flandris Holland or Seyland be put to execucioun.	Obsolete, and virt. rep. 1707, c. 7., Art. vi.
25	13	107 That the act of parliament tueching the craftsmen usand and deland with merchandise be put to execucion.	Falls with 1466, c. 2. Virt. rep. 9 and 10 Vict. c. 17.
	14	108 That the act of parliament anent the chesing of officiaris in borowis be ratifit and put to execucioun.	Falls with 1469, c. 5.
30	15	109 That the act of parliament anent the fraucht and laiding of schippis be put to execucioun.	Virt. rep. 1707, c. 7., Art. vi.
	16	110 Anent the barell bind of salmond not to be mynyst.	Obsolete, and virt. rep. 1693, c. 12.
35	17	111 That certane commissionaris of borrowis convene in ilk yere in the burgh of Inverkethin.	As to part in Col. 3 sup. by 1578, c. 11. and 1581, c. 26.
40		In part, namely: From "anis in ilk zere" to "James day" and from "and quhat burgh" to the end.	
	18	Anent the fisching and making of hering at the west sey.	Falls with the Act it ratifies.
45	1487. Jan. 11. Cap. 1	Parliamentum Apud Edinburgh. Of the fredom of halikirk - - -	Sup. 1489, c. 1.
	2	Anent the mariagis of our soverane lord and our lord the prince his son.	} Spent.
	3	Of the castel and toun of Berwik - -	
50	4	Anent the prolonging of the trewis -	
	5	Of certane personis to be nemmyt to be gret Justicis on the sowth side of forth.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1487. Jan. 11 Cap. 6	1487.	Of the Justicis on north half forth -	Spent.	5
„ 7		Of Justice ayeris to be proclamyt - -	Virt. rep. 1672, c. 40.	
„ 9		Anent the monye - - -	Virt. rep. 1707, c. 7., Art. xvi.	
„ 10		For punicioun of fals Cunyeouris - -	Virt. rep. 24 & 25 Vict. c. 99.	
„ 11		Anent the Inbringing of bulyeoun and keping of gold and silver within the Realme.	Virt. rep. 1707, c. 7., Art. vi.	10
„ 12		Anent Clerkis that makis Impetraciouns of beneficis at the Court of Rome.	Virt. rep. 1560, c. 2.	
„ 13		Anent the having of the money furth of the Realme.	Virt. rep. 1707, c. 7., Art. vi.	15
„ 14		For the staynching of slaughter thift Reffis hereschippis and uthir trespassis.	Spent.	
„ 15		Anent the fisching and making of hering and uthir fisch at the westsey and lowis.	Falls with the Act it ratifies.	
„ 16		Anent ouer souerane lordis bull of privilege tuiching legatis of the Court of Rome.	Spent.	20
„ 17		Anent the statute that all acciouns and causis sal pas before the schireffis and Jugez ordinaris.	Virt. rep. 1582, c. 2, and 6 Anne c. 40.	25
„ 18	Cap.113	Anent the gudis of persouns that ar justifit.	Obsolete. In desuetude. Mack. Obs. 93.	
„ 19		Anent the vacacioun of the sege of Aberdene	Spent.	
	„ 115	Commission for examination of the lawes	Spent.	
		JAMES IV.		30
		Parliamentum Apud Edinburgh.		
1488. Oct. 6. Cap. 1		Of the halykirk - - -	Expired.	
„ 2		Of oure soverane lordis mariage and a contribucioun for an ambaxiate to be send thairupon.	} Spent.	35
„ 3		Of a commissioun to renew the consideracioun betuix the realmez of France and Scotland.		40
„ 4		Anent the gudis landis and housis takyne befor the feild of Sterviling be lordis and personis that war with our soverane lord that now is.		45
„ 5		Anent gudis takin fra burgessis and merchandmen son the tyne of the feild of Sterviling and of a generale remission to thaim.		

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1488. Oct. 6 Cap. 6	Of wardanis Justicis and uthir officiaris quhilkis were in feild at Sterviling agane oure soverane lord—to be secludit and suspendit fra the saidis officis.	Spent.
10	„ 7	Anent the entre of the aieris of thame that deit in the feild agane our Soverane lord.	
„	8	Anent the furth putting of Justice throw all the realme.	
15	„ 9	Anent the stanching of thift reff and uthiris innormitez.	Expired.
„	1488. „ 10 Cap. 1	Anent the replegeing of the inhabitantis of burrowis fra the Justicis.	Obsolete. In desuetude. Mack. Obs. 95. Virt. rep. 6 Geo. IV. c. 22.
20	„ 11	„ 2 Anent the cunye and bulyoun - -	Virt. rep. 1707, c. 7., Art. xvi.
„	12	„ 3 That all schippis cum to fre burrowis -	Virt. rep. 9 & 10 Vict. c. 17.
„	13	Anent clerkis quhilkis purchessis beneficis in the court of Rome quhilkis wes never thairat of befor.	Virt. rep. 1560, c. 2.
25	„ 14	„ 4 Anent clerkis that purchessis beneficez in the court of Rome of the quhilkis the presentacioun pertenis to his hienes the sege vacand.	Virt. rep. 1560, c. 2.
30	„ 15	Of the debaite and cause of the feild of Sterviling in the quhilk umquhile James king of Scotlande happinit to be slane and the caus and occasioun tharof.	Spent.
„	16	Of cruffis and fisch dammys - -	Sup. 1563, Jun. 4, c. 3.
35	„ 17	Of the keping of the castell of Edinburgh and governance of my lord James duk of Ros.	Spent.
„	18	That the castell of Dunbar be distroyit -	Spent.
40	„ 19	„ 5 Revocacion of alienacionis of giftis and privilegis grantit sen the secound day of Februar last by past be our soverane lordis saidir.	Spent.
45	„ 20	„ 6 Anent the aieris of lordis baronis and uthir landit men that war with oure soverane lord that now is in the feild of Sterviling.	Spent.
50	1488. Jan. 14 Cap. 1	Parliamentum Apud Edinburgh. Of the cunye and inbring of bulyone -	Virt. rep. 1707, c. 7., Art. xvi.
„	3	Anent the barell of salmond and the pakking and mesure of the samyn.	Virt. rep. 1693, c. 12.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1489. June 26. Cap. 1		Parliamentum Apud Edinburgh. Of halykirk - - - -	Sup. 1491, c. 1.	5
" 2		Of the ansuer to the king of Ingland apon the letteris brocht fra him.	Spent.	10
" 3		Anent the sending to the king of France for the renewing of the confideracioun.		
" 4		Anent the sending to the king of Denmark for the renewing of the alianceoz.		
" 5		Tuiching the takin of cawpis usit be heddis of kyn in Galloway.		
" 6		Anent the wardane of the west and middill merchis.		
" 7		Tuiching the assegeing of the castellis that are halding contrare our soverane lord.	Spent.	
" 8		Of the lordis to be chosin and be of consale to our soverane lord.	Expired.	20
" 9		Of the money - - - -	Virt. rep. 1707, c. 7., Art. xvi.	
" 10		Anent the byaris and sellaris of gold and silver cunyeit.	Virt. rep. 1707, c. 7., Art. vi.	
" 11		Of a proclamation to be maid that nane anherd with rebellis.	Spent.	25
1489. Feb. 3. Cap. 1	1489. Cap. 7	Parliamentum Apud Edinburgh. Of haly kirk - - - -	In part. sup. 1491, c. 1, rem. in desue- tude. Mack. Obs. 97.	
" 2		Of the Justice airis - - - -	Virt. rep. 1672, c. 40.	30
" 3	" 8	Of frendschip and concord to be maid amangis all our soverane lordis liegis.	Spent.	35
" 4	" 9	Anent the inbrynging of the taxt grantit in Parliament.		
" 5		Tuiching the renewing of the confiderna- cioun and alianceoz of France and elek- wise with Denmark and Espanye.		
" 6		Of an ambaziat to the king of Denmark		
" 7	" 10	Of the kingis properte and the annulla- cioun of all giftis donacions &c. sen the day of his Coronacioun.		
" 8		Anent the sustentacioun and governance of the Duk of Ros and erle of Mer.	Spent.	
" 9	" 11	Tuiching the observacioun of the treux takin with the king of Ingland.	Expired.	45

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5	1489. Feb. 3. Cap. 10	Appoyntement of auditouris of our soverane lordis comptis.	Spent.
	„ 11	Election of certane lordis to be oure soverane lordis secrett consale.	Spent.
	„ 12	Of the autorite of the said Consale -	Expired.
10	„ 13	Of goldsmythis quhilkis makkis fals mixtouris of ewill metals.	Virt. rep. 6 & 7 Will. IV. c. 69. s. 1.
	„ 14	Anent the act of saling of merchandis and anent the inbringing of bulyoune.	Virt. rep. 1707, c. 7., Art. vi.
15	„ 15	Anent the act maid on the feriaris quhilkis takis double frauchte.	Falls with the Act it ratifies.
	„ 16	Anent cruvis and fisch yardis - -	As to midstream, in desuetude. <i>Barclay v. Scott</i> 1684, M. 14,286. Rem. virt. rep. 31 & 32 Vict. c. 123 ss. 15, 19, 20, and Sched. F.
20	„ 17	Concernyng the fre tennentis that haldis of the prince duk of Rothissay and stewart of Scotland.	Spent.
	„ 18	Anent the money - - - -	Virt. rep. 1707, c. 7., Art. xvi.
25	„ 19	The taking of cawpis be the heddis of kyn in Galloway to be sessit.	Spent.
	„ 20	Tuiching the cawpis taking in Carrick -	Spent. In desuetude. Mack. Obs. 100.
	„ 21	Anent the proces of the recovering of annuale rentis in burrowis.	Obsolete. In desuetude. Mack. Obs. 100.
30	„ 22	Aganis thaim that compellis the kingis tennentis to do thaim ony maner of service.	Obsolete, owing to change in political and social conditions.
	„ 25	Anent the act annulling alienacions of landis &c. be our soverane lordis faidir.	Spent.
35	„ 26	The remit of thame that tuk parte with Robert lord Lile and Matho Stewart in the halding of the castell of Dunbertane.	Spent.
40	„ 27	Of the sitting of the lordis Auditouris of complantis with the lordis of Consale.	Expired.
	1491. Apr. 28 Cap. 1	Parliamentum Apud Edinburgh. Of the fredommez of haly kirk - -	Sup. 1540, c. 5.
45	„ 2	Of the aliancez and confederacions betuix the realmez of France and Scotland.	Spent.
	„ 3	Of our soverane lordis mariage - -	Spent.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1491. Apr. 28. Cap. 4	1491.	Of an ambaxiate to the king of Denmark	Spent.	5
.. 5	Cap. 24	Of the brevez of the Chancellary - -	Spent.	
.. 6	.. 25	Of landis fallin in ward to oure soverane lord or ony uthir baroun. In part, namely: From "als wele of the" to the end.	} As to part in Col. 3 virt. rep. 20 Geo. II. c. 50.	10
.. 8	.. 27	Anent finding of lawborrois - -		
.. 9	.. 28	Of the pursuit of slaaris and demem-braris.	Sup. by modern forms of arrest on warrant and trial.	
.. 10	.. 29	Of Justice airis to be set and haldin twis in the yere.	Virt. rep. 1672, c. 40.	15
.. 11	.. 30	Anent the execucioun of decrettis for the costis and scaithis of partiis.	Virt. rep. 1557, c. 6. Obsolete. In desuetude, Mack. Obs. 105.	
.. 12	.. 37	Anent thame that refuse to tak gold that is crakkit.	Virt. rep. 1707, c. 7., Art. xvi.	20
.. 13	.. 31 } .. 32 }	Of wapynschawingis foure tymes in the yere.	} Obsolete. In desuetude. Mack. Obs., 105, and virt. rep. by the Militia Acts.	25
.. 14		Of dais of meting on the bordouris for the keping of the trewis.		
.. 15	.. 33	Of the statutis of mettis and mesuris -	Virt. rep. 1707, c. 7., Art. xvii.	
.. 16		Of the sitting of the sessiounis - -	Virt. rep. 1532, c. 2.	
.. 17	.. 34	Anent legis and bandis and convocacioun of commonis in burrowis.	Sup. 1 Geo. I. c. 5.	
.. 18	.. 35	Anent the breif and summondis of errour	Obsolete. See Articles of Grievances 1689.	30
.. 19	.. 36	Of the commoun gud of all burrowis - In part, namely: From "And Inquisicioun" to the end.	As to part in Col. 3, virt. rep. by 3 Geo. IV. c. 91. s. 5.	35
.. 20		Anent the proclaiming of thir actis and statutis.	Spent.	
		Parliamentum Apud Edinburgh.		
Feb. 6. Cap. 1		Anent oure soverane lordis mariage -	} Spent.	40
.. 2		Anent the tressour that our soverane lordis faider haid the tyme of his deces.		
.. 3		Of the personis that slew our soverane lordis faidir.		
.. 4		Of the dew execucioun of the actis for the administracioun of Justice.		

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1493. Maii 8. 5 Cap. 1		Parliamentum Apud Edinburgh. Anent the libertie and fredom of halie- kirk.	Expired.
„ 2		Anent the privilegis grantit be papis to our soverane lordis predecessouris.	} Virt. rep. 1560, c. 2.
10 „ 3	1493. Cap. 38	Anent the benefices quhilkis passis now to the court of Rome that war of befoir disponit in the realme be electiounis.	
15 „ 4		Anent the privilege tuiching the disposi- tioun and promotioun of all benefices elective.	
„ 5		Anent the privilege That na legat salbe ressavit within the realme bot gif he be ane Cardinall or native born of the realme.	
20 „ 6		Indult grantit perpetuallie to the Segis of Sanctandros and Glasgw to con- firme the electiounis of all abbaceis.	} Spent.
25 „ 7		Anent the pley now dependand in the court of Rome betuix the bischopis of Sanctandros and Glasgw.	
„ 8		Anent all uthirs pleyis in the court of Rome upone causis beneficiall.	Spent.
30 „ 9	„ 39	Anent taxationis of benefices eftir the auld taxation contenit in the buke of Bagimontis taxt.	Virt. rep. 1587, c. 8.
„ 10	„ 40	Anent the refusing of the money for crakis and flawis being in it.	Virt. rep. 1707, c. 7., Art. xvi.
„ 11		Of a commissioun to end and conclude our soverane lordis marriage.	Spent.
35 „ 12	„ 41	Anent the defraude done to our soverane lord in his custumis be strangearis.	Virt. rep. 1707, c. 7., Art. vi.
„ 13	„ 42	Anent the craftismen of burrowis that takis taxationn penny of men of the samin craft cummand to the merket.	Virt. rep. 9 & 10 Vict. c. 17.
40 1493. Maii 6. Cap. 14	1493. Cap. 43	Anent the using of dekynniss of men of craft in burrowis And als anent men of craft that statutis to have fee for the haly day.	In part spent, rem. obsolete owing to change in social circumstances.
45 „ 15	„ 44	Anent the taking of multur of the floure that cumis furth of uther landis to burrowis.	Virt. rep. 1707, c. 7., Art. vi.
50 „ 16	„ 45	Of the execucioun of all statutis quhilkis hes in the end of thame the pane of dittay.	Virt. rep. 1672, c. 40.
„ 17	{ „ 46 „ 47 }	Of the taxationis to be takin be custo- maris within the burgh.	In part sup. 1587, c. 37, rem. sup. 41 & 42 Vict. c. 49.

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1493. May 6. Cap. 18	1493. Cap. 48	Anent settaris of mureburn - -	Virt. rep. 13 Geo. III. c. 54. s. 6.	5
„ 19		Anent the distroying of heron sewis -	Expired.	
„ 20	„ 49	Anent schippis and buschis for fischeing	Expired.	
„ 21	„ 50	Of donatiounis and infeftmentis maid be our soverane lord that last decessit.	Spent.	
„ 22	„ 51	The kingis Revocatioun of alienatiounis donatiounis &c.	Spent.	10
„ 23	„ 52	Anent the barelling of Salmond of the auld bind of Abirdene.	Virt. rep. 1693, c. 12.	
„ 24		Anent the schippis and makin of fische at the west coist.	Falls with 1487, c. 15.	15
1496. June 13. Cap. 1		Parliamentum Apud Edinburgh. Of the libertie and fredome of haly kirk -	Expired.	
„ 2	1494. Cap. 53	Anent the impetratioun and purchessing at the court of Rome benefices elective and utheris.	Virt. rep. 1560, c. 2.	20
„ 3	„ 54	That all barronis and frehaldaris of substance put thair eldest sonis and airis to the sculis.	Obsolete, through change of social circumstances, and abolition of Heritable Jurisdiction.	25
„ 4	„ 55	Of the maister of the money and of cunye—and the inbringing of the bulyeoun.	Virt. rep. 1707, c. 7., Art. xvi.	
„ 5	„ 56	Of the prices maid upone all maner of stuffe wrocht be ony maner of werkman.	Obsolete, owing to change in social circumstances.	30
„ 6	„ 57	Anent summondis of errour or Inordinat proces.	As to summonses of error or inordinate process against Inspector, obsolete. As to triennial prescription, virtually repealed by 1617, c. 13.	35
1503. Mar. 11. Vol. II., p. 240.	1503. Cap. 100	Parliamentum Apud Edinburgh. Revocation of donationis statutis and all uthir thingis hurtand the croune or halikirk.	Spent.	40
Cap. 1		Of the fredome of halykirk - -	Expired.	
„ 2	„ 58	Of ane consale to be chosin be the king quhilk sall sitt continually.	Virt. rep. 1532, c. 2.	
„ 3	„ 59	Of Justices and schireffis depute for the Ilis.	As to sheriffs, virt. rep. 33 & 34 Vict. c. 86. As to Justice airs, virt. rep. 1672, c. 40.	45
„ 4	„ 60	Of the Justice airis for Ergile and uthir pairtis.		
„ 5	„ 61	Of the Justice airis for the schirefdomis of Ros and Cathnes.		

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1503. Mar. 11. 5 Cap. 6	1503. Cap. 62	Of remissionis	Obsolete, owing to change in social circumstances.
„ 7	„ 63	Aganis remissionis for slaughter upon forthocht felony.	Spent.
„ 8	„ 64	Of fals notaris	Sup. 1587, c. 29.
10 „ 9	„ 65	Anent recent spulye In part, namely: The words “apoune xv dais” and from “sa that he mak” to xxj dais.”	As to part in Col. 3, virt. rep. 1532, c. 2.
15 „ 10	„ 66	Anent the expensis of schireffis for the executioun of thair office in the distrenyeing of personis for dettis.	Virt. rep. A. S. 6 March 1833.
„ 11	„ 67	Of the expensis of proces led befor schireffis and uthir officiaris.	Virt. rep. 16 & 17 Vict. c. 80. s. 39.
20 „ 12	„ 68	For the halding of money within the realme.	Virt. rep. 1707, c. 7., Art. vi.
„ 13	„ 69	Anent stelaris of pikis out of stankis breikaris of dowcatis, &c.	Virt. rep. 1535, c. 11, and 1555, c. 36.
„ 14	„ 70	Anent beggaris	Virt. rep. 1698, c. 40.
25 „ 15	„ 71	Anent buschis and schippis to be maid for fisching.	Spent.
„ 16	„ 72	Anent the unlaw of gren wod—and the unlaw of murburn.	As to greenwood, virt. rep. 1698, c. 35. As to muirburn, virt. rep. 13 Geo. III. c. 54. s. 6.
30 „ 17	„ 73	Anent the slaughter of red fische in forbodin tyme.	Virt. rep. 31 & 32 Vict. c. 123. ss. 19, 20.
„ 18	„ 74	Anent the divisioun of schirefdomes	As to sheriffdoms, rep. in gen. terms 1509, c. 2. As to Justice airs, virt. rep. 1672, c. 40.
35 „ 19	„ 75	Anent policy to be haldin in the cuntre	As to dowcots, virt. rep. 1617, c. 19 Rem. spent.
„ 20	„ 76	Of wappinschawis	Spent.
„ 21	„ 77	Of airis and executouris persewit for dettis of thair faderis or forbearis.	Virt. rep. 31 & 32 Vict. c. 101. s. 16, and 37 & 38 Vict. c. 94. s. 12.
40 „ 23	„ 78	Of presens in the Parliament	Virt. rep. 1707, c. 7., Art. xxii.
„ 24	„ 79	That all the liegis be reulit be the lawis of the realme.	Spent.
„ 25	„ 80	Of all officiaris haifand office of Jurisdiction within burgh.	Obsolete. In desuetude. <i>Smollett v. Buntein</i> , 1 Pat. Ap. 26.
45 „ 26	„ 81	Of Jurisdiction amang merchandis in partis beyond sey.	Falls with the office of ccnservator.
„ 27	„ 82	Of the conservatour of Scotland	Falls with the office of ccnservator.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1503. Mar. 11. Cap. 28	1503. Cap. 83	Anent faris haldin apon halidais or within kirkis or kirk yardis.	Sup. 1579, c. 8.	5
„ 29	„ 84	Anent the privilegis and fredomes of merchandis and burrowis.	Virt. rep. 9 & 10 Vict. c. 17.	
„ 30	„ 85	That the commissaris of burrowis be warnyt quhen taxtis ar gevin.	Obs., owing to abolition of Scottish Parliament. Mack. Obs., 116.	10
„ 31	„ 86	Of the making of burgessis or gilde brethir.	Obsolete. In desuetude. Mack. Obs. 116, and virt. rep. 39 & 40 Vict. c. 12.	
„ 32		Of the execucioun of the act anent salaris	Spent.	
„ 33	„ 87	Aganis ligis or bandis within burghis -	Virt. rep. 1 Geo. I. c. 5.	
„ 34	„ 88	That na man hous woll hydis nor skynniss in places outwith fre burrowis.	Virt. rep. 1707, c. 7. Art. vi.	15
„ 35	„ 89	Anent the gevin of sesing be preceptis of oure soverane lordis chapell.	Obsolete. In desuetude. Mack. Obs., 116, and virt. rep. 1617, c. 16.	
„ 36	„ 90	Anent the setting of oure soverane lordis propir landis in fewferme.	Virt. rep. 1597, c. 4. so far as not expired.	20
„ 37	„ 91	Anent the setting of landis in fewferme be baronis and frehaldaris.	Expired. Mack. Obs., 116.	
„ 38	„ 92	Of malt makaris in burrow touns - -	Obsolete, owing to change in social circumstances.	
„ 39	„ 93	Of the Jurisdictoun of landis lyand in sindry schirefdomez.	Falls with Heritable Jurisdictions. 20 Geo. III. c. 43.	25
„ 40	„ 94	Anent the proponing of exceptions again the brief of inqueste.	Obsolete. Briefs of Inquest sup. by 10 & 11 Vict. c. 47. s. 1.	
„ 41	„ 95	Anent the proces of the breve of rycht and othir brevis pledabill.	Virt. rep. 1532, c. 2. In desuetude, Mack. Obs., 117.	30
„ 42	„ 96	Of mesouris and wechtis - - -	Virt. rep. 1707, c. 7., Art. xvii.	
„ 43		Anent the hamebringin of bulyeon -	Virt. rep. 1707, c. 7., Art. vi.	
„ 44	„ 97	Anent money othir crakit or flawit - -	Virt. rep. 1707, c. 7., Art. xvi.	
„ 46	„ 99	Anent the wordis of falsing of dumys -	Virt. rep. 1532, c. 2.	
1504. Jun. 4. Cap. 5		Parliamentum Apud Edinburgh.		35
„ 8		Anent the divisoun or unioun of schirefdomez.	Obsolete. In desuetude. Mack. Obs., 123.	
„ 8		Mortification of xx merkis to ane chaplane to sing in the chapell of Halirudehouse.	Spent.	40
1509. Maii 8. Cap. 1	1509.	Parliamentum Apud Edinburgh.		
„ 2	Cap. 101	Of the fredomes of halie kirk - - -	Expired.	
„ 2	Cap. 101	Anent the Division of schirefdomes -	Obs. In desuetude. Mack. Obs., p. 123.	45

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JAMES V.			
5	1515. July 12. Cap. 1	Parliamentum Apud Edinburgh. Of halie kirk - - - -	Expired.
	„ 2	„ 2 For stanching of the cryme of thift and stouthreif.	Sup. 1535, c. 40
10	1522. July 24. Cap. 1	Parliamentum Apud Edinburgh. Anent the waird releifis and mariageis of ony man slane in oist or army aganis our auld inimeis of Ingland.	Spent.
15	„ 2	„ 4 Anent the takkis or steidingis of tenentis slane be Inglismen in our soverane lordis armie.	Spent.
Parliamentum Apud Edinburgh.			
20	1524. Nov. 14. Cap. 1	Of the halikirk - - - -	Expired.
	„ 2	Tuiching the expiry of the office of tutory and governance of Jhone Duke of Albany.	Spent.
	„ 3	Appointement of the quenis grace to haif the keping and reule of the kingis persone.	Spent.
25	„ 4	Anent the dispositioun of wardis mariagis and all utheris the kingis casualeis.	Spent.
	„ 5	Of our soverane lordis secret counsale -	Spent.
30	„ 6	Of the granting ane comission to the ambaxatours that now are to pas in Ingland.	Spent.
	„ 7	Of the sessioun - - - -	Virt. rep. 1532, c. 2.
35	„ 8	Of the administratioun of Justice in crimynale actiouns.	Virt. rep. 1672, c. 40.
	„ 9	Anent stanching of thift - - - -	Obsolete, owing to change of social circumstances.
	„ 10	Of the cunye - - - -	Virt. rep. 1707, c. 7., Art. xvi.
40	„ 11	Anent the inbringing our soverane lordis propirtie.	Spent.
	„ 12	Anent the kingis propir landis sett in fewferms and assedatioun for xix yeris and utheris lang termes be Jhone Duke of Albany.	Spent.
45	„ 13	Anent remissioun for slauchtir - - -	Expired.

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1524. Feb. 15. Cap. 1		Parliamentum Apud Edinburgh. Anent the Secret Counsale - -	Spent.	5
„ 2		Anent the removing of the kyng - -	Spent.	
„ 3		Anent the dispositioun of benefices -	Spent.	
„ 4		Anent the sure keping of the king - -	Spent.	
„ 5		Anent the giding of the realme - -	Spent.	
„ 6		Anent the reule of the bordouris - -	Spent.	10
„ 7		Anent the taking of gudis in Inland -	Spent.	
„ 8		Anent the taking of salt out of the realme.	Virt. rep. 1707, c. 7., Art. vi.	
„ 9		Anent the keping of the selis - -	Spent.	
„ 10		Anent the kingis propertie - - -	Spent.	15
„ 11		Tuiching the capitane of the castell of Edinburgh.	Spent.	
„ 12		Annulatioun of all proces of tressoun aganis James Erle of Mortoun and utheris.	Spent.	20
1525. July 6. Cap. 1		Parliamentum Apud Edinburgh. Of the fredom of halikirk - - -	Expired.	
„ 2		Of the Actis maid aganis thaim purchessand benefice at the court of Rome.	Falls with these Acts.	25
„ 3		That na faith be gevin ony writing under ane sele without subscription.	Sup. 1540, 14 March, c. 37.	
„ 4		Anent the dampnable opunyeouns of heresy.	Sup. 1535, c. 2. Virt. rep. 1560, c. 2.	30
„ 5		That the lordis havand the kingis auctoritie sall nocht use the samin bot be all the lordis togidder or the maist part of thaim.	Spent.	
„ 6		Anent the kingis letteris to be gevin aganis thame that lvis under the sentence of cursing for the space of xl dais.	Rep. in general terms 1690, c. 58.	35
„ 7		Of ane commissioun for treting of pece with Inland.	Spent.	40
„ 8		Anent the processis of Justice airis and Justice courtis. Anent thame that lay wachis and besett gaitis for the slauchtir and invasioun of the persouns that thai has inemytie aganis.	Virt. rep. 1672, c. 40. Obsolete, through change of social circumstances.	45

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5	1525. July 6. Cap. 10	Of the committaris of the crymes of fire rasing and revesing of wemen. Ratificatioun of giftis actis &c. done be the lordis of Secret Counsale in absence of the Quenis grace.	Sup. 1540, 14 March, c. 38. Spent.
10	1526. Jun. 12. Cap. 1	Parliamentum Apud Edinburgh. Of halikirk - - - -	Expired.
	„ 2	Declaracioun that the Kingis auctoritie riale is in his awn handis.	Spent.
15	„ 6	The lordis to be of the Kingis Counsale and of his Secret Counsale.	Spent.
	„ 7	Ratificatioun of all giftis respectis remis-siouns and all uthir actis maid be his hienis sen his age of xiiij yeris.	Spent.
20	„ 9	Anent the gyding of the Kingis persone -	Spent.
	„ 10	Revocatioun of all giftis &c. of the Kingis propirtie sen the deceis of his fader.	Spent.
25	„ 11	Anent the cours of money bringing hame of bulyeoun and the having furth the gold of the mynd.	Spent.
	„ 12	Anent the auld actis aganis thame that dois contrar the Kingis privilege grantit to his predecessouris and successouris be the sege of Rome.	Falls with the acts it rectificis.
30	„ 13	Anent the mariage of our Soverane Lord	Spent.
	„ 14	Anent the keping of the auld Actis of Parliament that ar penale.	Spent.
35	„ 15	Anent the gudis of persouns that deis within age.	Sup. 1540, 14 March, c. 40
	„ 16	Anent the ressavng of Legatis or Legatioun in this realm.	Sup. 1540, 14 March, c. 41.
	„ 17	Of remeid aganis thaim that under traist with dissait committis slauchteris &c.	Expired.
40	1526. Nov. 12. Cap. 1	Parliamentum Apud Edinburgh. Of the fredome of haly kirk—with addi-cioun.	Sup. 1540, 14 March, c. 46.
45	„ 2	Anent the selling of breid within the toune of Edinburgh.	Sup. 1540, 14 March, c. 42.
	„ 3	Anent the selling of flesche in the toune of Edinburgh.	Sup. 1540, 14 March, c. 43.

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1526. Nov. 12. Cap. 4		Anent the carying of talloune furth of the realme.	Sup. 1540, 14 March, c. 44.	5
„ 5		Anent fals money or counterfetis - -	Sup. 1540, 14 March, c. 45.	
„ 7		Of Justice airis to be haldin universalie -	Virt. rep. 1672, c. 40.	
„ 8		Anent the oppressioune committet be the malt makiris of Leth.	Spent.	10
„ 9		Of conservatioune of the kingis previlege and how thai salbe punist that brekis the samyn.	Spent.	
„ 10	1528. Cap. 8	Of slauchteris murthouris and byrningis	Sup. 1567, c. 40.	15
		Parliamentum Apud Edinburgh.		
1528. Sept. 2. Cap. 1	„ 5	Anent the making of arrestmentis be crowneris.	Falls with crowners.	
„ 2	„ 6	Barounis and frehaldaris to ansuer in Justice aris for the men duelland upoun thair awine landis.	Obs. In des. Rankine, L.O. 573.	20
„ 3	„ 7	Anent actiounis for assithement - -	Virt. rep. 1532, c. 2. Mack. Obs., 127.	
		Parliamentum Apud Edinburgh.		
1532. Maii 13. ap. 1		Of the auctorite liberte and fredome of the sete of Rome and halikirk.	Expired.	25
„ 2	1537. Cap. 36-41	Concerning the ordour of Justice and the institutioun of ane college of cunning and wise men for the administracioun of Justice. In part, namely: The words "baith of Spirituale and temporale estate," from "to the nowmer" to "half temporall," the words "in this present parliament," from "and nane utheris" to "sitt quhill lammes," the word "thir" where it secondly occurs thereafter, the word "underwritten," and from "Providing alwayis" to the end.	As to part in Col. 3, in part virt. rep. 10 Geo. I. c. 19, 6 Geo. IV. c. 120, and 1567, c. 29, rem. spent.	30
				35
				40
„ 3		Anent the keping of money within the realme.	Virt. rep. 1707, c. 7., Art.xvi.	45
		Parliamentum Apud Edinburgh.		
1535. Jun. 7. Cap. 1		Libertie of halikirk - - -	Expired.	
„ 2		Aganis heretikis—for eschewing of heresy within this realme and the panis tharcof.	Virt. rep. 1560, c. 2.	50

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5	1535. June 7. Cap. 3	1535. Cap. 9 Aganis thame that sustenis the processe of cursing be the space of xl dais.	Rep. in gen. terms, 1690, c. 58.
	„ 4	For ane generale provinciale consale to be had.	Spent.
	„ 5	Taxt granted to the kingis grace - -	Spent.
10	„ 6	The mater of money and cunye - -	Virt. rep. 1707, c. 7., Art. xvi.
	„ 7	„ 10 Off planting of woddis forestis and orchartis.	Obsolete, state of things contemplated having ceased to exist.
15	„ 8	„ 11 The panis of the distroyaris of woddis and thaim that makis mureburn in forbobin tyme.	As to woods, virt. rep. 1698, c. 35. In desuetude. Macdonald Criminal Law, 115, note. As to Muirburn, virt. rep. 13 Geo. III. c. 54. s. 4.
	„ 9	„ 12 For keping of forestis - - -	Obsolete, in des. Rankine L.O. 148.
	„ 10	For slauchter of dais &c. - - -	Sup. 1551, c. 21.
20	„ 11	„ 13 Off brekaris of dowkatis yardis cunygarris parkis and stankis.	Obs. In des. Macd. Crim. Law, 115, note.
	„ 12	Off brekaris of yardis and orchartis -	Obsolete. In desuetude. Macdonald Criminal Law, p. 115, note.
25	„ 13	„ 14 Of slaying of haris in forbodin tyme -	Obsolete. In desuetude. See Donald, Symes' Justiciary Reports, p. 303, and note to Act 1457, c. 36.
	„ 15	Anent ane contributioun grantit to the kingis grace be the thre Estatis.	Spent.
	„ 16	„ 16 Off red fische smoltis and slaying of salmon in forbodin tyme.	Virt. rep. 31 & 32 Vict. c. 123. ss. 15, 19, 20.
30	„ 17	„ 17 Off cruvis and yaris - - -	Virt. rep. 31 & 32 Vict. c. 123. s. 15.
	„ 18	Of buschis for fisching - - -	Spent.
	„ 19	Of wapinschawingis - - -	Obsolete. Virt. rep. by the Militia Acts.
35	„ 20	Hagbutis and utheris small artalyery to be furnest within the realme.	} Spent.
	„ 21	That merchandis bring hame hagbutis culveringis calmes powder and hernes.	
	„ 22	For bigging of strenthis on the bordouris	
40	„ 23	„ 18 Provisioun for ostillaris and travellaris throw the cuntre.	Obs. In des., owing to change in social circumstances.
	„ 24	„ 19 That na man by Inglis hors or bartour for thame and that all man havand stude places gar plenys the samyn.	Spent.

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1535. June 7. Cap. 25	1525. Cap. 20	That na man sell nolt schepe &c. to Inglismen nor send vittalis fische or saltin England.	Virt. rep. 1707, c. 7. Art. i.	5
„ 26	„ 21	Off forstallaris - - - -	Rep. in gen. terms 7 & 8 Vict. c. 24.	
„ 27		For imbringing of the kingis grace propertie and casualite.	Sup. 1540, 14 March, c. 13.	10
„ 28		For slauchter with additioun - - -	Sup. 1540, 14 March, c. 14.	
„ 29	„ 22	For the stanching of maisterfull beggaris with additioun.	Sup. 1698, c. 40.	
„ 30	„ 23	The remeid for delivering of them that fleis to girth.	Obsolete, girth having ceased at the Reformation.	15
„ 31		The privelegis of burrowis - - -	Spent.	
„ 32	„ 24	Anentis merchandis that salis incontrar the actis maid of before.	Virt. rep. 1707, c. 7., Art. vi.	
„ 33	„ 25	That na schip sale with stable gudis fra Symonis day and Jude quhill candilmes.	Virt. rep. 1707, c. 7., Art. vi.	20
„ 34	„ 31	That na man sale in Flandris bot twice in the yeir.	Virt. rep. 1707, c. 7., Art. vi.	
„ 35	„ 26	Off chesing of officiaris in burgh and bringing of thare comptis of thare commoun gudis yerelie to the chekker.	Obsolete. In desuetude. Smollett v. Buntein, 1 Pat. App. 26.	25
„ 36	„ 27	That na man trouble or molest the provest ballies aldermen officiaris and otheris induellaris in the burgh.	Obsolete, state of things contemplated having ceased to exist. In desuetude. Mack. Obs., p. 131.	
„ 37		That my lord chancellor within ane certane of lordis quham plesis the kingis grace to depute with him sitt wolkly ane day to trete on materis concernyng the commoun wele.	Spent.	30
„ 39	{ „ 33 } { „ 34 } { „ 35 }	That Justice aris and proces be peremptoure at the secound court and how crownaris sall mak thair arrestment and that gret crymes be callit at particuler diettis with the panis of thame that complenis wranguislie.	Virt. rep. 1672, c. 40.	35
„ 40		For eschewing of thift stouth and reiff -	Sup. 1540, 14 Mar. c. 15.	
„ 41	„ 28	That na man ryde bot in sobir maner -	Obsolete, state of things contemplated having ceased to exist.	
„ 42	„ 29	For maltmakaris - - - -	Obsolete, in desuetude. Mack. Obs., 131.	45
„ 43	„ 30	Of craftismen browstaris sellaris of salt and vittale within burgh.	Spent.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
		Parliamentum Apud Edinburgh.	
1540. Dec. 3. 5 Cap. 1	1540. Cap. 69	Deliverance anent ane summondis of tresoun aganis ane persoun that is deid.	Rep. in gen. terms, 7 Anne c. 21.
„ 2		Ratificatioun and pronounciatioun of the actis of the last parliament.	Spent.
10 „ 3	1535. Cap. 36	Additioun to the act of cursing - -	Rep. in gen. terms, 1560, c. 2, and 1690, c. 58.
„ 4	1540. Cap. 70	The kingis grace revocatioun - -	Spent.
15 „ 5		Off fredome of halikirk - - -	Sup. 1555, c. 1.
„ 6	„ 71	That the schireffis and utheris officiaris be present personalie at the thre heid courtis.	Virt. rep. 20 Geo. II. c. 43.
20 „ 7	„ 72	Off setting of temporale courtis - -	Virt. rep. by Court of Session and Sheriff Court Acts.
„ 8	„ 73	Off deputis to schireffis and uthir officiaris.	Obsolete. In desuetude. Mack. Obs., p. 138.
„ 9	„ 74	Anent Indorsing of letters - - -	Virt. rep. 1681, c. 5, and 1686, c. 5.
25 „ 11	„ 76	Off electioun of Notaris - - -	Obsolete. In desuetude. Mack. Obs., p. 140.
„ 12	„ 77	Off geving of sesingis - - -	Virt. rep. 21 & 22 Vict. c. 76.
„ 13	„ 78	Off admission of Notaris - - -	Virt. rep. 1587, c. 29.
„ 14	„ 79	That the prothogollis of all sesingis be presentit yerlie to the chekker.	Virt. rep. 1617, c. 16. In desuetude, Mack. Obs., p. 140.
30 „ 15	„ 80	Off fals notaris and witnessis - -	Obsolete, in desuetude. Hume on Crimes, I., p. 158 et seq.
„ 16	„ 81	Off notaris ordinare in schireff courtis or utherwis.	Obsolete, state of things contemplated having ceased to exist.
35 „ 17	„ 82	Off commissionis gevin in prejudice of the ordiner.	Virt. rep. 20 Geo. II. c. 43.
„ 18	„ 83	Off lesing makaris - - - -	Sup. 1584, c. 8.
„ 20		For ordouring of processis of forfaltouris	Spent.
„ 21	„ 85	Wapynschawing is to be twice in the yeir.	Virt. rep. 42 Geo. III. c. 91.
40 „ 22	„ 86	That the army of Scotland be unhorsit except greit baronis.	Ditto.
„ 23	„ 87	The manere of harnes wapnis and armour.	Ditto.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal	Reasons for Repeal.	
1540. Dec. 3. Cap. 24	1540. Cap. 85	Off armour conforme to every mannish rent and substance.	Virt. rep. 42 Geo. III. c. 91.	5
„ 25	„ 89	That all personis present in wapinschawingis be writtin with the maner of their armour.	Ditto.	
„ 26	„ 90	The premunitioun of wapinschawingis -	Ditto.	10
„ 27	„ 91	Off chesing of capitaneis in every parochyne.	Ditto.	
„ 28	„ 92	Generale remissionn grantit be the kingis grace to all his liegis.	Spent.	
1540. Mar. 14. Cap. 1		Parliamentum Apud Edinburgh. For honour of the haly sacramentis -		15
„ 2		For worschip to be had to the Virgin Mary.		
„ 3		That na man argun the papis auctorite -		20
„ 4		For reforming of kirkis and kirkmen -		
„ 5		That na private conventionis be maid to desput on the scriptour.		
„ 6		Of personis abjurit of heresy - -	Virt. rep. 1560, c. 2.	
„ 7		Of fugitivis suspect and summond for heresy.		25
„ 8		Reward of thame that revelis conventionis and accusis heretikis.		
„ 9		That nane dishonour imagis of sanctis -		
„ 10	1540. Cap. 93	Ratificatioun of the institutionn of the college of justice. In part, namely: From “ And als ratifyis ” to “ pape and his hienes.”	As to part in Col. 3, spent.	30
„ 11	„ 94	Hagbutis and uthir small artelyerie to be furnist within the realme.	Spent.	35
„ 12	„ 95	For hamebringing of hagbutis culveringis pulder and harnesses.	Spent.	
„ 13	„ 96	For inbringing of the kingis grace propertie and casualiteis.	Virt. rep. 6 Anne c. 53.	40
„ 14	„ 97	Anentis committaris of slauchter mutilatioun and resetting of the kingis rebellis.	Virt. rep. 7 Anne c. 21.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1540. Mar. 14. 5 Cap. 15	1540.	For stanching of thift stouth and reiff -	Obsolete, owing to change in social circumstances.
„ 16	Cap. 98	For eschewing of derth of wittalis flesche and fische.	Virt. rep. 7 & 8 Vict. c. 24.
„ 17	„ 99	Tuiching the croun of wecht - - -	Virt. rep. 1707, c. 7., Art. xvi.
10 „ 18	„ 100	For stanching of derth and prices of wyne salt and tymmer.	Obsolete, state of things contemplated having ceased to exist.
„ 19	„ 101	Tuiching the hospitalis - - - -	Spent.
15 „ 24.	„ 106	Remeid againis thame that lysis out and will not entir to thair landis in fraud of thare creditouris.	Sup. 37 and 38 Vict. c. 94. ss. 9 & 62.
„ 25		Anentis privilege of burrowis - - -	Virt. rep. 9 & 10 Vict. c. 17.
„ 26	„ 107	Off pakking and peling - - - -	Virt. rep. 1707, c. 7, Art. vi.
„ 27	„ 108	Anentis furth having of money of the realme.	Virt. rep. 1707, c. 7, Art. vi.
20 „ 28	„ 109	Off mesouris - - - -	Virt. rep. 1693, c. 12.
„ 29	„ 110	Off the pane of thame that tynis the pley.	Sup. 6 Geo. IV. c. 120. ss. 17 and 21.
„ 30	„ 111	Anentis conductioun of craftsmen - -	Obsolete, state of things contemplated having ceased to exist.
25 „ 31	„ 112	Anentis drawaris of claith - - -	Ditto.
„ 32	„ 113	Anentis forstallaris - - - -	Rep. in gen. terms 7 & 8 Vict. c. 24.
„ 33	„ 114	Anentis wechtis - - - -	Virt. rep. 1707, c. 7, Art. xvii.
„ 35	„ 116	Dissolucion of the unioun for setting of fewis.	Virt. rep. 1597, c. 4, so far as not expired.
30 „ 38	„ 118	Anentis birning of cornis rasing of fyre and revesing of women.	Obsolete. These crimes are not now capital, 50 & 51 Vict. c. 35.
„ 39	„ 119	Anentis thame that brekis or passis contrar the kingis grace privilegis grantit to him by the sete of Rome.	Spent.
35 „ 40	„ 120	The nerrest of the kyn to have the gudis of thaim that deis untestit without prejudice of the cote.	In part rep. 4 Geo. IV. c. 97. s. 1; rem. sup. 1617, c. 14.
„ 44	„ 123	Off talloun - - - -	Virt. rep. 1707, c. 7, Art. vi.
40 „ 45	„ 124	Off thaim that counterfetis the kingis money.	Sup. 24 & 25 Vict. c. 99.
„ 46	„ 125	Anentis thame that takis placis of bishoppis or abbotis eftir thare deceis.	In part expired. Rem. virt. rep. 7 Anne c. 21. s. 7.
„ 47	„ 127	For prenting of the actis of Parliament -	Spent and expired.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
		MARY.		
1542. Mar. 12. Cap. 1		Parliamentum apud Edinburgh. Declaratioun touching James erle of Arrane lord hamiltoun secound persoun of this realme and tutour lauchfull to the quenis grace and governour of this realme.	Spent.	5
"	2	Ratificatioun of the aiths gevin to the lord governour.	Spent.	10
"	3	Tuiching the depesche of the ambassatouris to the king of Ingland for contracting of peise and marriage.	Spent.	15
"	4	Of ane testimoniales to be made of the tua actis anentis my lord governour.	Spent.	
"	7	The namis of the lordis to be upoun my lord governour's secrete counsals.	Spent.	
"	8	The lordis nemmit for keping of the quenis grace.	Spent.	20
"	9	Anentis the place quhar the quenis grace sall remane.	Spent.	
"	10	Additioun to the actis intitulate of persounis abjurit of heresy.	} Fall with the Acts to which these are additions.	25
"	11	Additioun to the act intitulate of the fugitevis suspect & summond of heresy.		
"	12	Anent haifing the haly write baith the new testament and the auld in the vulgar toung.	Sup. 1579, c. 10.	30
"	13	Of actiounis of tresoun againis the aris of persounis deceesit.	Virt. rep. 7 Anne c. 21. See Hume, I. 537-540.	
Vol. II., p. 424*	1542. Cap. 1	Ratification of ane act be the lordis of counsals touching the passing of all signettouris.	Spent.	35
		Parliamentum apud Edinburgh.		
1543. Dec. 3 Cap. 1		Act in favouris of thame that come to Striveling & Linlithgw for furth bringing of the quenis grace to the palice of the samyn.	Spent.	40
"	2	Declaratioun of the expiry of the pece & contract of meriage laitlie maid with the king of Ingland.	Spent.	45
"	3	Anent the renewal of the ancient considerationis of amite with the kingis of France.	Spent.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1543. Dec. 3. Cap. 4	Anent ane gret consale to be chosyn to tret the gret materis of the realm.	Spent.
	„ 6	Againis heretikis & thair dampnable opinionis incontra the fayth and lawis of haly kirk.	Virt. rep. 1560, c. 2.
10	1543. Cap. 1	Ratificatioun of the institutioun of the College of Justice.	Spent.
	„ 8	Certane Acts befor writtin red publiist and pronuncit.	Spent.
15	1545. Sept. 28. Cap. 1	Parliamentum apud Lynlythgw. Of thame that sittis under assurance of the king of Ingland now in tyme of weir.	Virt. rep. 1707, c. 7. Art. i.
20	„ 2	Anent the laying of gerneissons in the bordouris.	Spent.
	„ 3	Of ane taxt of sixtene thowsand pund for the furnessing of horsmen.	Spent.
25	„ 4-5	Anentis the dividing laying & ordouring of the horsmen apoun the bordouris.	Spent.
	„ 6	Anent payment of the restis of the last taxt of xxvi. m. li.	Spent.
	„ 7	Tuiching the lordis that tuik upoun thame the keeping of our soverane ludeis persoun.	Spent.
30	„ 8	Anent the inbringin of the taxt - -	Spent.
	1546. July 31. Cap. 9	Parliamentum apud Edinburgh. Ratificatioun of the act anentis the taking of spirituale men thair houssis and places.	Spent.
35	„ 10	Grant be the clergy of ane taxt for the siege of the Castell of Sanctandrois.	Spent.
40	„ 11	Anent the acceptance of the comprehensiou maid for this realm in the contract of pece betuix the king of France & the king of England.	Spent.
	„ 12	Tuiching my lord Governouris eldest sone withaldin in the castell of Sanctandrois.	Spent.
45	1546. Cap. 3	Ratificatioun of the act anentis the laying furth of tennentis be thair oure lordis.	Obsolete. State of matters contemplated has ceased to exist.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1546. July 31. (Cap. 14)		Ratificatioun of the actis of dissolution of the meriage be the lordis that consentit not to the samyn in the first parliament.	Spent.	5
„ 15		Anent the ingetting of the contributioun grantit to the sete of session.	Spent.	10
1551. May 29. Cap. 1	1551. Cap. 7	Parliamentum apud Edinburgh. Anent thame that wilfullie incurris the panis of cursing and lysis thairin be the space of ane yeir or ressaifes halie Sacrament under the said cursing.	Rep. in gen. terms, 1690, c. 58.	15
„ 2	„ 8	Anent tratouris banist or fugitive without license respect remissioun or supersedere that cummis and resortis agane within this Realme.	Spent.	20
„ 3	„ 9	Anentis thame that schutis with gunnis at deir and wylde foulis.	Obsolete. In desuetude. Mack. Obs., 152.	
Feb. 1. Cap. 1	„ 11	Parliamentum apud Edinburgh. For suppressing of derth of vivers and wynis.	As to prices, in desuetude. Mack. Obs., 152. As to mixing, sup. by Sale of Food and Drugs Act, 1875.	25
„ 2	„ 12	Anent the execution of the act maid upone the prices of all wylde foulis & tame foulis.	Obsolete. In desuetude.	30
„ 3	„ 13	The articles & punctis concludit upone assurit Scottismen with England.	} Spent.	35
„ 4	„ 14	The second article upone assurit persounis.		
„ 5	„ 15	The third article upone assurit persounis.		
„ 7	„ 16	Anent aithis swearing execratiounis & blasphematioun of the name of God.	Sup. 1661, c. 281. Macdonald, Crim. Law, p. 209.	
„ 8	„ 17	Aganis persounis quhilkis makis perturbatioun in the kirk the tyme of devine service.	Sup. 1587, c. 6.	40
„ 9	„ 18	Anent persounis knawand thame selfis under the proces of cursing that enteris the kirk in the time of devine service.	} Virt. rep. 1690, c. 58.	45
„ 10		Anent persounis under proces of cursing that compellis kirkmen to say messe in thair presence.		
„ 12	„ 20	Anent oppin and incorrigibill adulteraris	Sup. 1563, c. 10.	
„ 13		Anent the derth rasis in this realme be malt makaris.	Expired.	

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5	1551. Feb. 1. Cap. 14	1551. Cap. 21 Anent ferryaris - - - - -	Sup. 1669, c. 37.
	„ 15	Anent the slaughter of lambis lapronis and young poutis.	Expired.
	„ 16	Ratificatioun of the actis for stanching of beggars with additioun.	Sup. 1579, c. 74.
10	„ 17	„ 22 Ratificatioun of the actis aganis fals notaris with additioun.	Obsolete. In desuetude. Hume I., 158.
	„ 18	„ 23 Anent the exorbitant prices rasit be craftismen.	Obs. In des. owing to change of social circumstances.
15	„ 19	„ 24 For executioun of the act concerning notaries with additioun.	Spent.
	„ 20	Anent the slaying of hairis in forbodin tyme.	Falls with 1457, c. 36.
	„ 21	Anent thame that siais dais or rais - -	Falls with 1474, c. 16.
20	„ 22	„ 25 Anentis the eschewing of derth & the ordouring of everie mannis hous in his coursis and discheis of meit.	Obsolete, owing to change of social circumstances.
	„ 23	Anentis paking and peling - - -	Spent.
	„ 24	Aganis regrataris & foirstellaris of mercatis.	Rep. in gen. terms, 7 & 8 Vict. c. 24.
25	„ 25	Anent the having of quhite fische furth of the realme.	Virt. rep. 1707, c. 7., Art. vi.
	„ 26	„ 27 That prentaris prent na bukis without ane license.	Obs. In des. owing to change in public policy.
30	„ 27	Of letters to the maist Christian King in favouris of Monsieur D'Osel his ambaxatour.	Spent.
	„ 28	Ratificatioun of the contract maid betuix my Lord Governour & Schir James Hammiltoun of Craufurde Johne knyght.	Spent.
35	„ 29	Ratificatioun of the act maid betuix the quenis grace mother to our soverane lady & my lord Governouris grace.	Spent.
40	„ 30	„ 10 Act of Registratioun in the bukis of Counsall of certane artielis.	Spent.
	1555. June 20. Cap. 1	1555. Parliamentum apud Edinburgh. Of the freedome of halie kirk - - -	Expired.
45	„ 2	Cap. 29 Anent the making & delivering of rever-siounis.	Sup. 1579, c. 18; 1617, c. 16; and 1681, c. 11. Mack. Obs., 154.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1555. June 20. Cap. 4	1555. Cap. 31	Parliamentum apud Edinburgh. Anent the additioun maid to the act of slaughters.	Virt. rep. 1701, c. 6. Hume on Crimes, II. 88. 5
„ 5	„ 32	Anent proces to be had aganis persounis passand furth of the realme.	Sup. by 6 Geo. IV. c. 120. s. 53.
„ 6	„ 33	The ordour for summoning of parteis to compeir befor the justice or uthers jugeis. In part, namely: From “ thairefter oppin proclamatioun ” to the end.	As to part in Col. 3, rep. in gen. terms 50 & 51 Vict. c. 35. s. 26. 10
„ 7	„ 34	Anent the giving of sessingis - -	Falls with 1540, c. 12. 15
„ 9	„ 36	Anent the eitting of flesche in lentrene & uthers dayis forbiddin.	Obsolete. In desuetude. Mack. Obs., 155.
„ 10	„ 37	Anent reversiounis for redemption & outquytting of landis.	Virt. rep. 1707. c. 7., Art. xvi.
„ 11	„ 38	Anent resignatiounis of lordis ad perpetuam remanentiam.	Virt. rep. 1579, c. 18. 20
„ 13		Anent the punischement of slaughters daylie committit of parteis persewand & defendand thair actiounis.	Obsolete, owing to change in social circumstances.
„ 14	„ 40	Anent the having of victuallis talloun or flesche furth of the realme.	Virt. rep. 1707, c. 7., Art. vi. 25
„ 15	„ 41	Anent the cumming to the bar for defence or persute in criminall causis.	Obsolete, owing to changes in criminal procedure.
„ 16	„ 42	Anent the ressaving of nulliteis be way of exceptiounis or repiyis. In part, namely: From “ Proudying alwayis ” to end.	As to part in Col. 3, obsolete. In desuetude. Mack. Obs., 156. 30
„ 17	„ 43	Anent liggis & bandis of manrent and maintenance.	Spent and obs., owing to change of circumstances.
„ 18	„ 43	Anent the admissioun of notaris, the examining and marking of their protocol bukis and the geving of instrumentis be notaris.	In part spent, rem. sup. 1579, c. 18. and 1587, c. 29. 35
„ 19	„ 45	Anent the carrying of woll or uther stapill gudis customabill furth of this realme.	Virt. rep. 1707, c. 7., Art. vi. 40
„ 20		Anent the making of an universall wecht & anc universall mesoure.	Virt. rep. 1707, c. 7., Art. xvi.
„ 21	„ 46	Anent the giving of sesingis upone preceptis that passis not furth of the chancellarie.	Sup. 1617, c. 16. 45
„ 22	„ 47	Anent the punischement of fals witnes -	Obsolete. In desuetude, the punishment of these crimes being now arbitrary.

Record Edition.	12mo. Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1555. June 20. 5 Cap. 24	1555. Cap. 49	Ratificatioun of the privilegis & actis of Parliament in favouris of burrowis.	Falls with the Acts referred to.
„ 25	„ 51	Anent the executioun of the actis maid for the stanching of the slaying of wylde foulis and wylde beistis with additioun. In part, namely: To “this additioun,” from “and that na pertrik” to “Michaelmes,” and from “and x pund” to the end.	As to part in Col. 3, in part spent, rem. virt. rep. 13 Geo. III. c. 54.
10			
15	„ 26	„ 52 Anent the dischargeing of dekinnis of craftis & for chesing of visitouris.	Obsolete. In desuetude, owing to change in social circumstances.
	„ 27	„ 53 Anent commoun hie gaittis for passage fra burrowis or cumming thairto.	Sup. 1592, c. 78.
20	„ 28	„ 54 Anent the discharge of exactiounis upon the burrowis of the west partis for making of hering.	Spent.
	„ 29	„ 55 Anent the proces upon kirkmen for non payment of their taxtis.	Virt. rep. 1560, c. 2.
	„ 30	Anent the slaaing of lambis - - -	Expired.
25	„ 31	Anent feryaris - - -	Falls with Act 1485, c. 13.
	„ 32	Anent the slaaing of pontis - - -	Expired.
	„ 33	Anentis planting of woddis forrestit orchardis & parkis.	Spent.
	„ 34	„ 56 Anent the fraude done be goldsmythis -	Virt. rep. 6 & 7 Will. IV. c. 69.
30	„ 35	„ 57 Anent the dispositioun of wyne salt and tymmer brocht in to the realme.	Obsolete, state of matters contemplated having ceased to exist.
	„ 36	„ 58 Anent the executioun of the actis anentis the steiling of halkis hundis pertrikis dukis & slaughter of dais rais hunting of deir taking of cuningis and foulis.	Falls with the Acts which it ordains to be put into execution.
35			
	„ 37	„ 59 Anent the executioun of the act anentis the cumming of schippis to fre burrowis at the west seyis with additioun.	In part falls with 1488, c. 12, rem. virt. rep. 9 & 10 Vict. c. 17.
40	„ 38	Anent the executioun of the act for stanching of maisterfull beggaris.	Falls with 1551, c. 16.
	„ 39	„ 60 Aganis thame that raisis murmuris sclanders & seditioun betuix the liegis of this realme and the maist Christin Kingis liegis.	Obsolete. State of matters contemplated has ceased to exist.
45			
	„ 40	„ 61 Anent the chesing of sic ane personage as Robert Hude Lytill Johne Abbottis of unressonn or Quenis of Maij.	Obsolete. State of matters contemplated has ceased to exist.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1555. June 20. Cap. 41	1555. Cap. 28	Registratioun of our Soverane Ladyis revocation subscrivit with hir hienes hand at Fontane Bellew of the date the xxv day of Aprill the yeir of God ane thousand fyve hundreth fyftie fyve yeiris.	Spent.	5
				10
1557. Dec. 14. Cap. 1		Parliamentum apud Edinburgh. Anent the ransounis of the commissionaris to pas in France in cais ony of thaim be taikin.	Spent.	15
„ 2		Dispositioun of the wairdis mariageis nonentres benefices takkis vacand through the deceis of ony of the saidis commissionaris.	Spent.	
„ 3		Supersedere of all actiounis againis the saidis commissionaris.	Spent.	20
„ 4	1557. Cap. 62	Anent the finding of cautioun in materis of improbatioun.	Obsolete, because of changes in modern practice.	
„ 5	„ 63	Anent the probatioun of exceptiounis	Sup. by common law and statutory rules as to proof and procedure.	25
„ 6	„ 64	The expensis of pley to be taxt & soumit in the principall decrettis.	Sup. 6 Geo. IV. c. 120. ss. 17 and 21.	
1558. Nov. 29 Cap. 1		Parliamentum apud Edinburgh. Approbatioun exoneratioun & discharge of the commissionaris to our soverane iady anentis hir mariage with the Dolphine of France.	Spent.	30
„ 2		Exoneratioun & discharge of the saidis commissionaris of thair offices tuiching certane articlis concerning James duke of Chatellarault.	Spent.	35
„ 3		Consent of the estatis that hir hienes may honour hir spous the King Dolphine with the crowne matrimoniale.	Spent.	40
„ 4		Of the maner & forme of all letteris quhatsumevir that sall pas the seillis during the tyme of the mariage betuix the king and the quene Dolphine.	Expired.	45
„ 5		Of the maner and forme of the commissioun to be maid tuiching the crowne matrimoniale.	Spent.	
„ 6	1558. Cap. 65	Anent ane letter of naturalitie to the maist Christin king of France subjectis being or sal happin to be in the realme of Scotland.	Spent.	50

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Statute Law Revision (Scotland).

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Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1558. Nov. 29. Cap. 7	Anent the expeding of letteris of gift & utheris letteris.	Spent.
10	1560. Aug. 1. Cap. 3	Parliament apud Edinburgh. Anent the abolitioun of Idolatrie and of all Acts contrair to the confessioun of fayth publyst in this Parliament.	Spent.
	„ 4	Anent the Abolition of the mess - -	Rep. in gen. terms, 9 & 10 Vict. c. 59.
15	1563. June 4. Cap. 1	1563. Parliamentum apud Edinburgh. The Act of Oblivioun - - -	Spent.
	„ 2	Exceptiounis from the forsaid Act of Oblivioun.	Expired.
20	„ 3	„ 68 Ratificatioun of the Act of King James IV. anent cruivis & fische dammis with additioun: In part, namely: From “and for executioun of” to the end.	As to part in Col. 3, virt. rep. 20. Geo. II. c. 43. and 25 & 26 Vict. c. 97, s. 33.
25	„ 4	„ 69 Ratificatioun of all actis maid of befoir anentis the carying & away taking of gold & silver furth of this realme—with additioun.	Expired.
30	„ 5	„ 70 Ratificatioun of all actis made of befoir tuiching the hamebringing of fals cuinyie within this realme & anentis the makaris & forgearis of fals cuinyie—with additioun.	Sup. 24 & 25 Vict. c. 99.
	„ 6	Ratificatioun of the Act for repressing of dert of victuallis—with additioun.	Expired.
35	„ 7	„ 71 Anent ane new maner of making of salt	Expired.
	„ 10	„ 74 Anentis notoure & manifest adulterie -	Obs. In des. Hume I. 453.
	„ 11	„ 75 Anentis the raising of bandis of men of weir.	Obs., owing to change of social circumstances.
40	„ 12	„ 76 Anentis the uphalding & reparelling of parochie kirkis & kirk yairdis of the samin for buriall of the deid.	Spent.
45	„ 13	„ 77 Anent the lauchfull possessouris tennentis & occupyaris of kirk landis & the setting of kirk lands in few or lang takkis for thre yeris next to cum.	Expired.
	„ 14	Anent mesouris & wechtis - - -	Virt. rep. 1707, c. 7., Art. xvii.
	„ 15	Anent the schuting of deir and uther wylde beistis & wylde foulis.	Falls with 1551, c. 3.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1563. June 4. Cap. 16	1563. Cap. 78	Dispensatioun with the actis maid of befor anentis the admissioun of notaris.	Spent and expired.	5
„ 18	„ 80	Anent the geving of sesingis - - -	Spent.	
„ 19	„ 81	Anent resignatiounis be vassallis of thair proprieteis in the superiouris handis ad perpetuam remanentiam.	Spent and expired.	10
„ 20	„ 82	Anent the warning of burrowis to conventiounis to conclude upone peaxe or weir or for granting of generall taxatiounis.	Virt. rep. 1707, c. 7., Art. iii.	
„ 21	„ 83	For stancheing and suppressing of tumultis within burrowis.	Sup. 1 Geo. I. c. 5. Hume on Crimes, I., 434.	15
„ 22	„ 84	Anent the transporting of coillis furth of the realme.	Obsolete. In desuetude. Mack. Obs., 169.	
„ 23	„ 85	That beif muttoun veill & lyke bestiall be brocht to mercatis with hyde skin & birne.	Obs., owing to change in social circumstances.	20
„ 24	„ 86	Ratificatioun of actis, statutis, privelegeis & immunitis grantit in favouris of the burrowis.	Falls with the Acts referred to.	
„ 25		Anent the abusoun of the letters of marque grantit upon the King of Portingall.	Spent.	25
„ 26		Anent ane commissioun to visie the collegeis of Sanctandros & utheris within their realme & to reporte to the nixt parliament.	Spent.	30
„ 27		Of an ambassadour to be sende to the King of Demark.	Spent.	
1564. Dec. 15. Cap. 1	1564. Cap. 87	Parliamentum apud Edinburgh. Declaratioun of our soverane ladyis lauchfull & perfyte age.	Spent.	35
„ 2	„ 88	Anent confirmatiounis of infetmentis of few-ferme of kirklandis.	Spent.	
1567. Apr. 14. Cap. 1		Parliamentum apud Edinburgh. The erle of Mar his discharge off the castell of Edinburgh.	Spent.	40
„ 2	1567. Cap. 31	Act concerning the Religioun - - -	Spent.	45
„ 7		Act anent the decisioun of materis concerning the law of obliuoun.	Spent.	
„ 8		Anentis the makaris and upsettaris of plackardes and billis.	Spent.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
JAMES VI.				
Parliamentum apud Edinburgh.				
5	1567. Dec. 15. Cap. 1	Anent the dimissioun of the Crowne in favouris of our Soverane lord and his Majesteis coronatioun.	Spent.	
10	1567. Cap. 1	Anent the constitutioun of James erle of Murray in regent to our Soverane lord his realme and liegis.	Spent.	
	3	2	Anent the abolissing of the Pope and his usurpit authoritie.	Spent.
15	4	3	Anent the annulling of the actis of Parliament maid agannis Goddis word and maintenance of idolatrie in ony tymes by past.	Spent.
20			The Confessioun of the faith and doctrine belevit and professit be the Protestantis of the Realme of Scotland exhibitit to the estatis of the same in Parliament and by thair public votis authorisit as a doctrine groundit upon the infallibil word of God.	
25	5	5	Anent the messe abolischit and punishing of all that heiris or sayis the samin.	Rep. in gen. terms, 9 & 10 Vict. c. 59.
30	6	6	Anent the trew and haly kirk and of thame that ar declarit not to be of the samin.	Sup. 1579, c. 6.
	7	7	Anent the admissioun of thame that sal be presentit to benefices havand cure of ministerie.	Rep. in general terms, 1690, c. 53.
35	9	9	Anentis thame that suld beir publict office heirefter.	Virt. rep. 31 & 32 Vict. c. 72. s. 9.
	10	10	Anent thriddis of benefices grantit in the moneth of December the yeir of God 1561 yeiris for sustening of the Ministeris and uther effairis of the Prince.	Obs. In desuetude. Mack. Obs., p. 177.
40				
	11	11	Anent thame that salbe teicheris of the youth in sculis.	Sup. 43 Geo. III. c. 54. See Dunlop, Parochial Law, p. 484.
45	12		Anent the jurisdiction of the kirk - In part, namely: From "And forther" to the end.	As to part in Col. 3, spent.
	13	12	Anent the dispositioun of the provestreis, prebendareis, and chaplanereis to bursaris to be fundit in collegeis.	Spent. Connell, Tithes, 2nd Ed. I. 105; Ersk Inst., I. 5, 12.
50	14	13	Anent the fylthie vice of fornicatioun and punischement of the samin.	Obs. In desuetude. Mac. Obs., p. 177.
	15	14	Anent thame that committis incest - In part, namely: The words "to the deith."	As to part in Col. 3, virt. rep. 50 & 51 Vict. c. 35. s. 56.

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1567. Dec. 15. Cap. 17	1567. Cap. 16	Anent slaying of hart hynde and utheris beistis and foulis with culveringis.	Obs. In des., owing to change in social circumstances.	5
„ 18		Anent the act of Parliament maid of befoir of the declaratioun of our soverane lordis motheris perfyte age.	} Spent.	10
„ 19		Anent the retention of our soverane lordis motheris person.		
„ 20		The declaratioun of Parliament maid to the laird of Lochlevin anent the keiping of the Kingis mother in the house and fortalice of Lochlevin.		
„ 21	„ 17	Anent cunye - - - - -	Virt. rep. 1707, c. 7., Art. xvi.	
„ 23	„ 18	Anent schuiting and beiring of culveringis and daggis.	Obs. In desuetude. Hume I. 444.	
„ 24	„ 19	Anent fals cunye - - - - -	Sup. 24 & 25 Vict. c. 99.	
„ 25		Ane commissioun to certaine lordis of the estatis to consider sik articklis as is committit to thame and to report the samin againe in the nixt Parliament.	} Spent.	20
„ 26	„ 20	Approbatioun of giftis of benefices and pensiounis sen the moneth of August 1560 yeiris grantit and gevin be our soverane lordis mother.		
„ 27	„ 21	Anent thift and resset of thift takin of the presonar is be thevis, or bandis for ransounis, and punischement of the samin.	Obs., owing to change in social circumstances.	30
„ 28	„ 22	That na hors be caryit furth of the realme as commoun merchandice.	Virt. rep. 1707, c. 7., Art. vi.	
„ 29		Anent the residence and sitting of the Lordis of Sessioun for administratioun of Justice.	Virt. rep. 1578, c. 16.	35
„ 30	„ 23	Anent giftis of escheit - - - - -	Virt. rep. 20 Geo. II. c. 50.	
„ 31	„ 24	Anent privilegis grantit to kirkmen -	Spent.	
„ 32	„ 25	The ratificatioun of the privilegis of the barronis.	Spent.	40
„ 33	„ 26	Anent the privilege granted to burrows -	Spent.	
„ 34	„ 27	Anent geving of sesingis within burgh -	Virt. rep. 13 & 24 Vict. c. 143. s. 21.	
„ 35		Anent the demolischeing of the castell of Dunbar and fort of Inchkeith.	Spent.	45
„ 36	„ 28	Anent the declaratioun to the Commissaris how thay sall proceed in beneficiall materis.	Spent. Mack. Obs., p. 179.	

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5	1567. Dec. 15. Cap. 37	1567. Cap. 29 Anent the dekinnis of maltmen - -	Obs., owing to change in social circumstances.	
	„ 38	„ 30 Anent blak fische, cutting of grene wod, and slauchter of smoltis.	In part spent, rem. virt. rep. 20 Geo. II. c. 43.	
10	„ 39	„ 32 Anent the prenting of the actis maid in this present Parliament and of the act maid in our soveranes grandschiris tyme, anent the raising of fyre and birning.	Spent.	
15	„ 40	„ 33 Anent the raising of fyre and birning -	As regards fire-raising, &c., virt. rep. 7 Anne c. 21. sec. 10. See Hume I. 125. As regards power to arrest, obs., in des. owing to change in social circumstances. Hume II. 76.	
20	1571. Aug. 28. Cap. 1	1571. Cap. 34 Parliamentum apud Striviling. Anent the nomination electioun acceptatioun and approbatioun of my lord of Mar in regent.	Spent.	
25	„ 2	„ 35 Ratificatioun and approbatioun of the actis and statutis maid of befor anent the fredome and libertie of the trew kirk of God.		
30	„ 3	Ratificatioun of the domes decretis and utheris led and pronuncit in the last parliament haldin at Edinburgh in Maii last bipast.		
35	„ 4	„ 36 Anent alienationis resignationis and utheris maid or to be maid be ony personis convict or that sal happin to be convict of the slauchteris of our Soverane lordis fader or regentis.		
	„ 5	„ 37 Anent the vassallis and fre tenentis of sic as ar forfaitit in this parliament.		Sup. 1592, c. 3.
40	„ 7	Anent the fredome and privelegeis of burrowis.		Spent.
45	„ 8	„ 39 Anent alienationis resignationis and utheris dispositionis maid and gevin be ony personis burgessis and inhabitantis of Edinburgh or ony utheris burrowis within this reelme that hes maid defectioun fra the kingis auctoritie.		Spent.
	„ 9	„ 40 That na schippis sail without our Soverane lordis coquet.	Virt. rep. 1707, c. 7., Art. vi.	
50	„ 10	Anent herauldis masaris pursevantis and utheris officiaris that servit aganis our Soverane lord and his auctoritie.	Spent.	
	„ 15	Anent the reformatioun of the chapel riall of Striviling.	Spent.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1571. Aug. 28. Cap. 18	1571. Cap. 41	Anent kirkmen that happinis to be slane in our soverane lordis service In defence of his hienes auctorite.	Spent.	5
„ 19	„ 42	Anent the ward releif and meriage of thame that sal happin to be slane in our Soverane lordis service In defence of his Majesteis auctorite.	Spent.	10
„ 20	„ 43	Anent possessiounis - - -	Spent.	
„ 21		Anent a commissioun for treating with the quenis Majestie of Ingland.	Spent.	
1572. Jan. 26. Cap. 1	1572. Cap. 44	Parliamentum apud Edinburgh. Anent the approbatioun and confirmatioun of the regiment.	Spent.	15
„ 2	„ 45	Anent the trew and haly kirk - - -	Rep. in gen. terms, 9 & 10 Vict. c. 59.	
„ 3	„ 46	That the adversareis of Christis evangell sall not injoy the patrimonie of the kirk.	Sup. 1690, c. 7.	20
„ 4	„ 47	Anent the disobedientis quhilkis salbe ressavit to our Soverane lordis mercy and pardoun.		25
„ 5	„ 48	The explanatioun of the act maid anent mansis and gleibis. In part, namely: From “ And quhair ony personis ” to the end.	As to part in Col. 3, spent.	30
„ 6		Anent the establisching of the regiment in case at Goddis plesure that charge yit vaik during the kingis majesteis minoritie.	Expired.	
„ 7		Tuiching the recovering and collecting of the kingis Majesteis jowellis and movables.	Spent.	35
„ 8	„ 49	Anent the possessouris of benefices pensionis portionis and utheris spirituall rentis lyand at the horne attour the space of yeir and day.	Virt. rep. 20 Geo. II. c. 50. s. 11.	40
„ 9	„ 50	Approbatioun of the actis and procedingis done in name and be authoritie of our Soverane lord and of the invaliditie of all thingis attemptit in name or be colour of ony uther authoritie sen his hienes coronatioun.	Spent.	45
„ 11		Anent the inhabitantis of Edinburgh -	Spent.	
„ 12	„ 51	Anent purchessing of the Papis bullis or giftis of the quene our Soverane lordis mother.	Spent.	50

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5	1572. Jan. 26. Cap. 13	1572. Cap. 52	Ane approbatioun of the act maid anent the dispositioun of benefices to the ministeris of Christis Evangell.	Sup. 1581, c. 2. and 1633, c. 19.
	„ 14	„ 53	Anent thame that sustenis the proces of excommunicatioun.	Rep. in gen. terms, 1690, c. 58. and 10 Anne c. 10. s. 12.
10	„ 15	„ 54	Anent the reparatioun of the Paroche Kirkis. In part, namely: From “with this additioun” to the end.	As to part in Col. 3, in part spent, rem. virt. rep. 1593, c. 9.
15	1573. Apr. 30. Cap. 1	1573. Cap. 55	Parliamentum apud Halyrudhous. Anent thame that divertis fra utheris being joynit of befoir in lauchfull marriage. In part, namely: From “That than the husband” to “for adherence. And,” and from “bot that the sentence” to “anis being pronuncit.”	As to part in Col. 3, virt. rep. 24 & 25 Vict. c. 86.
20				
25	„ 2		Anent the hamebringing of wyne and prices thair of.	Expired.
	„ 3	„ 56	Anent the transporting of salt furth of this realme.	Expired.
30	„ 4	„ 57	Anent the measure of salmond and hering barrellis.	As to salmon obsolete, as to herring, sup. 52 & 53 Vict. c. 23. s. 4.
	„ 5	„ 58	Anent the annuellis to be payit of brunt and demolischit houses and tenementis within the burgh of Edinburgh Cannogait and utheris suburbis thairabout the time of thir lait troublis.	Spent.
35				
	„ 6	„ 59	Anent the transporting of forbiddin gudis out of this realme.	Virt. rep. 1707, c. 7., Art. vi.
	„ 7	„ 60	Anent the slauchter of hering and quhyte fische and using of the samin thairefter.	Falls with trading privileges of free ports.
40				
	1578. July 25. Cap. 1	1578.	Parliamentum apud Striviling. The declaratioun off the king and estaitis of the fredome of this parliament.	Spent.
45	„ 2		The ratificatioun of the acceptatioun of the regiment wpoun the kingis majestie in his awne persoun.	Spent.
	„ 3	Cap. 61	The ratificatioun of the libertie of the trew kirk of God and religioun.	Sup. 1579, c. 6.
50	„ 4		The nominatioun and electioun of the kingis majesteis counsall.	Spent.

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1578. July 25. Cap. 5	1578.	Anent the visitatioun of the universiteis and collegis.	Spent.	5
„ 7	Cap. 63	Anent the visitatioun of the hospitallis -	Spent.	
„ 12	„ 65	The ratificatioun of ane act maid of befoir anent the alienatioun of landis and dimissioun of benefices be thame that sall happin to be convict or ar of the murtheris of our Soverane lordis fader and of his twa regentes.	Falls with the Act it ratifies.	10
„ 15	„ 67	Ane act anent the careing of flesche furth of this realme in schippis under cullour of victualling.	Virt. rep. 1707, c. 7., Art. vi.	15
„ 16		Ane act anent changing of vacance -	Virt. rep. 1585, c. 4.	
„ 17		Ane commissioun to certane noblemen to treat with the lordis of Sessioun upon the confirmatioun of testamentis and placing of commissaris.	Spent.	20
„ 18		Ane uther commissioun to treat upoun the lawes.	Spent.	
„ 19		Anent the policie of the kirk - -	Spent.	
„ 23		Ane act maid anent cunyeie - -	Virt. rep. 1707, c. 7., Art xvi.	25
„ 24		Ane act anent the taxatioun of ten thousand markis to the beting of the brig of Tay.	Spent.	
„ 33		Ane act concerning recognitioun of landis within the burgh remittit to the lordis appointit for viseing of the laws.	Spent.	30
1579. Oct. 20. Cap. 7	1579.	Parliamentum apud Edinburgh.		
„ 9	Cap. 69	Anent the jurisdiction of the kirk - In part, namely: From “ And further our Soverane ” to the end.	As to part in Col. 3, spent.	35
„ 10	„ 71	Anent the youth and utheris beyond sey suspectit to have declinit frome the trew religioun.	Rep. in gen. terms 9 & 10 Vict. c. 59. s. 1.	40
„ 11	„ 72	That househaldaris have bybillis and psalme buikis.	Obs., owing to change in social circumstances.	
„ 12	„ 73	For releif of the laboraris of the ground troublit for want of tymous toynding of thair cornis.	Sup. 1606 c. 7.	45
„ 13	„ 74	For punishment of the strang and ydle beggaris and releif of the pure and impotent.	Obs. In des., Hume I., 478.	

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1579. Oct. 20. 5 Cap. 13	1579. Cap. 75	For punishment of personis that contempnandlie remanis rebellis and at the horne. In part, namely :— To "remeid THAIRFOIR" and from "And that ilk scherref" to the end.	As to part in Col. 3, virt. rep. 20 Geo. II. c. 50.
10	" 14	" 76 For remeid of the fraude and disordour usit amangis officiaris of armes in executioun of criminall lettres.	In part obs., rem. virt. rep. 50 & 51 Vict. c. 35.
15	" 15	" 77 That the panes of lauburrowis salbe dividit betuix the king and the pairty offendit unto.	Sup. 1593, c. 13.
	" 17	" 79 Anent the cheising of inquestis in caussis of perambulation.	Obs. In des., Ersk. Inst. IV. 1, 48, note.
20	" 18	" 80 Anent the inserting of witnesses in obligatiounis and writtis of importance. In part, viz. : The words "and scillit."	As to part in Col. 3, virt. rep. 1584, Aug. 20, c. 11. and obs. Ersk. Inst. III. 2, 7.
25	" 22	" 84 Anent the destroyaris of planting hanyng and policie.	In part obs. In des., Rankine L.O. 129, rem. virt. rep. 1587, c. 43. and 1607, c. 6.
	" 23	" 85 Ratificatioun of the privilegis of burrowis	Spent.
	" 24	" 86 Anent packing peiling forstalling and transporting of hering and quheit fische.	Falls with the Acts which it ratifies, and seeks to enforce.
30	" 25	" 87 For executioun of the Act of Parliament maid anent bering wering and schuting of culveringis and daggis.	Falls with the Act 1567, c. 23.
35	" 26	" 88 For pwnishment of Reqrataris and foirstallaris.	Sup. 1592, c. 70.
	" 27	" 89 Anent the destructioun of cruvis and yairis slauchter of reid fische and smoltis be wandis or utherwyse.	In part spent, rem. virt. rep. 31 & 32 Vict. c. 123. ss. 15, 19, 20.
40	" 28	" 90 Anent the transporting of coillis furth realme.	Obs. Mack. Obs., p. 197. Virt. rep. 1707, c. 7., Art. vi.
	" 29	" 91 For pwnishment of thame that tynis the pley within burgh.	Obs. In desuetude. Expenses of parties are now regulated by common law rules.
45	" 30	Ratificatioun of our soverane lordis revocatioun off feis and pensionis.	Spent.
	" 31	Anent our soverane lordis counyie	Virt. rep. 1707, c. 7., Art. xvi.
	" 32	Anent the establischeing of the kingis Majesteis Counsale.	Spent.
50	" 33	Anent the dispositioun of the landis and levings of the forfaltit personis.	Spent.

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1579. Oct. 20. Cap. 34	1579. Cap. 96	Anent the Scottis men using the privilegis of this natioun in the law countreis undir the king of Spanis dominionis.	Falls with the office of Conservator. 5
„ 35	„ 97	For avoidance of the great nowmer of fremen sail and in the law cuntreis.	Falls with the office of Conservator and exclusive trading privileges. 10
„ 36		Commissioun for taking ordour in certane articlis be the lordis of privie counsale.	Spent.
„ 38	„ 93	Anent the admissioun of the ordiner lordis of the Sessioun and Reformatioun of certane abuses. In part, namely: From “And in caise that” to the end.	As to part in Col. 3, virt. rep. 10 Geo. I. c. 19. 15
„ 41		Exoneratioun of thingis done in the government of the erle of Murray regent.	Spent. 20
„ 45	„ 94	Declaratioun Anent the preving of letteris of hornying and executiounis thairroff be witnesses. In part, namely: To “sene and considerit,” and from “and that but prejudice” to the end.	As to part in Col. 3, spent. 25
„ 54		Approbatioun of the act maid anent proceeding in the kingis majesties name.	Spent. 30
„ 55		Act in favouris of oure soverane lordis trew and faythfull subjectis quhilkis has constantie remanit at his bieness obedience.	Spent. 35
„ 56		Anent the making of aquavitie . . .	Expired.
„ 57		Commissioun to decide the antiquitie and prioritie amangis the burrowis.	Spent.
„ 58	„ 98	For instructioun of the youth in musik . . .	Obsolete, owing to change of social circumstances. 40
1581. Oct. 24. Cap. 1	1581. Cap. 99	Parliamentum apud Edinburgh. The ratificatioun of the libertie of the trew kirk of god and religioun with confirmatioun of the lawis and actis maid to that effect of before.	Spent. 45
„ 2	„ 100	Anent provisioun of ministeris and certane stipendis for thame at all parochie kirkis and appointing of Commissioneris for ordering thairroff. In part, namely: From “And that all kirkis” to the end.	As to part in Col. 3, in part. sup. 1689, c. 4, rem. spent. 50

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1581. Oct. 24. 5 Cap. 3	1581. Cap. 101	Aganis dilapidationis of rentis of benefices providit to ministeris in title for thair lifymes.	Obs. In des. These benefices being no longer enjoyed by the clergy.
10	4	102 That ministeris salbe presentit be the kingis majestie and the lawit patronis to all benefices of cuir under prelacyis.	Rep. in gen. terms, 1690, c. 53.
	5	103 For punishment of the blasphemy of goddis name and utheris horribill aithis.	Sup. 6 Geo. IV. c. 47; 7 Will. IV. and 1 Vict. c. 5.
15	6	104 Aganis passing in pilgramage to chapellis wellis and croces and the superstitious observing of diverse uther papisticall rytes.	Rep. in gen. terms, 9 & 10 Vict. c. 59.
	7	105 The explanatioun of the act triching the notoure and manifest committaris of adularie.	Obs. In des. Hume, I. 453.
20	8	106 Aganis fugitivis and utheris papistis practising aganis the trow religioun.	Rep. in gen. terms, 9 & 10 Vict. c. 59.
25	9	Commissioun to certane of everie estait with the kingis majesteis officiaris to treat and conclude on certane articles and supplicatiounis eftir the end of this present parliament.	Spent.
	10	106 Anent the cunye - - - -	Virt. rep. 1707, c. 7., Art. xvi.
	11	107 Ratificatioun of the actis anent the in-bringing of bulyeoun.	Virt. rep. 1707, c. 7., Art. vi.
30	12	108 Anent the dew payment of the kingis majesteis custumes.	Virt. rep. 1707, c. 7., Art. vi.
	13	109 For the suirtie of thame that assegit houssis be the kingis commissioun in his hines minoritie.	Spent.
35	14	110 Aganis the schamefull oppressioun of slaying and hocking of oxin and horses.	Obs. In desuetude. See Macdonald on Crimes, p. 115.
40	15	111 For executioun of the actis maid anent casting doune and halding doun of cruvis and yairis and punischement of the transgressouris thair of slaughter of reid fische and of the fry of all fische.	In part in des. <i>Stirling, M. 14299. Heritors of Don Fishings, M. 10840.</i> Rem. virt. rep. 31 & 32 Vict. c. 123. Sch. (F).
	16	112 Additioun to the actis maid aganis notorious theiffis and soirnaris of clannis.	Obs. In desuetude. Mack. Obs., 202.
45	17	Commissioun for reformatioun of the hospitallis masondevis almoushoussis and beid houssis and reducing thame to thair first institutioun.	Spent.
50	18	113 Aganis the excesse of costlie cleithing and transporting of woll quhairby the pure may be the better haldin to werk.	In part rep. in gen. terms, 1681, c. 78. Rem. virt. rep. 1707, c. 7., Art. vi.

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1581. Oct. 24. Cap. 19	1581. Cap. 114	Aganis superfluous banquetting and the inordinate use of confectouris and droggis.	Obs. In desuetude. Mack. Obs., 202.	5
„ 20	„ 115	Ratificatioun of the Act of Parliament concerning the decisioun of appellationis maid be the court of Rome.	Spent.	10
„ 21	„ 116	Aganis the abuse of some landit gentilmen and utheris forbeiring to keep hous at thair awin duelling places.	Obs. In desuetude, owing to change in social circumstances.	
„ 22	„ 117	Additioun to the Act of lawborrois - In part, namely: To “Innocents Quhair foir” and the words “Lordis of Sessioun or utheris.”	As to part in Col. 3, virt. rep. 45 & 46 Vict. c. 42.	15
„ 23	„ 118	Anent deforcementis breiking of arrestmentis and alienatiounis maid in defraud of creditouris. In part, viz.: To “For Remid quhair of,” and from “and siclike for” to the end.	As to part in Col. 3, sup. 1621, c. 18.	20
„ 24	„ 119	Anent registratioun of Inhibitionis and Interdictionis.	Virt. rep. 31 & 32 Vict. c. 64. s. 16.	
„ 25	Vol. I., p. 466.	Ratificatioun of the act anent prescriptioun in causis of spuilzeis and ejectionis.	Spent.	30
„ 27	Cap. 120	Anent the cuming of schippis to the burrowis of the west cuntrie.	Falls with 1488, c. 12. <i>Quoad</i> the addition, obs. In desuetude. Mack. Obs., p. 206.	
„ 28	„ 121	Anent the setting of ordoure and price on all stuf.	Obs. In desuetude, owing to change in social circumstances.	35
„ 29	„ 122	Anent the halding of horsis at hard meit be cowparis.	Obs. In desuetude, owing to change in social circumstances.	
„ 30	„ 123	For executioun of the actis maid aganis schuting with gunnis at wylde beistis and fowlis.	Falls with the Act it ratifies.	40
„ 31	„ 124	Aganis the transporting of nolt and scheip forth of the realme.	Virt. rep. 1707, c. 7., Art. vi.	
„ 32	„ 125	Aganis the unlawfull taking of profite be capitaneis and keiparis of oure souverane lordis castellis.	Obs. In des., state of things contemplated having ceased to exist.	45
„ 33	„ 126	For punishment of the fraudfull mixioun of the wynis be the tavernaris and sellaris thair of and utheris thair abuses.	Sup. by Sale of Food and Drugs Act, 1875.	
„ 34		Additioun to the act of disherising of the posteritie of the personis foirfaltit for the murthuris of the king oure souverane lordis father and his twa regentis.	Spent.	50

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5	1581. Oct. 24. Cap. 37	1581. Cap. 128 Anent the proclamatioun of the actis of parliament.	Obs.; state of matters contemplated having ceased to exist. Hardcastle on Statutes, p. 39.
	„ 38	Anent the establishing of the kingis majesteis counsale.	Spent.
10	„ 39	Ordoure how the kingis majestie salbe releifeit of importune and untymous suitters.	Expired.
	„ 40	Anent the discharging off factoreis -	Spent.
	„ 42	Anent the taxatioun of wardlandis - -	Virt. rep. 20 Geo. II. c. 50.
15	„ 65	Ratificatioun grantit to the Lordis of session of thair commissioun for ordour taking with the commissaris.	Spent.
20	„ 68	The revocationis of the propertie casualitie with exceptionis furth of the same and first revocation of the propertie.	} Spent.
	„ 69	The revocation of the casualiteis - -	
	„ 70	The revocation of the collectorie -	Spent.
25	1584. Mai. 19. Cap. 1	Parliamentum apud Edinburgh. Anent the libertie of the preching of the trew word of God and administratioun of the Sacramentis.	Spent.
30	„ 3	1584. Cap. 130 Anent the auctoritie of the thrie estatis of Parliament.	Virt. rep. 7 Anne c. 21.
	„ 5	„ 132 Ane Act establissing the forme of judgement anent the depositioun and deprivation of ministeris and utheris benefecit personis fra thair benefices for worthie causis.	Sup. 592, c.
35	„ 7	Ane act ratefeand the declaratour of the kingis majestie and his estatis tueching the tresounable attempt aganis his hienes at Ruthven and concerning the lait rebellion and ayderis thairof.	Spent.
40	„ 8	„ 134 Ane act for punishment of the authoris of the slanderous and untrew calumneis spokin aganis the kingis majestie his counsel and proceedingis or to the dishonour and prejudice of his hienes his parentis progenitoris crown and estate.	Spent.
45			

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1584. Mai. 19. Cap. 9	1584.	Ane act ratefeing and approving the proceedingis of the kingis majestie his counsall and officiaris in the tryall prosecutioun and punisment of the lait rebellious attemptat aganis his hienes and his auctoritie.	Spent.	5
„ 10		Ane act for annulling certane alienationis provisionis and dispositionis maid in prejudice of the kingis majesties eschaet.	Spent.	10
„ 11	Cap. 135	Aganis redutioun of foirfalturis for nullitie of proces, and that nane travell or give counsell to that effect without speciall warrand of the kingis majestie and estatis in parliament.	Virt. rep. 7 Anne c. 21. and 1587, c. 16.	15
„ 12	„ 136	Aganis the granting of respettis and remissionis for slauchteris fire raising and utheris odious crymis to be committit eftir the dait heiroff.	Expired.	20
„ 13	„ 137	Ane act tuecheing the provisioun to his hienes of a gard and suir pament of thair ordinar wages.	Obs. In desuetude. Mack. Obs., p. 211.	25
„ 14	„ 138	Ane act anent slauchter and trubling maid be parties in persute and defence of thair actionis.	Expired.	
„ 16		Ane act approving the constitutioun of certane the kingis majesties officiaris of the estate.	Spent.	30
„ 17	„ 140	Additioun to the actis maid of befor anent the cumming to courtis and compering at the bar in sober maner in persute and defence of criminal caussis.	Falls with the Act (1457, c. 29) which it ratifies. <i>Quoad</i> addition, obs. In desuetude, owing to change in social circumstances. See also Mack. Obs., p. 212.	35
„ 19	„ 141	Anent the gage and standert of salmound hering and quheit fische and principall stapillis thairof.	Partly obs. In desuetude. Mack. Obs., p. 212. Partly rep. 1585, c. 11.	40
„ 21	„ 142	For explicatioun of the act maid befor for punishment to rebellis contempnantile remanand at the horne.	In part falls with escheats, 20 Geo. II. c. 50., rem. sup. 1600, c. 22.	
„ 22		Ane act for suir assignatioun and pament of the levingis and stipendis appointit for the ministeris of Goddis word and eschewing of the abuse of diuersitie of prices.	Sup. by appointments of Teind Commissions.	45
„ 24		Ane act anent the arreisting intronission and sequestratioun of the eschaet guidis and debtis of the rebellis befor they be convict or put to the horn.	Spent.	50
„ 26		Ane act of ratificatioun of the kingis majesteis lait Revocatioun.	Spent.	

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1584. 5 Mai. 19. Cap. 27	1584.	Ane act anent the reformation of the College of Justice.	Spent.
„ 28		Approbatioun of the lait cunye of allayit money.	} Virt. rep. 1707, c. 7., Art. xvi.
„ 29		Ane act for ane new cunye of gold	
10 1584. Aug. 20. Cap. 2		Parliamentum Apud Edinburgh. Ane act for ane uniforme ordour to be observit be the beneficent men ministeris reiddaris and maisteris of collegis and sculis in obedience of the kingis majesteis lawis and thair ordinaris.	Sup. 1690, c. 7.
15 „ 3	Cap. 1	Ane act for annulling of the successoris of prelatiis purchest of his hiene in the trubulous tymis by past of his yung aige.	Spent.
20 „ 5	„ 6	Anent the dissolutioun of the unioun of landis annexed to the Crown to be sett be our soverane lord in fewferme.	Virt. rep. 1597, c. 4, so far as not expired.
25 „ 6	„ 2	Anent landis lordschipis heretages takis and possessionis of landis and teyndis cumand in our soverane lordis handis be foirfaltour and quhair of the evidentis and rychtis of the personis foirfaltit ar maliciuslie abstractit in defraude of his hiene.	In part, rep. in gen. terms, 1690, c. 104, rem. virt. rep. 7 Anne c. 21.
30 „ 7		Act in favour of our soverane lordis thesaurare and his deputt concerning factoris of the landis and possessionis of the personis suspectit and delaitit of treasoun.	Spent.
35 „ 8	„ 7	Act for confirmatioun of the fewis of kirklandis alsweill of auld as new.	Spent.
„ 12	„ 5	Ane act prohibiting the eatting of flesche thrie dayis everie oulk.	Obs. In desuetude, owing to change in social circumstances.
40 „ 13	„ 9	Act ratefeing all former actis maid for transporting forbodin guddis out of this realme.	Falls with the Acts it ratifies.
„ 14		Ratificatioun of the libertie of burrowis in generall.	Spent.
45 „ 15		Act ratefeing the act of parliament maid of befoir anent the exces of coistlie clething.	Falls with the Act it ratifies.
„ 16		Commissioun to certane of everie estate with the kingis majesties officiaris to proceid in discussing of the remanand summondis of treasoun and of the articlis and supplicationis now presentit.	Spent.
50			

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1584. Aug. 20. Cap. 20		Ratificatioun of the kingis majesteis revocatioun with additionis and exceptionis specificit thairin.	Spent.	5
1585. Dec. 1. Cap. 1	1585. Cap. 10	Parliamentum apud Linlythgow. Ane act aganis the authouris of slaundersous spechis or writtis. In part, viz.: The words "under the pane of deid"; and from "and the said pane of deid" to the end.	As to part in Col. 3, up. 1703, c. 4.	10
" 2		Ane act for the better executioun of our soverane lordis lawis and actis of parliament.	Spent.	15
" 3		Ane act anent feis of the seillis and chalmer and subscriptioun of the officiaris.	Spent.	20
" 4		Ane act anent the alteratioun of the tymes of sitting of the college of justice.	Sup. 1587, c. 25.	
" 5	" 11	Ane act aganis dilapidatioun of benefices	Obs. In des. These benefices being no longer enjoyed by the clergy.	25
" 7	" 13	Ane act for reformatioun of certane abuses in directioun of lettres.	Sup. 1701, c. 6.	
" 8		Ane act ratefeing the formare act of parliament maid anent discharge of infetmentis and sowmes of money oblist for deliverie of castellis.	Falls with the Act it ratifies.	30
" 9	" 19	Ane act interpreting the act of parliament maid of befoir anent dowble poyndingis.	Spent.	35
" 10		Ane act for establishing of the kingis Majesties previe counsall.	Spent.	
" 11	" 14	Ane act in favouris of the burrowis anent the paking and peling of fishes.	Virt. rep. 9 & 10 Vict. c. 17.	
" 12	" 15	Ane act anent transporting of forbiddin guidis.	Virt. rep. 1707, c. 7., Art. vi.	40
" 13	" 16	Additioun to the act anent thevis and soirneris of clannis.	Falls with Act referred to.	
" 14		Ane act in favour of the tennentis quahas maid payment to factouris.	Spent.	45
" 15		That the act of parliament laity maid anent the confirmatioun of fewis of kirkland sall not prescribe aganis minoris for the space of ane yeir heireftir.	Expired.	50

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5	1585. Dec. 1. Cap. 16	1585. Cap. 20 That all letters be presentit to be subscrivit be the kingis majestie and be the ordinar officiaris.	Obs. In desuetude.
	„ 17	Anent the office of chancellarie - -	Spent.
10	„ 18	Ratificatioun of the assent of the estaitis for treating and concluding of a league with the quene of England.	Spent.
	„ 19	License gevin to the advocatis to treat and consult with the persouis foirfaltit anent thair restitutionoun.	Spent.
15	„ 20	„ 17 The kingis Majesties revocatioun of his hienes propertie the lord Dingwell erle of Orkney and Williame Murray exceptit.	Spent.
	„ 24	Act for repossessioun of ministar and maisteris of collegis and scullis.	Spent.
20	„ 25	„ 18 Declaratioun of the Lord Hamilton To be curatour to the erle of Arrane his brother. In part, namely: From “And seing his hienes” to the end.	As to part in Col. 3, spent.
25	„ 74	Anent commissionaris of the schyres to be send to the Parliament.	Spent.
30	1587. July 8. Cap. 1	1587. Parliamentum apud Halyrudhous. Cap. 22 Declaratioun of oure Soverane Lordis perfitte aige.	Spent.
	„ 2	„ 23 Ratificatioun of the libertie of the kirk of God.	Spent.
35	„ 3	„ 24 Anent tryall and punishement of the offences of the adversaris of the trew religioun presentlie professit within this realme.	In part spent, rem. rep. in gen. terms 9 & 10 Vict. c. 59.
40	„ 4	„ 25 Aganis sellaris and dispersaris of papistick and erroneous buikis.	Rep. in gen. terms 9 & 10 Vict c. 59.
	„ 5	„ 26 Releif of the ministrie of the first freetis and tyft penny of all benefices of cuir under prelacis.	Obs. In desuetude. There being now no “benefices of cure” under prelacis.
45	„ 7	„ 28 Anent proceeding in deprivation for the causis of dilapidatioun.	} Spent.
	„ 9	Commission anent the cunye - -	
50	„ 10	Commission for the taxatioun to be grantit quhen it sall pleis that oure Soverane lord sall treat and conclude upoun his marriage.	

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1587. July 8. Cap. 11	1587.	Commissioun toward the establishing of ane universall mett mesour and wecht.	} Spent.	5
„ 12		Commissioun for satisfacioun of the clergie for thair lyverentis.		
„ 14	Cap. 31	The Kingis Majesties generall revocatioun.	} Spent.	10
„ 15	„ 32	For explanatioun of the Commissioun gevin to proceed aganis non residentis.		Falls with 1584, c. 5.
„ 16	„ 33-40	Anent the Parliament - - -	Virt. rep. 1707, c. 7.	
„ 17	„ 41	Aganis querrelling for prioritie of place or vote in parliament.	Virt. rep. 1707, c. 7.	15
„ 18		Commissioun anent prioritie of places and voiting in parliament.	} Spent.	
„ 19		Anent onre soverane lordis privie counsall.		
„ 20		Act in favour of the sessionn for ratificatioun of thair privileges.	In part spent, in part sup. 1609, c. 18, rem. virt. rep. 10 Geo. I. c. 19.	
„ 21		Act in favour of sic of the lordis of sessionn as sall becum ageit and unhable.	Obs. In desuetude.	25
„ 23	„ 42	Ratificatioun of the act of the lordis of counsall and sessionn anent proceeding in caussis of molestatioun.	Obs. In desuetude. Ersk. Inst. IV. 1, 48.	
„ 24	„ 43	Aganis wilfull and malicious pleyaris -	Obs. In desuetude. See 1661, c. 50. Ersk. Inst. I. 4, 37.	30
„ 25		Anent the sitting and vacance of the sessionn.	Sup. 1594, c. 23, and 1661, c. 199.	
„ 26		Act of certane materis remittit to the lordis of counsall and sessionn.	} Spent.	
„ 27	„ 44	Act remitting the interpretatioun of the law of oblivionn to the lordis of sessionn.		
„ 28		Act of certane materis remittit to the secreit counsall.	} Spent.	
„ 29	„ 45	For remeid of the falsset and ignorance of sindrie notaris.		
			In part spent, rem. sup. 59 & 60 Vict. c. 49, s. 2; 36 & 37 Vict. c. 63, s. 18; and 1617, c. 22.	

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5	1587. July 8 Cap. 30	1587. Cap. 46 For reformatioun of the extraordinar nowmer and monyfauld abuses of officiaris of armes. In part, namely: From "For triall qlkis" to "during thair lyftymes"; and from "letteres to be direct" to "in default thairof. And".	As to part in Col. 3, spent.	
10				
	31	47	Aganis supersedereis - - -	Obs. In desuetude. State of things contemplated having ceased to exist.
15				
	32	48	Act in favour of the laubouraris of the ground troublit be teynding.	Falls with 1579, c. 11.
	33	49	Anent accusatioun in crymes of tressoun-	} Virt. rep. 7 Anne c. 21.
20	34	{ 50 } { 51 }	Certane crymes declairit to be tressoun in tyme cuming.	
	35	52	Act concerning the punisement of usury -	Sup. 13 Anne c. 15.
	36	53	For stancheing of derth and first for making of the prices of wyne and tymmer.	Obs. In desuetude. Owing to change in social circumstances.
25				
	38		For punisement of foirstalleris and reg-raiteris.	Rep. in gen. terms 7 & 8 Vict. c. 24.
	39	55	Aganis transporting of victuallis or keeping of the same to derth.	Virt. rep. 1707, c. 7., Art. vi.
30				
	40	56	Aganis keeping of horssis at hard meit in symmer.	Obs. In desuetude. Owing to change in social circumstances.
	41	57	Anent victualling of schippis passand to the north fischeingis.	} Obs. In desuetude. Mack. Obs., 244.
	42	58	Aganis eiting of flesche in lentren and uther dayes forbiddin.	
35				
	44	60	Anent proclamatioun for serving of breves.	Falls with these brieves, 31 & 32 Vict. c. 101. ss. 27 and 28, Ersk. Inst. III. 8, 64, n (a).
	45		Act in favour of personis that hes maid payment <i>bonâ fide</i> to factouris.	} Spent.
40	46		Act authorizand the subscriptionis of commendataris allane that wantis conventis.	
	47		Act in favour of laic patronis for redemptioun of thair patronages.	
45				
	48	62	Anent counterfait and invalide giftis of pensionis.	Obs. In desuetude. State of things contemplated having ceased to exist.
	49	63	Anent our souerane lordis chekker -	Virt. rep. 6 Anne c. 53.

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1587. Jul. 8. Cap. 50	1587. Cap. 64	Anent the presenting of seisingis yeirlie to the chekker.	Sup. 1600, c. 36. Ersk. Inst. II. 3, 39. 5
„ 51		Act of certane materis remittit to the chekker.	Spent.
„ 52	„ 65-69	Concerning oure souerane lordis propirtie	Obs. In desuetude. Owing to change in circumstances. 10
„ 53		Anent the wodseting of the kingis propertie.	Spent.
„ 54	„ 70-81	For the help and augmentatioun of the Kingis Majesties rentis in his thesaurarie and casualities. In part, namely: Secs. 1-7, 9, and 11-15.	Obs. In desuetude. Owing to change in circumstances. 15
„ 55		Act in favour of the thesaurair anent expeding of ratificatiounis.	} Spent. 20
„ 56		For universall concord amangis the kingis liegis.	
„ 57	„ 82-92	For the furtherance and furthsetting of the criminall justice over all the realme. In part, viz: Secs. (1)-(9) inclusive.	Sec. (1) sup. 1672, c. 40. Sec. (2) obs. In desuetude. Macdonald, 115. Sec. (3) obs. In desuetude. Hume I. 158. Sec. (4) sup. 1592, c. 72. Secs. (5)-(9) obs. In desuetude. 25
„ 59	„ 93-110	For the quieting and keping in obedience of the disorderit subjectis inhabitantis of the bordouris hielandis and ilis.	Obs. In desuetude. State of matters contemplated having ceased to exist. 30
„ 60		Ratificatioun of the pacificatioun restitution and abolitioun grantit to oure souerane lordis liegis at divers parliamentis befor.	} Spent. 35
„ 77	„ 111	Act assolyeand kirkmen fra warrandice except thair awin deid.	
„ 109	„ 112	Anent taxatioun of burrowis	Obs. In desuetude. Owing to change in methods of taxation.
„ 120	„ 114	The kingis Majesties declaratioun concerning the voittis of small baronis in parliament and instrumentis takin be the erle of Craufurde and the laird of Tullybardin.	Virt. rep. 1707, c. 7. 40
„ 123		Commissioun to treat for defence of the realme in tyme of weare.	} Spent. 45
„ 124		Commissioun forsetting of the ordour of the taxatioun on all estaitis.	

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1587. Jul. 8. 5 Cap. 125	1587.	Commissioun for setting of the quantitie of the bulyeoun to be broocht to the cunyeous of all custumat guidis.	
„ 132		Commissioun for the article anent the better executioun of justice.	
10 „ 133		Commissioun to consider the lawis of this present and the last parliamentis.	Spent.
„ 135		Commissioun to treat on the conformitie of prices of all victuallis and merchandice.	
15 „ 136	Cap. 115	Mesuris and wechtis and the just quantitie thair of.	Virt. rep. 1707, c. 7., Art. xvii.
1592. Apr. 3. 20 Cap. 4.		Parliamentum apud Edinburgh. Act in favouris of the inhabitantis of Edinburg that had contractis or obligatiouis of the personis foirfaltit.	Spent.
„ 8	1592. Cap. 116	Act for abolisheing of the actis contrair the trew religioun. In part, namely: From “and all and quhatsumever” to “of the trew kirk,” from “And becaus thair ar” to “haldin of pashe and yule,” and from “Item oure said soverane” to the end.	As to part in Col. 3, in part spent, rem. vert. rep. 1690, c. 53.
25 „ 9	„ 117	Anent depositioun of unqualified personis frome thair functionis and benefices. In part, namely: From “(all personis” to “speciallie exceptit)” and from “And the said sentence” to the end.	As to part in Col. 3, in part spent, rem. virt. rep. 1690, c. 53.
30 „ 11	„ 119	Aganis Adulteraris - - - In part namely: To “realme And thairfoir,” and from “And ordanis this present” to the end.	As to part in Col. 3, spent.
40 „ 12	„ 120	For punishement of slauchter within kirkis or kirk yairdis.	Obs. In desuetude, state of matters contemplated having ceased to exist.
45 „ 13	„ 121	Concerning the erectioun of kirk landis and teyndis in temporall lordschippis.	Spent.
50 „ 14	„ 122	Againis Jesuites seminary preistis and thair resettaris.	Rep. in gen. terms, 9 & 10 Vict. c. 59.
„ 15	„ 123	Ratificatioun of the act maid in Februar 1587 in favour of the ministrie thair stipendis and rentis.	Obs. In desuetude. Mack. Obs., 264.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1592. Apr. 3. Cap. 17	1592. Cap. 124	Alteratioun of the mercat dayis frome the sabboth day.	Spent.	5
„ 18	„ 125	Quha hes not gevin confessioun of thair faith sall not enjoy the benefite of pacificatioun.	Partly spent; partly obs. In desuetude.	
„ 19		Commissioun for reparatioun of hospitallis.	} Spent.	16
„ 27		Commissioun to confer and treat with the Ministre anent the provisioun of sufficient and locall stipendis to the ministeris.		
„ 28	„ 126	Anent the dewtie of schireffis and utheris Jugeis ordinar thair deputtis and clerkis.	Obs. In desuetude, owing to change in circumstances.	15
„ 29	„ 127	Concerning the office of lyoun king of armes and his brether herauldis. In part, viz.: Sec. (2); sec. (3) from “discharging him” to “officiaris of armes”; and sec. (4).	Sec. (4) spent. Rem. of part. in Col. 3 obs. In desuetude.	20
„ 30	„ 128	For furthering of the payment and in-bringing of the kingis casualities.	Obs. In desuetude.	25
„ 31		For furthering of the kingis commoditie be the mynis and metallis. In part, viz.: From “Thairfoir oure said” to “proffeit thairof as said is”; from “with avise of the thesaurare” to “conjunctie and”; from “with consent alwyis” to “in maner foirsaid”; the words “with the consent foirsaid”; from “with express provisioun” to “dewtie thairof”; and from “And forsamekle” to end.	As to part in Col. 3, obs. In desuetude.	30
„ 32		Ratificatioun of the kingis majesties revocatioun.	Spent.	40
„ 34	„ 129	Anent confirmatioun of the kingis propre landis past without advise of his Comptrollair.	Partly spent partly obs. In desuetude.	
„ 35	„ 130	For the better keeping of the kingis parkis.	Obs. In desuetude.	45
„ 36		Anent the payment of the burrow males -	Spent.	
„ 37	„ 131	Anent the custumes of Englische guidis -	Virt. rep. 1707, c. 7., Art. vi.	
„ 38	„ 132	That the ratificatiounis past in this present parliament sall not prejugie parties richtis.	} Spent.	50
„ 41		The nominatioun and establisching of oure soverane lordis privie counsaill.		

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
5	1592. Apr. 3 Cap. 42	Concerning the thesaurair anent ratificationis and uther materis past in this present parliament.	Spent.	
	„ 44 Cap. 133	Anent the productionun of rentallis and fewis.		
10	„ 45	For visitting and caussing of the lawes and actis of parliament to be prentit.		
	„ 46	Ratificatioun of the contract of mariage betuix the King and Quenis majesties and of hir hienes infeftmentis and titles past thairupoun.		
15	„ 47	Approbatioun of thair services quha accompaniet his majistie to Noroway and Denmark.		
20	„ 48	Ratificatioun of the erll of Merschellis proceeding in Denmark direct to treat the mariage betuix the King and Quenis majesties and of his infeftmentis.		
25	„ 49	Ratificatioun to the laird of Barnebaranche and Maister Piter Young and of thair proceedingis in the said mariage and of thair infeftmentis.		
	„ 50 „ 134	Anent the aige and qualities of the Lordis of Sessioun. In part, namely : From “ Annulland all ” to the end.		As to part in Col. 3, spent.
30	„ 51 „ 135	Tuiching the autenticke daiting and registring of signatures.		Obs. In desuetude.
	„ 52 „ 136	For eschewing of faulsettis in reductioun of decreittis of redemptioun.		Spent.
35	„ 53 „ 137	Act in favour of redemptioun of landis be quhatsumevir personis.	Obs. In desuetude, annual rents being now obsolete.	
	„ 54 „ 138	Anent the validitie of new boundand evidentis.	Virt. rep. 37 & 38 Vict. c. 94. s. 4.	
40	„ 55 „ 139	Concerning pensionis nocht autorizit be decret or possessioun.	Spent.	
	„ 56 „ 140	Aganis unlawfull condicionis in contractis or obligatiounis.	Obs. In desuetude, state of things contemplated having ceased to exist.	
	„ 57	Prescriptioun of the act of reposessing -	} Spent.	
45	„ 58	Act annulling the brandis and contractis of personis being in captivitie.		
	„ 60 „ 142	Anent denunceatioun of personis to the horne upoun lettres chargeing all and sindrie generallie.	Sup. 1690, c. 16. E1sk. nst. IV. 3. 11.	

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1592. Apr. 3. Cap. 63	1592. Cap. 145	That the obtenaris of giftis of escheatis pay the debt contentit in the horning quhairpoun the gift procedit.	Falls with escheat, 20 Geo. II., c. 50.	5
„ 64		Ratificatioun of the commissariat of Edinburgh.	Sup. 1 Will. IV. c. 69; 6 & 7 Will. IV. c. 41; 39 & 40 Vict. c. 70, s. 35.	
„ 65	„ 146	For punement of the ressettaris of traitouris and rebellis.	Virt. rep. 7 Anne c. 21., s. 7.	10
„ 66	„ 147	Anent the eschaetis of rebellis - -	Virt. rep. 7 Anne c. 21.	
„ 67	„ 157	Aganis granting of respeittis and remissionis.	Expired.	
„ 68	„ 148	For punement of the wilfull setting of fyre in coil heuchis.	Virt. rep. 7 Anne c. 21. s. 10.	15
„ 69	„ 149	For punement of masterfull beggaris and relief of the pair.	Sup. 8 & 9 Vict. c. 83.	
„ 70	„ 150	Aganis foirstalleris and regraittaris -	Rep. 7 & 8 Vict. c. 24.	
„ 71	„ 151	Aganis caryaris of nolt and schein furth of the realme.	Rep. in gen. terms, 1707, c. 7., Art. vi.	20
„ 73	„ 153	Concerning the relevancie of lybellis in caussis criminall.	Sup. 50 & 51 Vict. c. 35, s. 7.	
„ 74	„ 154	Anent the liberties of frie burrowis -	Virt. rep. 9 & 10 Vict. c. 17.	
„ 76	„ 156	Aganis sic as excoecis craftis in suburbis adjacent to borrowis.	Obs. In desuetude, owing to change in social circumstances. <i>Paterson</i> , 6 Dec. 1810, F.C.	25
„ 77	„ 158	Aganis transporting of weill and kid skynnis furth of the realme.	Virt. rep. 1707, c. 7., Art. vi.	
„ 78	„ 159	Concerning the streitis and passages off burrowis.	Obs. In desuetude, owing to change of circumstances.	30
„ 79	„ 160	Concerning certane abuses in the Admirallis proceedingis.	Falls with office of Admiral.	
„ 88	„ 162	Act remittand certane articlis and supplicationis to the privie counsaill.	Spent.	35
„ 89	„ 161	Anent provestries and prebendaries being laic patronages.	Falls with the Act it ratifies (1567, c. 13). <i>Quoad</i> addition, spent.	
1593. Apr. 3 Cap. 6	1593. Cap. 163	Parliamentum apud Edinburgh. Act aganis keping of marcattis on the Sabboth day.	Spent.	40
„ 7	„ 164	For punement of the contempnaris of the decreittis and judicatoriis of the kirk.	Obs. In desuetude.	
„ 10	„ 167	Act anent beneficis disponit to ministeris	Obs. In des., these benefices being no longer enjoyed by the clergy.	45

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1593. Apr. 3. Cap. 11	1593. Cap. 168 Aganis the sayaris of messe and ressat- taris or interteneyaris of excommunicat papistes.	Rep. in gen. terms, 9 & 10 Vict. c. 59.
	„ 13	„ 170 Additioun to the panis of law borrowis and unlaues.	Sup. 45 & 46 Vict. c. 42. s. 6 (5).
10	„ 15	„ 172 For puneishment of custumaris and ser- cheouris offending in thair offices.	Obs. In desuetude.
	„ 16	„ 173 Anent remissionis and respeittis - -	Falls with 1587, c. 54; 1592, c. 67.
	„ 17	„ 173 Explanatioun of the act maid in favour of the vassallis of personis foirfaltit.	Falls with 1592, c. 3.
15	„ 18	„ 175 That infestmentis of the propertie with- out consent of the comptrollar sal be nul.	Falls with the Act it ratifies (1592, c. 34).
	„ 19	„ 176 Anent new infestmentis with richt of patronage.	Virt. rep. 1690, c. 23.
20	„ 20	„ 190 Anent confirmationis of kirklandis sub- scrivit of auld be the king and under the privie seill.	Spent.
	„ 22	„ 177 Act for puneishment of thame that troublis the parliament sessioun and uther jugementis. In part, namely : From “ be our soueraine lord ” to “ sicklyk Statutes and ordanis.”	As to part in Col. 3, virt. rep. 7 Anne c. 21.
25	„ 23	„ 178 Act concerning the disorderis in the wast marche.	Obs. In desuetude, owing to Union of Crowns.
30	„ 24	„ 174 Ratificatioun of the privilegis of the College of Justice.	Spent.
	„ 25	„ 179 That the wreittar insert his name in the body of the wreitt. In part, namely : From “ and to begin ” to “ next to cum.”	As to part in Col. 3, spent.
35	„ 26	„ 186 Act in favour of personis quha wer provy- dit to the successorie of benefices befor the yeir of God 1584.	Spent.
40	„ 30	„ 194 Commissioun anent decyding of suspen- sionis in the kingis causes.	} Spent.
	„ 31	„ 194 Commissioun anent the cunye - -	
	„ 33	„ 194 Ratificatioun of the liberties and privi- legis of burrowis.	Spent.
45	„ 36	„ 182 Aganis the transporting of calf kid and certayne uther skynnis.	Falls with 1592, c. 77
	„ 37	„ 183 Anent the custume to be tane [of Eng- liche beir.	Virt. rep. 1707, c. 7., Art. xviii.

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1593. Apr. 3. Cap. 38	1593. Cap. 184	Act concerning the deane of gildis jurisdiction in burrowis.	Obs. In desuetude. Ersk. Inst. I. 4, 24. 5
„ 39	„ 185	Anent the commoun gude of burrowis - In part, namely: From “ Understanding diverse ” to “ his heines,” from “ after the zeirlie rowping ” to “ within the sais burrowis,” and from “ nocht- withstanding of quhatsumevir ” to the end.	As to part in Col. 3, in part spent, rem. sup. 3 Geo. IV. c. 91. 10
„ 45		Commissioun anent the ministeris stipendis.	} Spent. 15
„ 46		Anent the Kingis Majesties privie counsaill.	
1594. Apr. 22. Cap. 3	1594. Cap. 196	Parliamentum apud Edinburgh. Aganis wilfull Heiraris of messe - -	Obs. In desuetude since removal of Roman Catholic disabilities. 20
„ 4	„ 197	Anent satisfacioun to the kirk be papistes	} Spent. 25
„ 5	„ 198	Aganis erectionis efter the annexatioun -	
„ 6	„ 199	For provisioun of common kirkis -	Obsolete. In desuetude since Revolution settlement.
„ 7	„ 200	Anent eschaetis and lytientis of excommunicat personis.	Spent. 30
„ 10	„ 203	Anent setting of takkis without consent of the patrone.	Obs. In desuetude, state of matters contemplated having ceased to exist.
„ 11	„ 204	Annulling of actis of parliament maid in favour of vassellis of personis foirfaltit.	Spent.
„ 12	„ 205	Anent fraudfull dispositionis maid be personis foirfaltit.	Partly spent; partly local and personal. 35
„ 13	„ 207	Ratification of the actis maid for annexatioun of the propirtie and annulling of dispositionis maid in princes minorities.	Spent.
„ 14	„ 208	General dissolutioun of the propirtie -	Virt. rep. 1597, c. 4. so far as not expired. 40
„ 15	„ 209	Anent lesing makaris and authouris of sklanderis.	Obs. In des. Mack. Obs., 228.
„ 16	„ 210	Anent payment of the dewtie of the wyne.	Virt. rep. 1707, c. 7., Art. xviii. 45
„ 17	„ 211	Annulling of pensionis furth of the erectionis sen the annexatioun.	Spent.
„ 18	„ 212	Anent souirties for officiaris off armes -	Partly obs. In desuetude. Partly spent.

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5	1594. Apr. 22. Cap. 19	1594. Cap. 213	For tryall of the treuth of acquittances in suspensionis.	Falls with escheat for civil debts, 20 Geo. II. c. 50.
	„ 20	„ 210	Anent haning of the kingis parkis and forrestis and increis of wyldfoull and vennysoun.	Obs. In desuetude.
10	„ 21	„ 211	Anent the privilegis of the College of Justice.	Spent.
	„ 23	„ 217	Anent the beginning of the harvest vacance.	Sup. 1661, c. 19.
15	„ 28	„ 218	For consideratioun of articles to be proponit in Parliament.	Obs. In desuetude. Mack. Obs.
	„ 29	„ 219	Anent slauchter and trubling of parties in persute and defence of thair actionis.	Obs. In desuetude, owing to change in social circumstances.
20	„ 31	„ 225	Anent the certane tyme of lentren sparing of young flesche in the spring and brekkaris of lentren and uther dayis forbiddin to eit flesche.	Obs. In desuetude. Mack. Obs., 155.
	„ 32	„ 222	For punischement of committaris of usurie	Rep. in general terms, 17 & 18 Vict. c. 90.
25	„ 33	„ 223	For punischement of sum disorderis of studentis and bursaris.	Obs. In desuetude, state of matters contemplated having ceased to exist.
	„ 34	„ 224	For executioun of the actis anent slauchter of blak or reid fische and fry of salmound.	Virt. rep. 31 & 32 Vict. c. 123. ss. 28-30.
30	„ 37	„ 231	For punisement of thift reif oppressioun and sorning.	Obs. In desuetude, state of matters contemplated having ceased to exist. Rankine, L. O. 573.
	„ 45		Prelattis and utheris benefit personis suld haif releif of thair taxatioun.	Spent.
	„ 47		Act in favour of the skynnaris - -	Falls with 1593, c. 36.
35	„ 4		Ratificatioun of the act and contract anent the cunye.	Virt. rep. 1707, c. 7., Art. xvi.
	„ 75	„ 206	Ratificatioun of the act anent the butyeoun	Virt. rep. 1707, c. 7., Art. vi.
	„ 76		Ratificatioun of the actis anent regrattaris and foirstallaris.	Falls with the Acts it ratifies.
40	„ 77	„ 230	Of the panes of thame that makis nocht thair comptis tymouslie in the chekker.	Falls with 1587, c. 49.
	„ 98		Anent hospitallis and schoolis - -	Spent.
45	1597. Nov. 1. Cap. 2	1597. Cap. 235	Parliamentum apud Edinburgh. All ministeris provydit to prelaceis suld haif voit in parliament.	Falls with Prelacy, 1690, c. 7.

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1597. Nov. 1 Cap. 4	1597. Cap. 233	Alienatioun of the Kingis annexit propertie.	Spent.	5
„ 8	„ 241	Assyis hering may nocht be disposit	Obs. In desuetude. Rankine, L. O. 237.	
„ 9	„ 242	Anent heritable chalmerlanreis and dispositionis of the propertie.	Obs. In desuetude. Bell Prin. § 672.	10
„ 10	„ 243	Alienatio feudiferme feudifirmarum	Spent.	
„ 11	„ 244	Anent takis and pensionis gevin furthe of thriddis.	Obs. In desuetude. Mack, Obs., 295.	
„ 12	„ 245	Anent thriddis of beneficis common kirkis frierlandis rentis and beneficis of cuir under prelacis.	Obs. In desuetude. Mack, Obs., 295.	15
„ 13	„ 246	The twa part of the beneficis vacand sall appertene to the King.		
„ 14	„ 247	Anent ratificationis and dispositionis maid in Parliament.	Obs. In desuetude.	20
„ 15	„ 248	Ministeris and possessouris of benefices sall gif up the rentell of the temporalitie.	Spent. Obs. In desuetude.	
„ 16	„ 249	The fewaris of the temporalitie sall gif up ane rentell of thair dewteis.	Spent.	25
„ 18	„ 251	It is noch lesum to tak mair annuelrent or proffeit nor ten for the hundrethe.	Rep. in gen. terms, 17 & 18 Vict. c. 90.	
„ 19	„ 252	The pane of beraris usaris or schutaris with pistolettes culveringis daggis or ingyis of fyre wark.	Partly falls with 1567, c. 23; partly obs. In desuetude.	30
„ 20	„ 253	The pricis of gold and silver of forene cunye and bulyeoun.	Virt. rep. 1707, c. 7., Art. xvi.	
„ 21	„ 254	Woll suld nocht be transportit furthe of the realme.		35
„ 22	„ 255	All merchandice brocht within this realme suld pay custome.		
„ 23	„ 256	English claithe and utheris Englishe merchandice maid of woll is forbidden.	Virt. rep. 1707, c. 7., Art. vi.	
„ 24	„ 257	Great burne coill suld nocht be transportit furthe of this realme.		40
„ 25	„ 258	Forbidden guidis suld pay custome		
„ 26	„ 259	All cocquettis suld be speciall and contene the particular kyndis of merchandice.	Virt. rep. 1707, c. 7., Art. xviii.	
„ 27	„ 260	All schippis suld haif ane sufficient cocquett.	Falls with the office of conservator.	45
„ 28	„ 261	The aithe of the merchandis schipperis and factoris passand to and fra the iaw countreis and furthe of this realme.	Partly falls with the office of conservator; partly obs. In desuetude. Mack, Obs., 299.	

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5	1597. Nov. 1. Cap. 29	1597. Cap. 262	All schippis and merchandis suld land at the ordinar staple.	Obs. In desuetude.
	„ 30	„ 263	The conservatour suld puneish usureris -	Falls with the office of conservator.
10	„ 31	„ 264	All merchandis sall gif ane inventare of thair mercheandice and gudis to the conservatour.	Falls with the office of conservator.
	„ 32	„ 265	Of slayaris of reidfish smoltis frie and salmond in forbiddin tyme.	Party falls with the Acts it ratifies partly spent.
	„ 33	„ 266	The inhabitantis of the iles and helandis suld schaw thair haldingis.	Spent.
15	„ 34	„ 267	Anent the bigging of burrowes townis in the ils and hielandis.	Obs. In desuetude. Mack. Obs., 300.
	„ 35	„ 268	Letteris of horning inhibitionis interdictionis and publicatioun thairof aganis personis duelland within bailiereis suld be registred in bukis.	In part virt. rep. 1600, c. 22, and 31 & 32 Vict. c. 64. s. 16; rem. obs. In desuetude. Menzies, Conveyancing, 296.
20	„ 36	„ 269	Registratioun of letteris of horning relaxationis executionis inhibitionis suld be maid judicillie or befoir ane notar and four witnessis. Of the judge refusand the registratioun.	Falls with preceding Act.
25	„ 37	„ 270	It is not lesum to slay deir rais hares wyld fowles or dowes.	In part spent, rem. obs. In desuetude.
	„ 38	„ 271	Auld unlaues ar valued and amplified -	Obs. In desuetude.
30	„ 39	„ 272	Strang beggaris vagaboundis and Egyptians suld be punished.	Obs. In desuetude. Hume I., 478.
	„ 42	„ 275	The schirreff clarkis sall bring thair bukis to the chekker. Thai suld be markit.	Obs. In desuetude.
35	„ 43	„ 276	Barrounes suld send to the parliament commissioneris with sufficient commissionis.	Virt. rep. 1707, c. 7.
	„ 44	„ 277	Prisoun houses suld be begged within all burroues.	Sup. 2 & 3 Vict. c. 42.
40	„ 45	„ 278	Anent dimission of benefices contening reservatioun of the lyfrent of the resignant.	Spent.
	„ 46	„ 279	Of personis duelland within brught subject to the help of the pure to the waching and warding.	} Sup. by modern legislation as to assessments and rating.
45	„ 47	„ 280	All burgesses suld be taxt and stentit be thair magistratis according to the rentis within burght.	
50	„ 48	„ 281	Ane taxation to be granted to the King. The forme and maner of the uptaking thairof.	Spent.

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1597. Nov. 1. Cap. 66	1597.	Ane act anent copper cunye - - -	Virt. rep. 1707, c. 7., Art., xvi.	5
1600. Nov. 1. " 3	1600. Cap. 1	Parliamentum apud Edinburgh. The fyft day of August appointit yeirlie for solempne thankis geving in all tyme cummyng.	Obs. In desuetude.	10
" 12	" 4	Anent invading and persewing of coun- salouris.	Obs. In desuetude. The offence now only aggravated assault. Mac- donald, 160.	
" 13	" 5	Anent purprusioun in the Kingis com- monteis.	Obs. In desuetude. Ersk. Inst. II., 5. 52.	15
" 14	" 6	Anent beraris and schuteris with hag- buttis and pistolettis.	Obs. In desuetude, owing to change in social circumstances.	
" 15	" 7	Explanation of the actis of Parliament anent ocker and usurie.	Falls with the Acts against usury, 17 & 18 Vict. c. 90.	
" 16	" 8	Anent dissolutioun of the coilhewchis of the propirtie and landis quhair dem- lessit strenthis and castellis were biggit of auld.	Expired; spent.	20
" 18	" 9	Act anent cunye - - - - -	Partly virt. rep. 1707, c. 7., Art. xvi.; partly spent.	25
" 19	" 10	Act anent salting and transporting of herring.	Virt. rep. 1661, c. 279. Mack. Obs., 311.	
" 20	" 11	Slaying of salmond in forbiddin tyme to be ane cryme of theft in tyme cummyng.	Partly virt. rep. 31 & 32 Vict. c. 123, ss. 15, 19, 20. Partly rep. 1606, c. 4.	30
" 22	" 13	Anent hornyngeis - - - - - In part, namely: From "discharges that part" to "and witnesses and."	As to part in Col. 3, spent.	
" 24	" 15	The pane of forbiddin and uncustomat gudis.	Virt. rep. 1707, c. 7., Art. xviii.	35
" 25	" 16	Ratificatioun of the actis maid of befoir in favouris of the kirk.	Spent.	
" 26	" 17	Act anent non communicantis - - -	Obs. In desuetude.	
" 27	" 18	Ratificatioun of the act anent Jesuittis preistis excommunicat and traffiquing papistis.	Rep. in gen. terms 9 & 10 Vict. c. 59.	40
" 28	" 19	Ratificatioun of the act anent strang and idill beggeris.	Falls with the Acts it seeks to enforce. Hume I., 478.	
" 30	" 21	Registeris of the schireclerkis to be markit be the Clerk of Register and his deputtis and thair extractis to be markit be thame selffis. In part, namely: From "and this ordour" to "to be sa marked"; and the words "after the foresaid day."	As to part in Col. 3, spent.	45
				50

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1600. Nov. 1 5 Cap. 31	1600. Cap. 22	Act anent removeing and extinguischeing of deadlie feadis.	Obs. In desuetude, owing to change in social circumstances.
„ 32		Act anent provisioun for armoure - -	Spent.
„ 33	„ 28	Act anent the keiping of pledgis - -	Obs. In desuetude, owing to change in social circumstances.
10 „ 34	„ 23	Act aganis slaughter of wyld foullis - -	Obs. In desuetude. Rankine, L.O. 136.
„ 35		Act aganis making of redres - -	Obs. In desuetude, state of matters contemplated having ceased to exist.
15 „ 36		Anent registratioun of saisings - -	Virt. rep. 1609, c. 40.
„ 37	„ 24	Anent the custumying of gudis - -	Virt. rep. 1707, c. 7., Art. vi.
„ 38	„ 25	All charges of hornying aganis persones duelland benorth Die to be direct upoun fyftene dayes at the leist.	Obs. In desuetude. Ersk. Inst. IV. 3, 10, note (e).
20 „ 39	„ 26	Act aganis persones quha persewis utheris within one myle of the kingis majesteis residence.	Obs. In desuetude, state of matters contemplated having ceased to exist.
„ 52		Commissioun anent the ranking of the nobilmen.	} Spent.
25 „ 53		Commissioun anent woll - - -	
1604. Apr. 10. Cap. 1	1604. Cap. 1	Parliamentum apud Edinburgh. Commissioun for the Unioun - - -	Spent.
„ 2		Act in favouris of the kirk - - -	Spent.
30 1606. Jul. 11. Cap. 4	1606. Cap. 5	Parliamentum apud Edinburgh. Act anent the riveris of Tweid and Annand.	Spent.
35 „ 5	„ 6	Anent the customes butuix Scotland and England.	Virt. rep. 1707, c. 7., Art. vi.
„ 7	„ 8	Anent teynding of cornes - - -	Sup. 1612, c. 5.
„ 8	„ 9	Anent auld decreittis of ejectioun and spulyie in the bordouris.	Spent.
„ 10	„ 11	Anent coilyearis and saltaris - - -	Virt. rep. 39 Geo. III. c. 56.
40 „ 11	„ 12	Act anent setting of fewis be subvassellis of waird landis.	Falls with abolition of ward tenure, 20 Geo. II. c. 50.
„ 13	„ 14	Act in favouris of his majesteis vassellis for payment of thair blenshe duties.	Obs. In desuetude. Ersk. Inst. II. 4, 7.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1606. Jul. 11. Cap. 14	1606. Cap. 15	Act anent saisingis to be gevin on preceptis of the chancellarie.	Falls with 1540, c. 12.	5
„ 15	„ 16	Act in favouris of the burrowis regall -	Spent.	
„ 17		Anent the keiping of the kingis housis -	Obs. In desnetude.	
„ 18	„ 17	Act anent the taxatioun and collecting thair of.	} Spent.	10
„ 19		Act anent the granting of the taxatioun -		
„ 23		Commissioun anent the erectionis - -		
„ 38		Act in favouris of the senatouris of the College of Justice and memberis of the samy.	Spent.	15
„ 71	„ 3	Act anent the dilapidatioun of bishoprikis.	Falls with abolition of prelacy, 1689, c. 4.	
1607. Mar. 18. Cap. 1	1607.	Parliamentum apud Edinburgh. Act anent the Union of Scotland and England.	Spent.	20
„ 2	Cap. 1	Act aganis the sayaris and wilfull heiris of mess.	Rep. in gen. terms 9 & 10 Vict. c. 59.	
„ 5		Act anent the kingis blensche dueteis in erectionis and ministeris stipendis of the kirkis erectit.	Spent.	25
„ 7	„ 2	Act anent weichtis and messuris - -	Falls with 1587, c. 136.	
„ 8	„ 4	Ratificatioun of the Act anent conduced of craftsmen.	Falls with 1540, c. 30.	
„ 9		Commissioun anent grammer and teacheris thair of.	Spent.	30
„ 12	„ 5	Act in favouris of the burrowis regall -	Spent.	
„ 13	„ 6	Act in favouris of the frie burrowis regall aganis unfremen. In part, namely: From “considering the great” to “and thairfor,” and from “that all unfrie” to “this Act And also.”	As to part in Col. 3, virt. rep. 9 & 10 Vict. c. 17.	35
„ 16		Act in favouris of the Clerk of Register anent the prenting of the book callit Regiam Majestatem.	Spent.	40
1609. Apr. 12. Cap. 3	1609. Cap. 1	Parliamentum apud Edinburgh. Act anent the cheising of pedagoges to children passing furth of Scotland to schooles.	Rep. in gen. terms 9 & 10 Vict. c. 59.	45

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1609. Apr. 12 5 Cap. 4	1609. Cap. 2	Act aganis children that becomes papistis when they are out of Scotland.	Rep. in gen. terms 9 & 10 Vict. c. 59.
„ 5	„ 3	Act anent excommunicat persones nocht to injoy their landis rowmes and possessionis.	Rep. in gen. terms, 1690, c. 58.
10 „ 6	„ 4	Act anent giving command to bischoppis to send the names of excommunicatt persones to the thesaurar and to the directour of the chancellarie.	Rep. in gen. terms, 1690, c. 58.
15 „ 7	„ 5	Act aganis jesnitis seminarie priestes and resettaris of thame.	Rep. in gen. terms 9 & 10 Vict. c. 59.
„ 8	„ 6	Act of the commissariat and jurisdiction gevin to the archibischoppis and bischoppes.	Falls with abolition of prelacy, 1689, c. 4. See also 39 & 40 Vict. c. 70.
20 „ 9		Act placeand Robert erle of Louthiane in the Commission of the quorum in place of his father for setting down the Kings blenche dueteis in erectionis and modefeing ministeris stipendis. And the bischop of Galloway in place of the bischop of Dunkeld for modefeing ministeris stipendis.	Spent.
25 „ 14	„ 7	Act anent the commissioners and justices of peace.	Sup. 1617, c. 8.
30 „ 15	„ 8	Act of the apparels of judges magistrattis and kirkmen.	Partly spent; partly obs. In desuetude, owing to change in social circumstances. See <i>Smollett</i> , 1 Pat. App. 26.
„ 16	„ 9	Act against scandalous speeches and libellis.	Obs. In desuetude.
35 „ 17	„ 10	Act anent fugitive persones of the borders to the in countrey.	Partly obs. In desuetude, state of matters contemplated having ceased to exist; partly spent.
„ 18	„ 11	Act in favouris of the Lordis of Session of ten thousand poundis to be gevin to them yearlie.	Sup. by modern legislation as to Judges' salaries.
40 „ 19	„ 12	Act anent the patronages of foirfaulted persones.	Spent.
„ 20	„ 13	Act anent the Egiptians - - -	Obs. In desuetude.
45 „ 21	„ 14	Ratificatioun gevin be the king to the secrete counsail to ressave resignationis.	Spent.
„ 40		Act anent the abolisheing of the secretaris register.	} Spent.
50 „ 47		Submissioun betuix the archibischop of Sanctandrous and the lord advocat in the Kingis name.	
„ 48		Commissioun anent the ravissing of wemen.	

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1612. Oct. 12 Cap. 2	1612. Cap. 2	Parliamentum apud Edinburgh. Ane act for remanding back to his Majesties officiares of justice in England of offendours in some particular crymes in the act mentioned who efter the committing of the offence in England salbe thairupoun fugitive and remane in this kingdom.	Sup. 20 & 21 Vict. c. 22. s. 11.	5
" 3	" 3	Ane act declaring that in all tyme heir-etter the objecting of hornying for a civile cause of the partie ayther slane or mutilat salbe no liberation of the offender from the punischement dew of the law.	Obs. In desuetude, owing to change of circumstances.	10
" 4	" 4	Ane act aganis ravischers of wemen -	Obs. In desuetude. Hume I., 306; Macdonald, 281.	15
" 5	" 5	Ane act anent more tymous teynding ffor the ease of the laborers of the ground.	Sup. 1617, c. 9.	20
" 6	" 6	Ane act for discharge of all persute aganis any within the boundis of the lait borders for causes preceding his Majesties going to England with exception not-theles of all decretis recoverit and with reservatioun of the criminall persute at the instance of his Majesties officiares.	Spent.	25
" 8	" 8	Ane act anent repairing of bischops manses.	Obs. In desuetude since abolition of Episcopacy.	30
" 9	" 9	Ane act pardoung the bypast escaips of some poenall statuts thairin mentioned.	} Spent.	35
" 12		Ane act concerning the voluntar offer of ane taxatioun maid be the Estaittis of Parliament to his Majestie.		
" 13		Act anent the forme and order of the uplifting of the said taxatioun.		
" 16		Commissioun for dealing betuix his Majestie and the bischop of Orknay for the bischops landis in Orknay.	} Spent.	40
" 24		Ratificatioun in favours of the officiares of the cunzehouse.		
" 47		General ratificatioun of the burrowis liberties.	Spent.	45
1617. Mai. 27. Cap. 2	1617. Cap. 2	Parliamentum apud Edinburgh. Anent the restitutioun of chapteris -	Virt. rep. 1689, c. 4.	
" 4	" 4	Anent the setting of takis be prelatiis and utheris beneficed persones.	Obs. In desuetude.	50

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5	1617. Mai. 27. Cap. 5	1617. Cap. 5 Additioun to the act anent dilapidatioun off benefices.	Falls with prelacy, 1606, c. 71.
	„ 6	„ 6 Anent furnesing of necessaries for ministratiouc of the sacramentis. In part, viz : From “and the Ministeris ” to end.	As to part in Col. 3, spent.
10	„ 7	„ 7 Anent unlawis of absentis frome Parliament.	Sup. 1662, c. 2.
	„ 8	„ 8 Anent the Justices for Keeping of the Kingis Majesties peace and thair constables.	Sup. 1661, c. 338.
15	„ 9	„ 9 Anent the teynding of Cornis - - -	Sup. 1633, c. 17.
	„ 10	„ 10 Anent the poore - - - - -	Sup. 8 & 9 Vict. c. 83.
	„ 11	„ 11 Anent the Queines counsell - - -	Spent.
20	„ 12	„ 12 Anent prescription of heretable rightis - In part, viz. : From “And his Majestie being carefull ” to end.	As to part in col. 3, spent.
25	„ 13	„ 13 Anent reduction of retouris and summondis of errour. In part, viz. : From “It is always declared ” to end.	As to part in Col. 3, spent.
30	„ 14	„ 14 Anent exequotoures - - - - - In part, viz. : From “reserving only ” to end.	As to part in Col. 3, rep. in gen. terms 18 & 19 Vict. c. 23. s. 8.
35	„ 16	„ 16 Anent the registratiouc of reversiones seasingis and utheris writis. In part, viz. : The words “within thriescore dayes after the date of the same,” “within thriescore dayes efter the date of the seasing,” “within the said space of thriescore dayes ”; from “instruments of seasing ” to “nor yit to ”; from “make and constitute ” to “to that effect in Edinburgh ”; and from “Ordaning Publicatioun ” to the end.	As to part in Col. 3, sup. 8 & 9 Vict. c. 35. s. 3; 21 & 22 Vict. c. 79. s. 19; 31 & 32 Vict. c. 64. s. 8; and 37 & 38 Vict. c. 94. s. 25.
40			
45	„ 18	„ 18 Anent the keiping of forrestis - - -	Obs. In desuetude. Authority of hereditary keepers abolished, 20 Geo. II. c. 43.
	„ 20	„ 20 Anent the punischment of drunkardis -	Obs. In desuetude, owing to change of circumstances.
50	„ 21	„ 21 Anent dischargeing of caulpis - - -	Obs. In desuetude, owing to change in social circumstances.

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1617. Mai. 27. Cap. 22	1617. Cap. 22	Anent the inbringing of protho-gollis -	Obs. In desuetude, owing to change in notaries' duties. 5	
„ 24		A commissione for heretable offices -	} Spent.	
„ 25		A commissione for keiping of justice courtes.		
„ 37		A commission anent barking of hyidis -		10
1621. Jun. 1 Cap. 2	1621. Cap. 2	Parliamentum apud Edinburgh. Anent the taxatioun grantit to his Majestie of threttie schillingis termelie upone the pound land and the tuintie pennie of all annuelrentis.	} Spent.	
„ 3	„ 3	Anent the collecting and inbringing of the taxatione and relief to prelatiss.		15
„ 4	„ 4	Ane act of ratificatioun in favouris of the prince his hieghnes.		20
„ 6	„ 6	Act anent comprysingis - - - In part, namely: From “ It is statute and ordanit that the compryser ” to “ times following, and ”; from “ Bot it is declared ” to “ Landis is comprysed ”; and from “ And the saidis estaittis ” to end.	As to part in Col. 3, sup. 1661, c. 243; 1663, c. 4; and 1672, c. 45. 25	
„ 7	„ 7	Anent adjudicatiounes - - - In part, namely: From “ It is alwayes ” where these words last occur to “ alreddie recovered.”	As to part in Col. 3, spent. 30	
„ 8	„ 8	Anent the extractis of infeftmentis past upone comprysingis furth of the previe scale where the same ar not registrated at the great seall.	Falls with comprisings in virtue of 1672, c. 45. 35	
„ 9	„ 9	Anent geving of licience to bischopes to sett thair warde landis in fewferme.	Expired.	
„ 11	„ 11	Ratificatioun and additioun to the Act of Parliament made anent restitution of cheptoures.	In part falls with 1617, c. 2. rem. virt. rep. 1689, c. 4, and 1690, c. 59. 40	
„ 12	„ 12	Anent packeing and peeling - -	Virt. rep. 9 & 10 Vict. c. 17.	
„ 13	„ 13	Anent the discharging of protectionnis -	Obs. In desuetude, state of matters contemplated having ceased to exist. 45	
„ 15	„ 15	Act declaring all takis set for longer space nor thrie yeiris without consent of the patrone be persones under the degrie of prelattis since 1594 to be null.	Falls with 1594, c. 10, and 1617, c. 4. 50	

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5	1621. Jun. 1. Cap. 16	Cap. 17 Anent metis and measures	Virt. rep. 1707, c. 7., Art. xvii.
	„ 17	„ 17 Anent the dischargeing of a peck to the boll.	Obs. In desuetude.
10	„ 19	„ 12 (Sic) Ratificatioun of the act of Counsell anent the pryces of wreates sealis &c. made 1606.	Sup. 1672, c. 40. Mack. Obs., 362.
	„ 20	„ 20 Act ordaning annuelrent to be dew efter horning. In part, viz.: From “and suche persones” to end.	As to part in Col. 3, spent.
15	„ 21	„ 21 Anent servandis going lowse and leving thair maisteris service.	Obs. In des., owing to change in social circumstances.
	„ 23	„ 23 A generall pardoun for deidis done aganis penall statutes (sum few excepted) and a discharge of James Cranstoun his commissioun.	Spent.
20	„ 24	„ 24 Anent evidentis past the gryit scale quhilkis ar not registrated.	In part spent, rem. sup. 1672, c. 46.
	„ 25	„ 25 Anent banqueting and apparell	Obs. In desuetude, owing to change in social circumstances.
25	„ 26	„ 26 Anent thaicking of houses in Edinburgh with sklate and skailye.	Sup. 1681, c. 97.
	„ 27	„ 27 Anent compryseing frome appeirand airis extendit alsweill to menis awin dettis as thair predicessoris.	Falls with 1540, c. 24.
30	„ 28	„ 28 Anent taking of annuelrent before hand to be usurie.	Rep. in gen. terms 17 & 18 Vict. c. 90.
	„ 29	„ 29 Ratificatioun of the act of Secreit Counsell aganis baxteris brewsturis flescheouris and candlemakaris of Edinburgh.	Sup. by provisions of modern Police Acts.
35	„ 30	„ 30 Act restrayning the bying and selling of certane wyild foullis.	Virt. rep. 13 Geo. III. c. 54, sec. 1.
	„ 32	„ 32 Anent the harreing of haulk nestis and hounting in snaw.	In part obs. In desuetude, <i>Donald</i> , Syme, 303; rem. sup. 1685, c. 25.
40	„ 34	Commissioun anent moneyis	} Spent.
	„ 35	Commissioun anent the taxt roll within the schirrefdome of Kincardin.	
	„ 36	Commissioun anent coallis and coil heughis.	
45	„ 37	Commissioun for modiefeing blenche dewties and ministeris stependis in erected prelacies.	

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1621. Jun. 1. Cap. 38		Reference to the Secreit Counsell anent metsteris.	Virt. rep. 1707, c. 7., Art. xvii.	5
„ 39		Another anent the inbringing of water to Edinburgh.	} Spent.	10
„ 81		Act in favoures off the Keiparis of the kingis castellis.		
„ 82		Declaratioun in favouris of utheris burrowis anent the actis grantit in favoures of Edinburgh.	Falls with 1585, c. 11.	
„ 111		Acceptatioun by the Parliament off the offer made by the extraordinarie Lordis of Sessioun anent thair taxatioun.	} Spent.	15
„ 112		Ane act and Commissioun grantit by Parliament upoun the offer maid by the Advocatis and utheris memberis of the Colledge of Justice anent thair taxatioun.		20
„ 114		Ratificatioun in favouris of the Clerkis of Sessioun.	Sup. 1685, c. 47.	
		CHARLES I.		25
1633. Jun. 18. Cap. 1	1633. Cap. 1	Parliamentum apud Edinburgh. Act anent the taxatioun grantit to his Majestie of threttie schillings tearmlie upon the pound land and the saxteinth pennie of all annual rents.	} Spent.	30
„ 2	„ 2	Act anent the collecting and inbringing of the Taxatione and releife to prelates.		
„ 3	„ 3	Act anent his Majesties royall prerogative and apparell of Kirkmen. In part, viz.: “And withall remembring” to the end.	As to part in Col. 3, obs. In desuetude, owing to change in social circumstances.	35
„ 4	„ 4	Ratificatioun of the actes touching religione.	Spent.	40
„ 5	„ 5	Ratificatioun of the act of counsall anent plantatioun of Schooles.	Sup. 1696. c. 26.	
„ 7	„ 7	Act anent invading of ministers - - In part, namely: The words “Archbishops, bishops, and,” and from “and becaus the malice” to the end.	As to part in col. 3, in part falls with Episcopacy, rem. obs. In desuetude, owing to change in social circumstances.	45
„ 9	„ 9	The Kings generall revocatioun - -	Spent.	
„ 12	„ 12	Ratificatioun of the actes of interruptione	Spent.	
„ 16	„ 16	Act anent vassalles holding ward - -	Falls with abolition of ward-holding, 20 Geo. II. c. 50.	50

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5	1633. June 18. Cap. 17	1633. Cap. 17 Act anent the rate and pryce of Teinds - In part, namely: From "Betnix and the terme of Martinmasse" to "for selling of the saids teinds."	As to part in Col. 3, obs. In desuetude. <i>Irvine</i> , M. 15698; <i>Ersk. Inst.</i> II. 10, 31.
10	" 18	" 18 Act anent the Exchequer - - -	Sup. 6 Anne c. 53.
	" 20	" 20 Act anent the King his designatione of the names to be insert in the commis- siones anent the tithes and lawes.	Spent.
15	" 21	" 21 Act anent the annuell of aucht to be takin of ilk hundreth in tyme to come allanerlie suspending the same for thrie yeirs And in the interim tuo of ten to be payit for the said space to his Majestie.	In part rep. in gen. terms 17 & 18 Vict. c. 90; rem. expired.
20	" 22	" 22 Act anent the Lordes of Sessione thair taxatioun of ten shillings to be imposed upon everie pund of land of old extent.	Expired.
	" 23	" 23 Ratificatioun of the liberties of the College of Justice.	Spent.
25	" 24	" 24 Ratificatioun of the priveledges of the frie Royall burrowes.	In part spent, rem. virt rep. 9 & 10 Vict. c. 17.
	" 25	" 25 Ratificatioun of the Actes maid in favours of the Justices of peace and thair con- stables and commissione to the lords of secret counsall thair anent.	In part spent, rem. sup. 1661, c. 338.
30	" 26	" 26 Explanation of the Actes of Parliament maid in favours of the Lords of Sessione. Anent tuelf pennies of the pund to be payit in decreits to be given by the saids Lords heireftir.	Falls with 1587, c. 24.
35	" 27	" 27 Act anent pardon of penal statuites -	Spent.
	" 32	Commissioun for surveying the lawes -	Spent.
	" 33	Commissioun anent the Admiraltie and chamberlanrie.	Spent.
40	" 34	Commissioun to the Lords of Secret Counsall.	Spent.
	" 35	Commissioun to the Lordis of Privie Counsall.	Spent.
45	" 38	Commissioun anent the exchange of moneyes.	Spent.
	" 39	Commissioun anent the criminall judi- catorie.	Spent.
	" 41	Commissioun to the Lordes of His Majesties Exchequer.	Spent.
50	" 42	Commissioun to the Lords of Secret Counsall.	Spent.

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1661. Jan. 1. Cap. 4.	1661.	CHARLES II. Parliamentum apud Edinburgh.	5
„ 5		Commission to the Lords of the Articles and Processes.	} Spent.
„ 6	Cap. 2	Commission for trade and complaints -	
„ 7	„ 3	Act anent the kingis Majesties prerogative in choiseing and appointing of the officers of State, Lords of Privy Council and Session. In part, viz.: From “ And therfor ” to the end.	As to part in Col. 3, spent. 10
„ 11	„ 3	Act anent his Majesties prerogative in calling and dissolveing of Parliamentis and makeing of lawis. In part, viz.: From “ and therfor ” to the end.	As to part in Col. 3, partly spent, rem. virt. rep. 7 Anne c. 21. 15
„ 12	„ 4	Act and Proclamation against the Remonstrators, and for order in the town of Edinburgh.	Spent. 20
„ 13	„ 5	Act anent his Majesties prerogative in making of Leagues and the Convention of the subjects. In part, viz.: From “ and declares that ” to the end.	As to part in Col. 3, spent. 25
„ 15	„ 5	Act anent his Majesties prerogative in the Militia and in making of Peace and War or treaties and leagues with forraine Princes or Estates. In part, viz.: From “ Lykas the Kings ” to the end.	As to part in Col. 3, in part virt. rep. 7 Anne c. 21, rem. spent. 30
„ 18	„ 6	Act for a guard of Horse to attend the Parliament.	Spent. 35
„ 19	„ 6	Act annulling the Convention of Estates 1643 and rescinding any acts ratifeing the same.	Spent. 40
„ 21	„ 6	Act and Proclamation against the meetings of Anabaptists Quakers &c.	In part sup., rem. virt. rep. 57 Geo. III. c. 19.
„ 22	„ 7	Act rescinding the resolution of a Quaere in June 1644.	Spent. 45
„ 23	„ 7	Act concerneing the League and Covenant and dischargeing the renewing thereof without his Majesties warrand and approbation.	Spent.
„ 37	„ 52	Act anent the disposall of vacant Stipends	Sup. 54 Geo. III. c. clxix.
„ 37	„ 8	Act against saying of Meese seminary and Messe Preists and trafficquing Papists.	Rep. in gen. terms 9 & 10 Vict. c. 59. 50

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5	1661. Jan. 1. Cap. 46	1661. Cap. 9 Act approveing the Engadgment of 1648 and annulling the Parliament and Committees 1649.	Spent.
	„ 48	Act for opening the Signet - -	Spent.
10	„ 52	„ 10 Act condemneing the deliverie of the King.	Spent.
	„ 57	Act concerning persons comeing from Ireland without a testimony.	Virt. rep. 39 & 40 Geo. III., c. 67.
	„ 87	„ 12 Act concerning the judiciaill proceidings in the tyme of the late usurpers.	Spent.
15	„ 92	Anent the custom and price of tobacco pypes.	Virt. rep. 1707, c. 7., Art. vi.
	„ 112	„ 13 Act and offer of 40000 pund Sterline to be payed to the Kings Majestie yeerly dureing his lifetyme by this Kingdome.	Expired.
20	„ 126	„ 15 Act rescinding and annulling the pre-tendit Parliaments in the yeers 1640, 1641 &c.	Spent.
	„ 127	„ 16 Act concerning Religion and Church Government.	Sup. 1690, c. 7.
25	„ 128	„ 14 Act for raising the annuitie of 40000 pund sterling granted to his Majestie.	Expired.
	„ 136	Act Declareing the Toun of Dunce the heid Burgh of the Shireffdome of Berwick.	Virt. rep. 1696, c. 16.
30	„ 157	Ratification in favours of the Royall Burrowes of Scotland.	Spent.
	„ 167	Act anent the poore Schoolers in Argyle	Spent.
35	„ 194	Act anent the downsitting of the Session and opening the Signet.	Spent.
	„ 199	Act anent the sitting of the Session -	Virt. rep. 1681, c. 7.
	„ 217	„ 22 Act against the severall degrees of casuall homicide.	Virt. rep. 50 & 51 Vict. c. 35. s. 56.
40	„ 218	„ 29 Act anent execution of poinding to follow upon Shireffs Commissers and other inferior Judges decreits. In part, viz.: From "Lykas his Maiestie" to the end.	As to part in Col. 3, spent.
45	„ 219	„ 48 Act anent the priviledge of Soapworks -	Virt. rep. 1707, c. 7., Art. vi.
	„ 240	„ 27 Act for the pardon of penal status -	Spent.
	„ 241	„ 28 Act dischargeing the Quots of Testaments	Sup. 4 Geo. IV. c. 97. s. 1.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1661. Jan. 1. Cap. 242	1661. Cap. 30	Act anent the fewars and vassalls of Kirklands.	Spent.	5
„ 245	„ 33	Act for the right packing of Salmond -	Sup. 1693, c. 12.	
„ 246	„ 34	Act against clandestine and unlawful Marriages. In part, namely : From “ Considering how ” to “ his saids Estates,” and from “ And in caice ” to the end.	As to part in Col. 3, obs. In des.	10
„ 253	„ 35	Act concerning the election and charges of the Commissioners from the Shires to the Parliament.	Falls with the Scottish Parliament.	15
„ 254		Act anent an allowance to the Commissioners to the Parliament in the year 1648.	} Spent.	20
„ 255		Act anent the oath of Alledgeance &c., to be taken by Magistrates and Council within Burgh.		
„ 260	„ 23	Act ratifying the priveledges of the Colledge of Justice.	In part spent, rem. sup. A/S; 23 Feb. 1687.	
„ 261		Act explaineing the extent of ane former Act anent redemption of the fie lands.	Spent.	25
„ 265		Act anent the annuitie to be uplifted within the burgh of Edinburgh for ministers stipends.	Virt. rep. 23 & 24 Vict. c. 50. s. 2.	
„ 270	„ 50	Act and offer of 12000 pund Sterline to the Lords of Session.	Expired.	30
„ 271		Act anent ane augmentation to the rents of the Lords of Session.	Spent.	
„ 272	„ 37	Act concerning Bullion - - -	Virt. rep. 1707, c. 7., Arts. vi. and xvi.	
„ 273		Act for coyning of copper money -	Spent.	35
„ 274		Act for provydeing a stock for the Mint-house.	Virt. rep. 1707, c. 7., Art. xvi.	
„ 275	„ 42	Act establishing Companies and Societies for makeing lining cloth, stuffs, &c.	Partly virt. rep. 1707, c. 7., Art. vi.; partly falls with main scheme of policy.	40
„ 276	„ 43	Act dischargeing the exportation of lining yearne and regulateing the breadth of lining cloath &c.	Virt. rep. 1707, c. 7., Art. vi.	
„ 277	„ 44	Act for encourageing of Shiping and Navigation.	} Virt. rep. 1707, c. 7., Arts. iv. and vi.	45
„ 278	„ 45	Act dischargeing the exportation of Skines, hyds, &c.		
„ 279	„ 39	Act for the Fishings and erecting of companies for promoting the same.	Sup. 1705, c. 48.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1661. Jan. 1. Cap. 280	1661. Cap. 40 Act for erecting Manufactories - -	Partly expired; partly virt. rep. 1707, c. 7., Art. vi.
	„ 282	„ 19 Act against sueareing and excessive drinking.	Obs. In des., owing to change in social circumstances.
10	„ 284	„ 41 Act for planting and incloseing of ground In part, namely: From “Considering how many” to “made. Doth therfor,” from “Re- vive the nynt act” to “damnified. And further” and from “And recommends” to the end.	As to part in Col. 3. in part obs. In des. Rankine, L.O. 536 and 129. Rem. rep. 1 & 2 Will. 4. c. 43.
15	„ 291	„ 36 Act anent presentation of Ministers -	Sup. 1693, c. 33.
	„ 292	Act for appointing a Council for Trade -	Sup. 1669, c. 132.
	„ 296	Act explaneing the extent of the Act anent the opening of the Signet.	Falls with 1661, c. 48.
20	„ 308	„ 46 Act dischargeing the exportation of wollen yarn worsteid broken copper and pewter.	Virt. rep. 1707, c. 7., Art. vi.
	„ 309	Act for raising the price and fee of the Lord Registers Subscription.	Sup. 42 & 43 Vict. c. 44.
25	„ 310	„ 47 Act dischargeing tradesmen to import made work.	Virt. rep. 1707, c. 7., Art. vi.
	„ 320	Act anent cruves &c., upon fresh waters in forbidden tyme.	In part spent, rem. sup. 31 & 32 Vict. c. 123. See Stair II 3, 70.
30	„ 321	Act anent the accompts of the moneths maintenance imposed for defraying his Majesties expences from Holland, &c.	Spent.
	„ 330	„ 52 Act concerning the disposall of vacant stipends.	Sup. 54 Geo. III. c. clxix.
	„ 332	„ 55 Act anent Cocquets and entries of Ships -	Virt. rep. 1707. c. 7., Art. vi.
35	„ 333	„ 56 Act anent Coalhewers - - -	Virt. rep. 39 Geo. III. c. 55.
	„ 334	„ 57 Act dischargeing the custom of two and a half of the hundredth and the im- post of four punds on the tun.	Spent.
40	„ 335	„ 58 Act in favours of those who get their waird holding changed by the King's Majestie.	Falls with abolition of ward-holding. 20 Geo. III. c. 50.
	„ 336	„ 59 Act anent the Exchequer - - -	Sup. 19 & 20 Vict. c. 56.
	„ 337	„ 60 Act concerning docqueting and pre- senting of Signatours.	In part falls with 1585, c. 16.; rem. obs. In des.
45	„ 338	„ 38 Commission and Instructions to the Justices of Peace and Constables. In part, viz : From “The Justices of Peace at their first sitting” (p. 306, col. 2) to “so help me God” (<i>ibid.</i>).	Rep. 33 & 34 Vict. c. 43. Sched. II
50			

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1661. Jan. 1. Cap. 338.	1661. Cap. 38.	Commission and Instructions to the Justice of Peace and Constables— <i>continued.</i>	5	
		From "make and rectifie" to "handie crafts," and from "and imploy the" (p. 306, col. 2) to "shall find most expedient"	Partly rep. in gen. terms, 53 Geo. III. c. 40; partly sup. by English oath <i>de fidelis</i> ; see Erskine Inst. I. 4.13. 10	
		From "if the partie be a" (p. 307, col. 1) to "of a meaner degrie" (<i>ibid.</i>).	} Obs. In des., owing to change in social circumstances.	
		From "If either the Shirreff or Baillie shall" (p. 307, col. 1) to "by his Majesties Council" (<i>ibid.</i>).		15
		From "under the degrie of Noblemen" to "Colledge of Justice," and from "And as concerning these" to "had been then found."		20
		From "The saids Commissioners shall put" (p. 307, col. 2) to "propper for them to enjoy" (<i>ibid.</i>).	Falls with the Acts it seeks to enforce. 25	
		From "The saids Commissioners and Justices" (p. 307, col. 2) to "as apperteaneth" (p. 308, col. 1).	Partly sup. 1686, c. 8; 1 & 2 Will. IV. c. 43; 8 & 9 Vict. c. 83; partly sup. 55 & 56 Vict. c. 55. s. 152. 30	
		From "The saids Justices shall put his" (p. 308, col. 1) to "conform to the Acts of Parliament" (p. 308, col. 2).	Falls with the Acts it seeks to enforce.	
		From "It shall not be leisum" (p. 308, col. 2) to "tenor of the saids Acts" (<i>ibid.</i>).	Partly obs. In des., owing to change in circumstances. Partly sup. by powers conferred on Justices by the licensing Acts. 35	
		From "They shall set down order" (p. 308, col. 2) to "qualitic of the delinquent" (<i>ibid.</i>).	Sup. by Public Health Act, 1867. 40	
		From "shall appoint at the" (p. 308, col. 2) to "fies The saids Justices" (<i>ibid.</i>); and the words "appointed by their ordinance."	Rep. in gen. terms 53 Geo. III. c. 40. 45	
		From "The saids Justices shall take" (p. 309, col. 1) to "as the saids Justices shall appoint" (<i>ibid.</i>).	Sup. 2 & 3 Vict. c. 42. 50	
		The words "Magistrats of Burghs and" (p. 309, col. 1); and from "The saids Justices causing" to "discretion of his Majesties Council."	Virt. rep. 2 & 3 Vict. c. 42. 55	
		From "Item Our Sovereane Lord" (p. 309, col. 1) to "contraveeners as apperteaneth" (<i>ibid.</i>).	Rep. in gen. terms 53 Geo. III. c. 40. 60	
		From "They shall cause" (p. 309, col. 1) to "qualities and deserts" (<i>ibid.</i> col. 2).	Obs. In des., owing to change in circumstances.	
		From "Our Sovereane Lord" (p. 309, col. 2) to "such charges doth belong" (<i>ibid.</i>).	Partly sup. 6 Anne, c. 40 (see <i>Reid</i> , M. 7636); partly obs. In des., owing to change in circumstances. 65	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1661. Jan. 5 Cap. 338	1661.	Commission and Instructions to the Justices of Peace and Constables— <i>continued.</i>	
10		From "And because ther is sensible" (p. 309, col. 2) to "whereof they find the necessity or use" (p. 310, col. 1).	Partly virt. rep. 1707, c. 7, Art. xvii.; partly spent; partly sup. 5 & 6 Will. IV. c. 63.
15		From "The saids Justices shall be holden" (p. 310, col. 1) to "required to doe the same" (<i>ibid.</i>).	Falls with civil consequences of ex-communication, 1690, c. 58.
20		From "The saids Justices of Peace as well to" (p. 310, col. 1) to "mean time their further directions" (<i>ibid.</i> col. 2).	In part sup. 34 & 35 Vict. c. 48, s. 2; rem. obs. In des., owing to change in procedure.
25		From "The saids Justices Shall put in execution" (p. 310, col. 2) to "as the Justices shall think fit" (p. 311, col. 1).	Obs. In des., owing to change in social circumstances.
30		From "That the Justices shall put" (p. 311, col. 1) to "by the saids Justices in lyk-manner as aforsaid" (<i>ibid.</i>).	Fall with the Acts as to drunkenness, &c.
35		The words "and bind him to prosecute" (p. 311, col. 1, l. 7 from foot).	Obs. In des., binding party to prosecute being now unknown in Scotland.
40		From "And if any Nobleman" (p. 311, col. 2) to "may be taken therwith" (<i>ibid.</i>).	Falls with Heritable Jurisdictions, 20 Geo. II., c. 43.
45		From "The saids Justices shall tuisse" (p. 311, col. 2) to "shall see meet to impose" (p. 312, col. 1).	Sup. 8 & 9 Vict. c. 83.
50		From "And further the saids Justices" (p. 312, col. 1) to "give their orders therein" (<i>ibid.</i> col. 2).	Spent.
55		From "two at least in everie" (p. 312, col. 1) to "sex to sex moneths" (<i>ibid.</i>).	In part sup. 25 & 26 Vict. c. 101, rem. obs. In des.
60		From "Followeth the oath" (p. 312, col. 2) to "enjoyne and appoint."	Rep. 34 & 35 Vict. c. 48, Sched. II., rem. obs. In des.
65		From "Everie constable in their" where these words first occur (p. 312, col. 2) to "next quarter Session" (<i>ibid.</i>).	Falls with the Acts it seeks to enforce.
60	„ 339	From "All constables shall arreist" (p. 313, col. 1) to "give such licences" (<i>ibid.</i>).	Ditto.
65	„ 340	From "And that the saids constables" (p. 313, col. 1) to "cause them to be payed of the same" (<i>ibid.</i>).	Sup. 2 & 3 Vict. c. 65.
60	„ 339	From "And least this above-written" to "and no other-ways."	Sup. by moderr. provision as to induciae.
65	„ 339	Act suspending execution upon bands for publict debts till the next Session of Parliament.	Expired.
65	„ 340	Act anent the amendment of some of the Acts of Parliament past before the generall Act of Rescission.	Spent.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1661. Jan. 1. Cap. 341	1661.	Act in favours of the Commissers of Edinburgh.	Falls with the Commissary Court of Edin., under 6 & 7 Will. IV. c. 41. 5
„ 342		Act and Commission for trying certain prisoners incarcerate within the tol-buith of Pearth.	Spent.
„ 344	Cap. 62	Act for ordering the payment of debts betwixt creditor and debtor. In part, viz. : From “ Yet the troubles ” to “ for payment of their debts ” from “ Statuts and Ordaines ” where these words first occur to “ the consignation forsaid. And ” and the words “ His Majestic for the reasons and with consent forsaid.”	Expired. 10 15
		From “ And statuts and ordaines ” (p. 318, col. 1) to “ the same be now expyred ” (p. 318, col. 2, l. 2 from top).	Spent. 20
		From “ And further for obviateing ” (p. 319, col. 1, middle) to “ person or their forsaid ” (<i>ibid.</i>).	Falls with possession on apparency. 25 37 & 38 Vict. c. 94. s. 9.
		From “ And inacee a Creditor ” to “ prejudged by these presents,” and from “ And because befor the yeer ” to the end.	In part falls with wadsets, rem. expired and spent. 30
„ 345	„ 49	Act reducing annual rents to sex for the hundreth.	Rep. in gen. terms 17 & 18 Vict. c. 90.
„ 352		Act and Commission anent the inbringing of the remainder of the tuo moneths maintenance imposed in 1651 &c.	} Spent. 35
„ 353		Act anent the inbringing of the 80,000 marks imposed on the royal burrows in 1650 &c.	
„ 357		Act anent the sitting of the Comissor Courts within the Burgh of Aberdeen.	Rep. in gen. terms 1662, c. 22. 40
„ 393	„ 64	Act of Adjournment - - -	Spent.
1662. May 5. Cap. 1	1662.	Parliamentum apud Edinburgh. Parlt. Ist. Sess. 2nd.	
„ 2		Act for calling in the Bishops to the Parliament.	Rep. in gen. terms 1689, c. 4. 45
„ 7	Cap. 3	Act concerning members of Parliament who doe not attend.	Falls with Scottish Parliament.
„ 8		Act concerning such Benefices and stipends as have been possest without presentations from the lawfull Patrons.	Spent. 50
		Act for keiping the anniversary thanksgiving for the Kings Majesties birth and restauration.	Falls with 1661, c. 210.

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Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1662. May 5. 5 Cap. 11.	1662.	Act renewing the Commission anent the creditors of forfalted persons.	Spent.
„ 12	Cap. 2	Act for preservation of his Majesties Person Authoritie and Government.	In part spent, rem. sup. 7 Anne c. 21.
10 „ 16	„ 7	Act for the allowance of ten thousand pundis Scots yeerlie to the Lords of Session out of his Majesties Customes.	Sup. by modern arrangements as to remuneration of judges.
„ 17	„ 6	Act for suppressing of theft robberies and depra-dations.	Obs. In des., owing to change of circumstances.
15 „ 25	„ 9	Act anent the teinds belonging to Bishops and other beneficed persons.	} Spent.
„ 28		Act for releef of those who wer over-burthened in their leveys anno 1649 for their concurrence in the Engadgment 1648.	
20 „ 38		Act for keeping the Registers of session in the Parliament House.	Sup. by institution of General Register House, and 42 & 43 Vict., c. 44.
„ 50	„ 8	The Kings Majesties generall Revocation with a Declaration thereanent.	} Spent.
25 „ 71	„ 10	The Kings Majesties gracious and free Pardon Act of Indemnity and Oblivion.	
„ 73		Act anent the children and posteritie of forfeited persons.	Sup. 1663, c. 19.
30 Mai. 8. Cap. 74.		Act anent the abatement of Excise to some Shires and Burghs.	Spent.
„ 83		Act suspending publict debts till the next session of Parliament.	Expired.
„ 84		Act in favours of these who wer absent and tooke the benefite of the act anent Debitor and Creditor at London.	Spent.
35 „ 112	„ 12	Act of Adjournment - - -	Spent.
		Parliamentum apud Edinburgh. Parlt. 1st. Sess. 3rd.	
40 1663. Jun. 18. Cap. 1	1663.	Commission for tryeing of the contrivance and carieing on of the Act of Billeting.	Spent.
„ 2	Cap. 4	Act against Protections - - -	Sup. 1681, c. 11, and 1698, c. 41.
45 „ 3	„ 9	Act anent the discharging of Advocations for sums within 200 merks.	Sup. 20 Geo. II. c. 42, and 31 & 32 Vict. c. 100. s. 24.
„ 5		Act allowing the inhabitants of Zetland to impert ferrane drinking beir for ane year.	Expired.

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Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1663. Jun. 18. Cap. 10	1663.	Act allowing to the Ministers who served befor and in the year 1662 the half of the stipend for that year.	Spent. 5
„ 13	Cap. 7	Act discharging the importation of strong waters &c.	Rep. in gen. terms 1673, c. 2.
„ 14	„ 8	Act discharging the mixing of tin with lead.	Obs. In des., there being now no hall marks for pewter. 10
„ 15		Act rescinding a former act passed in the last session of Parliament anent some fees acclamed due to the Lord Lyons office.	Spent. 15
„ 18	„ 14	Act imposing a custome upon corne imported from Ireland into this Kingdome.	Virt. rep. 1707, c. 7., Art. vi.
„ 19		Act concerning the pardoning and restoring the children of forfeited persons.	Partly spent; partly sup. 7 Anne, c. 21. s. 5. 20
„ 23	„ 13	Act for ane new Imposition upon English commodities.	Virt. rep. 1707, c. 7., Art. vi.
„ 24		Act and Reference to the Privy Councill concerning the imposition layd on English commodities.	Falls with foregoing Act. 25
„ 25		Act in favours of silkweivers printers, &c.	Virt. rep. 1707, c. 7., Art. vi.
„ 27		Commission concerning the annual-rents due by persons forfeited by the Usurpers.	Expired. 30
„ 28	„ 25	Act regulating the proportions of the Excise in the severall Shires and Burghs.	Sup. 38 Geo. III. c. 5.
„ 29	„ 11	Act against exportation of Money forth of the Kingdome.	Virt. rep. 1707, c. 7., Art. vi. 35
„ 30	Vol. II., p. 373	Act rescinding two acts past in the second of this Parliament the one for excepting of persons from public trust and the other for voteing the same by Billets.	Spent. 40
„ 31	Cap. 21	Act anent Manses and Gleibs and pointing for Ministers stipends. In part, namely: From “Considering the great” to “Therfor his Majestie,” from “Declares that it shall be” to “mercat croces. And,” and the words “Thairfor our Sovereigne Lord with advice forsaid.”	Sup. 1 & 2 Vict. c. 114. 45
„ 33		Act concerning the Rideing of the Parliament and the peualties of such as shall be absent from it.	Spent. 50

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1663. Jun. 18. 5 Cap. 35	1663. Cap. 12	Act for encouragement of Tillage and Pasturage.	Sup. 1707, c. 7., Art. vi.
„ 36	„ 22	Act anent Comprisings - - - -	Falls with comprisings, 1672, c. 45.
10 „ 42	„ 26	A humble tender to his Sacred Majestie of the duetie and loyaltie of his antient Kingdome of Scotland.	Spent.
„ 43	„ 19	Act dischargeing Monday and Saturday mercats in Royall Burghs.	Obs. In desuetude, owing to change of circumstances.
„ 52	„ 16	Act concerning Beggars and Vagabonds	Obs. In desuetude. Mack Obs., 423. Dunlop, Par. Law, 349.
15 „ 56	„ 17	Act anent the measure of Coall - - -	} Virt. rep. 1707, c. 7., Art. xvii.
„ 57	„ 18	Act anent the Foot measure - - -	
„ 59		Act concerneing the makeing of Cards -	Expired.
„ 63	„ 20	Act anent linseed hempseed and steel -	Virt. rep. 1707, c. 7., Art. vi.
20 „ 66	„ 15	Act for inbringing his Majesties rents -	Sup. partly by modern arrangements for collecting H.M. revenue, Ersk. Inst. I. 4, 6 n (b), partly by 19 & 20 Vict. c. 56. s. 29.
„ 72		Commission for ordering the pryces of offices writs and seals.	Spent.
25 „ 74		Act suspending execution upon publict debts until the next session of Parliament.	Expired.
„ 82	„ 20	Act anent penall Status - - - -	} Spent.
„ 83		Act for renewing the Justices of Peace -	
30		Parliamentum apud Edinburgh. Parlt. 2nd.	
1669. Oct. 19. Cap. 1	1669.	Act anent the election of Commissioners from Shires.	Sup. 1707, c. 8.
35 „ 3	Cap. 2	Act concerning the Militia - - - -	Sup. 42 Geo. III. c. 91.
„ 4	„ 4	Act for registration of instruments of resignation ad remanentiam.	Sup. 21 & 22 Vict. c. 76. s. 4; 31 & 32 Vict. c. 101. ss. 18, 142; and 37 & 38 Vict. c. 94. s. 25.
40 „ 5	„ 4	Act concerning poinding befor the days of the charge expyre. In part, viz.: From “ But prejudice always ” to “ as formerly. And.”	As to part in Col. 3, falls with heritable jurisdictions, 20 Geo. II. c. 43.
45 „ 6	„ 5	Act for the security of the persons of Ministers.	Virt. rep. 1690, c. 58.
„ 7	„ 6	Act for the ordering of Suspensions of the Benefices and Stipends of the Clergy. In part, viz.: The words “ Archbishop, bishop.”	As to part in Col. 3, falls with Episcopacy, 1690, c. 7.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1669. Oct. 19. Cap. 12	1669. Cap. 7	Act for the Naturalization of Strangers -	Sup. 33 & 34 Vict. c. 14.	5
„ 14	„ 9	Act concerning Prescriptions - In part, viz.: From "That all arreistments" to "Statuts and Ordaines," where these words next occur.	Partly expired; partly sup. 1 & 2 Vict. c. 114. s. 22.	10
„ 17	„ 11	Act concerning the forfeiture of persons in the late Rebellion.	In part spent, rem. virt. rep. 7 Anne c. 21. Ersk. Inst. IV. 4, 83.	
„ 18	„ 11	Act concerning the Excise and Customes	Virt. rep. 1707, c. 7., Arts. vi. and vii.	
„ 20	„ 14	Act concerning the exportation of corns -	Virt. rep. 1707, c. 7., Art. vi.	
„ 36	„ 15	Act for regulateing the prices of ale and drinking beer, and ratifying a former act declaring Maltmen to be no craft &c.	Partly obs. In desuetude, owing to change of circumstances; partly spent.	15
„ 37	„ 16	Act for repairing High Ways and Bridges. In part, namely: From "Considering" to "Estates of Parliament," from "the Shirreff of the Shire" to "heretor therin And"; from "to conveen at the head burgh" to "also to the saisd Justices"; and from "and because the work" to the end.	As to part in Col. 3, in part rep. 1 & 2 Will. IV. c. 43; rem. sup. 8 & 9 Vict. c. 41.	20
„ 40	„ 19	Act concerning the Confirmation and Quots of Testaments.	Falls with Quots, 1701, c. 15, and the abolition of Commissary Courts, 39 & 40 Vict. c. 70.	30
„ 41	„ 20	Act for inbringing of Publict dues from the Northern Shyres.	Spent.	
„ 42		Act suspending payment of Publict debts till the next session of Parliament.	Expired.	
„ 115		Act in favours of Printers and Stationers, dischargeing the custome and excise on books imported and exported.	Partly virt. rep. 1707, c. 7., Art. vi.; partly expired.	35
„ 127		Commission anent the regulating of the Commissar Shirreff and other inferior courts of Justice.	Spent.	40
„ 132		Commission for Trade - - - -	Expired.	
„ 137	„ 22	Act of Adjournment - - - -	Spent	
		Parliamentum apud Edinburgh. Parlt. 2nd. Sess. 2nd.		
1670. Jul. 22. Cap. 1	1670. Cap. 1	Act authorizeing certane Commissioners of the Kingdome of Scotland to treat with Commissioners of England for the weel of both Kingdoms.	} Spent.	45
„ 3	„ 3	Act for raising a supply of 360000 punds Scots offered to his Majestic.		50

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1670. Jul. 22. Cap. 4	1670. Cap. 4 Act against invading of Ministers -	Virt. rep. 1690, c. 58.
	„ 7	Act concerning legall executions to be used in the towns of Lauder and Dance.	Partly rep. in gen. terms 1696, c. 16; partly falls with particular Registers, 31 & 32 Vict. c. 64.
10	„ 12	„ 8 Act ratifieng the priviledges of the ordinary Lords of Session.	Partly obs. In desuetude; partly sup. 8 & 9 Vict. c. 83, s. 59.
	„ 13	„ 9 Act concerning heigh wayes - - -	In part rep. 1 & 2 Will. IV. c. 48, rem. sup. 8 & 9 Vict. c. 41.
	„ 63	„ 11 Act of Adjournment - - -	Spent.
15	1672. Jun. 12 Cap. 1	1672. Parliamentum apud Edinburgh. Parlt. 2nd. Sess. 3rd. Cap. 1 Act for settling the Militia - - -	Sup. 42 Geo. III. c. 91.
	„ 3	„ 3 Act Discharging the Importation of Irish Victuall.	Virt. rep. 39 & 40 Geo. III. c. 67.
20	„ 4	„ 4 Act for raising a new Supplie of 864000 pounds Scots offered to his Majestie.	Spent.
	„ 5	„ 5 Act concerning the priveledges of Burghs Royall.	Sup. 1690, c. 15.
25	„ 6	„ 6 Act discharging second Summonds &c. In part, namely: To “without any change or alteration And,” and the word “further.”	As to part in Col. 3, virt. rep. 6 Geo. IV. c. 120. s. 53.
30	„ 16	„ 7 Act concerning writs passing the great and privie Seals. In part, viz.: From “Considering how much” to “will in tyme to come,” from “Statute and ordaine that all” to “Lykeas his Maiestie” and the words “with advice for-said.”	Partly rep. 10 & 11 Vict. c. 51. Partly falls with precepts of Sasine, 21 & 22 Vict. c. 76.
35	„ 17	„ 8 Act concerning Arrestments used within Burghs.	Obs. In desuetude, state of matters contemplated having ceased to exist.
	„ 21	„ 10 Act concerning Apparrell - - -	Rep. in gen. terms 1681, c. 78.
40	„ 22	„ 11 Act against such who do not Baptize their Children.	Obs. In desuetude, owing to change in social circumstances.
	„ 24	„ 13 Act for the Ann due to the Executors of Bishopes and Ministers. In part, namely: Title, the words “Bishopes and”. The word “Bishopes.”	Falls with Episcopacy, 1690, c. 7.
45	„ 25	„ 14 Act for the Retouring of taxt Marriages	Falls with ward-holding, 20 Geo. II. c. 50.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1672. Jun. 12. Cap. 40	1672. Cap. 16	Act concerning the Regulation of the Judicatories. In part, viz. : Art. 1, from "And that according" to "calling for it befor," and from "Excepting onlie," to end. Art. 2 to Art. 15 inclusive - - Art. 16 - - - - Art. 17 . - - - - Art. 19, from "And that the Clerk of the Bills" to "they wer mett togidder"; and from "And that the first" to the end. Art. 20 to Art. 22 inclusive - Art. 23 and Art. 24 - - - - Art. 26 - - - - Art. 27 - - - - Art. 28 to Art. 30 inclusive - Art. 32, from "And that the Clerks, keepers" to "Junij 1673" and from "upon payment of the dues" to the end. Art. 33 - - - - Concerning the Justice Courts. Art. 1 - - - - In part, namely : From "the office of" to "five of" and from "four of the" to the end. Art. 2 - - - - Art. 5 - - - - Art. 9 - - - - Art. 11, from "and of the persons" to "the inquest"; and the words "and Assizers" and "or upon the Assize." Concerning the Exchequer. Art. 1 to Art. 4 inclusive - - From "And furder" to the end -	5 Obsolète, and in desuetude. Superseded by later Acts of Parliament. 10 Obs. In des. Darling, C. of S. Practice, 184; Shand, Practice, 292 <i>et seq.</i> , 752. 15 Virt. rep. 50 Geo. III. c. 112. s. 28, and 13 & 14 Vict. c. 36. s. 17. Sup. 16 & 17 Vict. c. 80. s. 22. Obs. In des. Suspension of decree <i>in foro</i> being now incompetent. Hamilton, 25 Nov., 1813, F.C.; Young, 24 D. 587. 20 Sup. by modern rules as to borrowing numbers of Process. Mackay, Manual, 232. Sup. 1 & 2 Vict. c. 86. 25 Obs. In des., owing to change in practice. Virt. rep. 1681, c. 109. Rep. in gen. terms 1681 c. 109. Partly obs. In des. Rem. spent. 30 Rep. in gen. terms 1681, c. 109. As to part in Col. 3, sup. 6 Anne c. 40. s. 4; 54 Geo. III. c. 67; 11 Geo. IV. and 1 Will. IV. c. 69. ss. 18 and 19; 31 & 32 Vict. c. 95. s. 1; and 50 & 51 Vict. c. 35. s. 44. 35 40 45 Falls under 2 & 3 Will. IV. c. 112; 3 & 4 Will. IV. c. 13. s. 1; 4 & 5 Will. IV. c. 16. s. 2; 19 & 20 Vict. c. 56; and 37 & 38 Vict. c. 94. s. 31. Spent. 50 Spent. Obs. In des. Sup. 8 & 9 Vict. c. 83. Dunlop, Far. Law, 444. 55
" 42	" 18	Act for establishing Correction-houses for Idle beggars and Vagabonds.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1672. Jan. 12. Cap. 45	1672. Cap. 19 Act concerning Adjudications. In part, viz.: From "Considering how far" to "interest of debtors and Creditors" and from "that in place of" to "it is heirby Statute and Ordained"; from "But prejudice allwayes" to "maid theranent;" from "in case the debtor" to "in that case;" and from "Whilke Decreits" to the end.	As to part in Col. 3, in part sup. 10 & 11 Vict. c. 48. s. 18; c. 49. s. 10; Bell, Prin. § 824; rem. sup. 1 & 2 Geo. IV. c. 38. s. 18.
10			
15			
	„ 46	„ 20 Act for imploing vacant Stipends for the Universities.	Sup. 54 Geo. III. c. clxix.
20	„ 47	„ 21 Act concerning the priviledges of the office of Lyon King at Armes. In part, viz.: The word "Prelates"; from "For which shall be payed" to "Armes and noe more;" the words "and Bishops;" and from "and that they acquaint" to "contraveiners of the law."	As to part in Col. 3, in part falls with Episcopacy, 1690, c. 7; in part sup. 30 Vict. c. 17; rem. obs. In des.
25			
	„ 55	Act suspending publict Debts - - -	Spent.
30	„ 58	„ 22 Act against Profaneness - - -	Obs. In des., owing to change in social circumstances.
	„ 149	„ 24 Act of Adjournment - - -	Spent.
		Parliamentum apud Edinburgh. Parlt. 2nd. Sess. 4th.	
35	1673. Nov. 12. Cap. 1	Vol. II., p. 517. Act concerning the preemption and Excise of Salt.	Virt. rep. 1707, c. 7., Art. viii.
	„ 2	„ 519 Act concerning the Importation and Excyse of Brandie.	Virt. rep. 1707, c. 7., Art. vii.
	„ 3	„ 520 Act concerning Apparell - - -	Rep. in gen. terms, 1681, c. 78.
40	4	„ 521 Act concerning the Impositione upon Tobacco.	Virt. rep. 1707, c. 7., Art. vi.
		Parliamentum apud Edinburgh. Parlt. 3rd.	
45	1681. Jul. 28. Cap. 1	Cap. 1 Act ratifeing all former laws for the security of the Protestant Religion.	Spent.
	„ 3	„ 3 Act for a voluntary Offer of a new Supplie to the Kings Majestie.	Spent.
	„ 10	„ 8 Act for the continuation of the Excise -	Expired.
50	„ 11	„ 9 Act against personal Protections -	Virt. rep. 43 & 44 Vict. c. 34.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1681. Jul. 28. Cap. 12	1681. Cap. 10	Act concerning wives Terces - - In part, viz.: From "But prejudice alwaies" to the end.	As to part in Col. 3, spent.	5
" 13	" 11	Act concerning the registration of Sasines and Reversions of Tenements within Burgh. In part, namely: The words "within Threscore dayes after the date of the same"; from "And that the Toun-Clerk" to "the several Burghs"; the words "within Sixty dayes after the date of the sasine"; and "within the said space of Sixtie days"; and from "And it is hereby Declared" to the end.	As to part in Col. 3, virt. rep. 49 Geo. III. c. 42. ss. 9, 11; 10 & 11 Vict. c. 49. s. 7; and 31 & 32 Vict. c. 101 s. 162.	10
" 78	" 12	Act for encouraging Trade and Manufactories.	Virt. rep. 1707, c. 6., Art. vi.	15
" 80	" 14	Act restraining the exorbitant expence of Marriages, Baptisms and burials.	Obs. In des., owing to change in social circumstances.	25
" 18	" 15	Act against Assassinations - - -	Virt. rep. 1690, c. 58.	
" 82	" 16	Act concerning the Jurisdiction of the Admiral Court. In part, viz.: From "except the Great Admiral" to "allenerlie," and from "and for the more ready" to the end.	As to part in Col. 3, sup. 11 Geo. IV. and 1 Will. IV. c. 69. ss. 21 and 29.	30
" 83	" 17	Act concerning the sale of Bankrupts lands. In part, namely: From "with consent of the debtor" to "ther is no Legal"; from "at the mercat" where these words first occur, to "the Lords deliverance"; the word "Letters" where it next occurs; and from "And the creditors having" to "place of the Roup" where these words last occur.	As to part in Col. 3, virt. rep. 1690, c. 49, and Act of Sederunt 24 Dec. 1838.	35
" 87	" 21	Act concerning the Election of Commissioners for Shires.	Sup. 2 & 3 Will. IV. c. 65.	40
" 88	" 22	Act appointing the Quorum of the Justice Court in time of Vacance.	Sup. 31 & 32 Vict. c. 95. s. 1.	45
" 89	" 23	Act in favours of the Universitie of Saint Andrews appointing halfe a Moneth's Cess to be raised for their use.	Spent.	50
" 90	" 24	Act ordaining Bread and Butcher flesh to be sold by Weight.	As to bread, sup. 6 & 7 Will. IV. c. 37; as to meat, obs. In des.	
" 91	" 25	Additional Act concerning the Test -	Virt. rep. 1690, c. 58.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1681. Jul. 28. 5 Cap. 92	1681. Cap. 26	Act concerning publick debts - - -	Spent.
„ 93	„ 27	Act anent the prices of French and Spanish Salt.	Virt. rep. 1707, c. 7., Art. vi.
„ 94		Commission for revising the Laws -	Spent.
„ 95		Act anent the Lyone King at Arms -	Falls with 1681, c. 11.
10 „ 97		Act anent theiking of Houses in Edinburgh and some other Burghs Royall with Lead Selates, &c.	Sup. 55 & 56 Vict. c. 55. Sched. IV.
15 „ 108		Act for rectification of valuations of the shires and declaring Coal and Salt not to bear any part of the supplie. In part, namely: To “of the Shyre; And” and from “Providing always” to the end.	As to part in Col. 3, in part spent; partly sup. by modern system of valuation and assessment.
20 „ 109		Act rescinding some Articles of the Regulation concerning Advocats, Clerks and Writers.	} Spent.
„ 193	II. 568	Act of Adjournment - - - -	
25		JAMES VII. Parliamentum apud Edinburgh. Parlt. 1st.	
1685. Apr. 23. Cap. 1	1685. Cap. 1	Act for security of the Protestant Religion.	Spent.
30 „ 2	„ 2	A Declaration and offer of duty by the Kingdome of Scotland, with ane annexation of the Excise to the Crown.	Partly rep. 1690, c. 58; partly virt. rep. 1707, c. 7., Art. xvii; rem. spent.
„ 3	„ 3	Act Concerning Citations in Processes for Treason.	} Virt. rep. 7 Anne c. 21.
35 „ 4	„ 4	Act Concerning Witnesses in Processes for Treason.	
„ 9	„ 9	Act for the more effectuell payment and inbringing of his Majesty's Rents and Revenues.	Sup. by modern arrangements for collecting Crown rents and revenues.
40 „ 10	„ 10	Act concerning Judicial Confessions before the Commissioners of Justiciary.	Expired.
„ 12	„ 12	Act of Supply - - - -	Spent.
„ 22	„ 18	Act concerning Vacant stipends - -	Sup. 54 Geo. III. c. clxix.
„ 23	„ 19	Act ratifieing the Privileges of the Senators of the College of Justice.	Falls with 1670, c. 12.
45 „ 24	„ 20	Act for preserving Game - - - -	In part spent; in part virt. rep. 48 Geo. III. c. 94; rem. obs. In des. Kelly, M. 4995. Rankine, L.O. 63.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1685. Apr. 23. Cap. 25	1685. Cap. 21	Act against Stealing of Dogs and Hawks	In part obs. In des. Rem. sup. Wild Birds Protection Acts, 1880 and 1896. 5
„ 26	„ 22	Act concerning Tailzies. In part, namely: From “And for which Record” to “aires of Tailzie” where these words next occur, and from “It is always hereby declared” to “body of his right.”	As to part in Col. 3, in part sup. by modern scale of fees; rem. virt. 10 rep. 10 & 11 Vict. c. 48. s. 4.
„ 27		Act for a Commission of Trade - - -	Spent.
„ 28		Act concerning Trade and Manufactorys	Partly falls with the Act it ratifies 15 (1681, c. 78); partly spent.
„ 32	„ 29	Act concerning Citations before Circuit Courts.	Falls with Porteous Roll, 8 Anne c. 16. See also 9 Geo. IV. c. 29. s. 5, and 50 & 51 Vict. c. 35.
„ 37	„ 32	Act concerning the Militia - - -	Sup. 42 Geo. III. c. 91. 20
„ 38	„ 34	Act for Poll-money - - -	Spent.
„ 41	„ 31	Act for Security of the Officers of State and others.	Spent.
„ 47	„ 38	Act concerning the Registration of Writs in the Books of Session.	In part sup. 49 Geo. III. c. 42. s. 1. and A.S. 10th July 1811, No. I.; rem. virt. rep. 31 & 32 Vict. c. 34. s. 1. 25
„ 48		Act for a Commission anent the Estate of Archibald Campbel late Earle of Argyle.	Spent.
„ 49	„ 39	Act in favours of Planters and Inclosers of Ground.	In part spent; in part expired; rem. 30 sup. 1 Geo. I. St. 2, c. 48, and 6 Geo. I. c. 16. Rankine, L.O. 129.
„ 51	„ 41	Act declaring the Greenland Fishing to be a Manufactory.	Partly obs. In des. Partly virt. rep. 1707, c. 7., Art. vi.
„ 57		Commission for Regulation of Inferior Judicatories.	Spent. 35
„ 59	„ 44	Act for a Standart of Myles - - -	Virt. rep. 1707, c. 7., Art. xvii.
„ 121	„ 47	Act of Adjournement - - -	Spent.
		Parliamentum apud Edinburgh. Parlt. 1st. Sess. 2nd.	40
1686. Apr. 29. Cap. 3	1686. Cap. 2	Act for the better inbringing of his Majesties Supply.	Partly expired; partly sup. by modern arrangements for collection of revenue.
„ 6	„ 5	Act appoynting the dyets of the Session -	Sup. 1690, c. 52. 45
„ 13		Act adding Commissioners for supply for the shyres of Air Dumbartoun and Caithness.	Spent.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1686. Apr. 29. Cap. 13	1686. Cap. 8 Additional Act anent Highways and Bridges.	Falls with 1669, c. 37, and 1670, c. 13.
	„ 14	Act adding Commissioners of Supply in the shyres of Fyffe and Perth.	} Spent.
10	„ 16	Act dissolving from the Crown forfeaulted lands which held of other Superiors than the King.	
	„ 20	„ 10 Act ordaining pursuers to furnish the Act to the defenders whereon they are to depone.	Obs. In des., owing to change in procedure.
15	„ 23	Act appointing the Earl of Murray and Lord Doun conveeners of the Commissioners of Supply in the shyre of Inverness.	Spent.
20	„ 26	„ 14 Act prohibiting the importing of Irish Victuall and Cattle.	Virt. rep. 39 & 40 Geo. III. c. 67. Art. vi.
	„ 27	„ 15 Act declaring that Inhibitions shall not be prejudged by Recognition.	Falls with Ward-holding, 20 Geo. II. c. 50.
	„ 28	„ 16 Act for burying in Scotts Linnen - - -	Virt. rep. 1707, c. 94.
25	„ 31	„ 23 Commission for Regulation of Judicatories.	} Spent.
	„ 32	Act of reference to the Councill anent allowing importations of prohibited goods.	
30	„ 33	„ 19 Act anent the Registration of Sasines and Reversions. In part, namely: To “Lieges, Therfor,” from “Statuts and ordaines That where,” to “the Register And,” and the words “His Majestie with advice and consent for-said.”	As to part in Col. 3, rep. in gen. terms 1696, c. 18.
35	„ 35	„ 20 Act anent the nomination of the Clerk to the Justices of Peace.	Spent.
40	„ 38	„ 24 Act anent ane humble offer to his Majesty for ane imposition upon certain commodities for defraying the expence of a free Coynage and other matters relating to the Mint.	Virt. rep. 1707, c. 7., Arts. vi., xvi., xviii.
45	„ 39	Act rescinding a Commission granted anent the Estate of Argyle.	} Spent.
	„ 40	„ 25 Act rescinding a Clause in the Address made by the Parliament against the late Earle of Argyle.	
50	„ 41	„ 30 Act anent the Measure of Bark -	Virt. rep. 1707, c. 7., Art. xvii.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1686. Apr. 29. Cap. 42	1686.	Act rescinding ane act Entituled Act for Security of the Records.	5
„ 47		Act adding Commissioners for Supply in the Shyres of Edinburgh Forfar Selkirk Kincardin Roxburgh Peebles Berwick and the Stewartry of Kirkcudbright.	} Spent. 10
„ 48		Act in favours of the Sex Macers of Parliament.	
„ 103		Act of Adjournment - - -	Spent.
WILLIAM AND MARY.			
1689. Mar. 14. Cap. 1	1689. Cap. 2	Conventio apud Edinburgh.	15
„ 2	„ 3	Act declaring this to be a free and lawful meeting of the Estates.	} Spent. 20
„ 3	„ 4	Proclamation for bringing in the bygone arrears of the publick Revenue.	
„ 4	„ 4	Act for putting the Kingdome in a posture of defence.	
„ 6	„ 6	Act nominating the officers of Militia in the shyre of Berwick.	} Spent. 25
„ 6	„ 6	Act approving the Address made by the Noblemen and Gentlemen to His Highness the Prince of Orange.	
„ 7	„ 7	Proclamation against Papists - - -	Partly falls with the disabling laws against Roman Catholics; partly spent. 30
„ 10	„ 8	Act for securing suspect persones - -	Spent.
„ 11		Act for distribution of the Armes amongst the westerne shyres.	} Spent. 35
„ 12		Act Approving the good services done by severall persones belonging to Glasgow Argyle and uther western shyres.	
„ 13		Act in favours of the inhabitants of Glasgow.	
Vol. ix., p. 22.	„ 10	The nomination of the Committee Elected for settling the Government.	40
Cap. 15	„ 11	Proclamation for calling together the Militia on this syde of Tay and the fencible men in some shyres.	} Spent. 45
16		Act anent the Militia Men in the Towne of Edinburgh.	
„ 20		Act in favours of the Toune of Edinburgh	Spent.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1689. 5 Mar. 14 Cap. 21	1689.	Act anent transporting of Armes to Glasgow.	} Spent.
„ 22		Act for a new Nomination of Magistrates in the Towne of Edinburgh.	
10 „ 23	Cap. 12	Warrant to the Duke of Hamilton to secure suspect persons.	
„ 24		Act appoynting the shireffe fiers to be the pryce of victuall payable to the Exchequer for the Cropt 1688.	
15 „ 27		Act in favours of the Heretors within the Towne of Glasgow.	Spent.
„ 29	„ 14	Proclamation declaring William and Mary King and Queen of England to be King and Queen of Scotland.	} Spent.
20 „ 30	„ 15	Act declaring that the Estates are to continue in the Government until the King and Queen of England accept the Croune.	
„ 32		Act for a new election of Magistrates in toun of Dundee.	
25 „ 33		Proclamation ordaining the absent Members from the Meeting of the Estates to attend.	} Spent.
„ 34	„ 16	Proclamation against owning of the late King James and appoynting publick prayers for Willham and Mary King and Queen of Scotland.	
30 „ 35	„ 17	Additional Warrant for publishing the proclamation of William and Mary King and Queen of Scotland.	
35 „ 36		Act anent the Militia - - -	Spent.
„ 38	„ 19	Warrant for ane Embargo upon ships and other vessells on the Westerne Coast of Scotland.	} Spent.
40 „ 43		Act in favours of the Good Towne of Edinburgh for disbanding the Company under the command of Captain Grahame.	
„ 44		Act for a new Election of Magistrates in the Burgh of Rothesay.	
45 „ 45	„ 20	Act for a levy of Horsemen out of the severall shyres of the Kingdom.	} Spent.
„ 46	„ 21	The Oath to be administered to the King and Queen at their acceptance of the Croune.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1689. Mar. 14. Cap. 47	1689.	Act in favours of the British Protestants comed from Ireland.	5
„ 48	Cap. 22	Act for a new Election of Magistrates in the severall Royall Burghes.	10
„ 49	„ 23	Act for levying some Regiments of foot -	
„ 50		Act for a new Election of Magistrates in Irvine.	
„ 51		Additional Act concerning the Embargo	
„ 52		Act for valueing the two ships ordered to be fitted out for the public service.	
„ 54	„ 24	Act for Modelling the 500 horses in ten troopes.	15
„ 55		Act and Commission in favours of His Grace the Duke of Hamiltoun for a Garrisone in the Castle of Arran.	Spent.
„ 56		Act and Commission in favours of the Earl Marishall for a Garrisone in the Castle of Dunnotter.	20
„ 57	„ 25	Act ordering ane Embargo on all ships -	25
„ 58		Act ordering the Rates of oates hay & straw for His Majesties forces.	
„ 60	„ 26	Act nominating Commissioners to treate concerning the Union of the Two Kingdomes.	
„ 61	„ 28	Act nominating persones to attend their Majesties with the offer of the Croune.	30
„ 68	„ 31	A Proclamation for a publick Thanksgiving.	Spent.
„ 69		Act in favours of the Collector of the Customes and Excyse at Leith.	
„ 74	„ 32	Act for raising Four Moneths Supply -	35
„ 75	„ 33	Act in favours of the Vassalls & Creditors of defaulted persones.	Sup. 1690, c. 104.
„ 79	„ 34	Act for a voluntar Contribution to the Irish and French Protestants.	40
„ 80	„ 35	Commission to the Committee of Estates	
„ 81		Act in favours of the Magistrates of Air -	Spent
„ 84	„ 36	Act of Adjournment of the Meeting of Estates.	
„ 85		Proclamation requyring the absent Members to attend.	45

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1689. Mar. 14. 5 Cap. 86	1689.	Act for a new meeting of the Commissioners of Supply in some shyres.	} Spent.
„ 87		Act containing a new Nomination of Commissioners for the Supply in the shyre of Aberdeen.	
10 „ 90		Act concerning the late Election of Magistrates in the burgh of Montrose.	
„ 91		Act and Warrant for a new Election of Commissioners for the shyre of Rosse.	} Spent.
15 „ 92		Act in favors of some Noblemen and Gentlemen for raising fencible men within the shyre of Fyfe.	
„ 93		Act in favors of the Commissioners of Supply of the shyre of Dumbartoun.	
20 „ 95		Act in favors of the Inhabitants of the Toun of Glasgow.	} Spent.
Vol. ix., p. 93.	Cap. 37	Warrant to the Duke of Hamilton to draw Precepts for paying the Forces.	
Cap. 97	„ 40	Act Adjourning the Meeting of the Estates to the fyfth of June.	
25		Parliamentum apud Edinburgh. Parlt. 1st.	} Spent.
1689. Jun. 5. Cap. 1	„ 1	Act deciarng the Meeting of the Estates to be a Parliament.	
30 „ 2	„ 2	Act Recognizing their Majesties Royall Authoritie and for taking the Oath of Alledgeance.	
„ 3		Proclamation requyrng the absent members to attend the Parliament.	Spent.
35 „ 4	„ 3	Act abolishing Prelacie - - - In part, namely: From “And hereby rescinds” to the end.	As to part in Col. 3, spent.
40 „ 5		Act for furnishing Baggage horses to the Army.	} Spent.
„ 7		Act authorizing the Council to call out the Heretors and fensible men.	
Vol. ix., p. 106.	„ 6	Act of Adjournment - - -	
45		Parliamentum apud Edinburgh. Parlt. 1st. Sess. 2nd.	} Spent.
1690. Apr. 15. Cap. 1	Cap. 1	Act Rescinding the first Act of the Second Parliament 1669.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1690. Apr. 15. Cap. 2	1690. Cap. 2	Act restoring the Presbyterian Ministers who were thrust from their Churches since the 1st of January, 1661.	Spent.	5
„ 3	„ 3	Act concerning the Election of Committees of Parliament.	Falls with Scottish Parl.	
„ 6		Act adjourning the Courts of Judicature until the first of July.	Spent.	10
„ 7	„ 5	Act ratifying the Confession of Faith and settling Presbyterian Church Government. In part, namely: From “Lykeas, In pursuance” to “take further course therewith.”	As to part in Col. 3, spent.	15
„ 8	„ 6	Act for raising a Supply offered to their Majesties.	Spent.	20
„ 10		Proclamation for a Publick Fast - -		
„ 11	„ 8	Act anent the Commissioners of Supply who do not take the Oath of Allegiance.		
„ 12	„ 9	Act for Poll Money for relief of the Heritors.	Spent.	25
„ 13	„ 10	Act for ane Additional Supply out of the annual rent of Money.		
„ 14	„ 11	Act for ane additional Representation in Parliament of the greater Shyres of this Kingdome.		
„ 15	„ 12	Act in favours of the Royall Burrowes -	Virt. rep. 1707, c. 7., Art. iii.	
„ 17	„ 14	Act Impowering the Privy Council to put the Oath of Allegiance to suspect persons or to secure them.	Virt. rep. 9 & 10 Vict. c. 17.	30
„ 23		Act concerning the sitting of the Session and inferior Courts.	Spent.	35
„ 25	„ 17	Act for visitation of Universities Colledges and Schoolls.	Partly sup. 1707, c. 6; partly spent.	
„ 26	„ 18	Act Rescinding the Forefaultures and Fynes since the year 1665.	Spent.	40
„ 37		Act adding Commissioners of Supply in the shyre of Cromarty.		
„ 45		Act in favours of the Toune of Glasgow anent the sale of some part of their Common Good.		
„ 48	„ 19	Act of Dissolution of the forefaulted Lands annexed to the Crowne in the Reigne of the late King James.	Spent.	45
„ 51		Act anent the Coynage of Copper -		
			Virt. rep. 1707, c. 7., Art. xvi	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1690. Apr. 15. 5 Cap. 53	1690. Cap. 23	Act concerning Patronages - - - In part, namely: From "considering that" to "con- tinued in this Realme"; the word "Therefore" next thereafter oc- curring; from "Discharge, cass annull" to "with advyce and consent forsaid" where these words lastly occur; and the word "said" twice occurring next thereafter.	As to part in Col. 3, in part rep. in gen, terms 10 Anne c. 21; partly spent; rem. sup. 54 Geo. III. c. clxix.
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.. 54	.. 24	Act concerning Vacant Stipends in the Synod of Argyle.	Sup. 54 Geo. III. c. clxix.
.. 55	.. 25	Act against Profaneness - - -	Obs. In des., owing to change in social circumstances.
20	.. 57	.. 27 Act Rescinding the laws for Conformity -	} Spent.
.. 58	.. 28	Act Rescinding severall Acts of Par- liament as useless or hurtfull.	
25	.. 60	.. 31 Act Rescinding Forfaultures in absence before the Justice Court preceeding the year 1669 and restoring Caldwell and Kersland and Mr. William Veitch.	Spent.
.. 61	.. 32	Act in favours of the small vassalls of Kirklands who now hold of their Majesties. In part, namely: To "Exchequer or other dewes, And."	As to part in Col. 3, virt. rep. 37 & 38 Vict. c. 94.
30	.. 62	Act anent the Executione of Poyndings in Galloway.	Virt. rep. 1 & 2 Vict. c. 112.
35	.. 96	.. 42 Act anent the retoured duty of Annual rents.	Falls in virtue of institution of implied entry under Conveyancing Act, 1874
.. 97	.. 40	Act anent short Prescriptions of Adjudi- cations and others.	Spent.
.. 98	.. 39	Act anent Removing from Land - - -	Sup. 1693, c. 40.
40	.. 99	.. 38 Act for Security of their Majesties Government.	} Spent.
.. 100	.. 37	Act anent persons killed in the Kings Host.	
.. 101	.. 36	Act anent the Mint - - -	Virt. rep. 1707, c. 7., Art. xvi.
45	.. 102	.. 35 Act anent Ministers that have not prayed for the King and Queen.	} Spent.
.. 103	.. 34	Act annulling the gift of Erection of the Royall Company of the Fishery.	
50	.. 104	.. 33 Act for security of the Creditors Vassalls and heirs of Entail of persons fore- faulted.	Virt. rep. 7 Anne c. 21. Esk. Inst. IV. 4, 27.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1690. Apr. 15. Cap. 105	1690. Cap. 43	Remit of the Proces of Treason to the Lords of Justiciary.	} Spent.	5
Vol. IX., p. 230.	„ 45	Act of Adjournment		
1690. Sept. 3. Cap. 2	1690. Cap. 4	Parliamentum apud Edinburgh. Parlt. 1st. Sess. 3rd. Act for Repressing the Depredations in the Highlands.	Expired.	10
„ 3	„ 3	Act against robbing of the Pacquet	Sup. 7 Will. IV. and 1 Vict. c. 36. Obs. In des., owing to change of circumstances.	15
„ 5	„ 2	Act and Offer to their Majesties of Three Moneths Cess and Hearth money in lieu of the sixth part of Annual rents.	Spent.	
„ 6	„ 1	Act for unlawing and americiating Members absent from Parliaments or Conventions of Estates or from the dyets thereof.	Virt. rep. 1707, c. 7., Art. iii.	20
„ 7		Act appointing the Commissioners of Supply to meet at the Michaelmas head Court.	} Spent.	25
„ 8		Act for Electing Additionall Commissioners in some Shyres.		
Vol. IX., p. 238.	„ 6	Act of Adjournment		30
1693. Apr. 18. Cap. 1	1693.	Parliamentum apud Edinburgh. Parlt. 1st. Sess. 4th. Act concerning the Members who have not signed the Assurance.	} Spent.	35
„ 2		Act against the Members who have not taken the oath of Allegiance.		
„ 3		Act fying the absent Barons and Burrowes.	} Spent.	40
„ 4		Act fying the absent Noblemen		
„ 6	Cap. 1	Act for a Monethly Fast		
„ 8	„ 2	Act for a new Supply out of the Land Rent.		
„ 9		Act for Levying of Seamen		
„ 10	„ 3	Act for ane additional Excise	Expired.	45
„ 11	„ 4	Act anent false Musters and free Quarters and anent due paying of their Majesties Forces.	Sup. 1698, c. 9.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1693. Apr. 18. Cap. 12	Cap. 5 Act anent the loyall Cureing and Packing of Herring and Salmond Fish.	Sup. by the Fishery Acts.
	„ 15	„ 7 Act for the Levy - - - -	Spent.
	„ 16	„ 8 Act against Correspondence with France	Spent.
	„ 17	„ 9 Act for Pole Money - - - -	Spent.
10	„ 18	„ 10 Act ordering Quartering for the Bishops Rents in the Bounds of the Synod of Argyle and the Isles.	Expired.
	„ 20	„ 11 Act Adjourning the Session to the First of November.	Spent.
15	„ 21	„ 12 Act concerning Citations to the first and second Dyets. In part, namely: To “ And further.”	As to part in Col. 3, virt. rep. 6 Geo. IV., c. 120, s. 53.
20	„ 29	„ 16 Act explanatory anent the Additional Excise.	Falls with 1693, c. 10, which it explains.
	„ 30	„ 17 Act anent advising Concluded Causes -	Obs. In des., owing to changes in practice.
	„ 31	„ 18 Act anent the Signing of Interlocutors immediately after voting. In part, viz. : From the words “ in all points ” to “ go to the vote and ”; and the word “ that ” between “ Dyet ” and “ the Interloquitor.”	As to part in Col. 3, obs. In des., owing to changes in practice.
25	„ 32	„ 19 Act anent the Lords of Session sitting in the Outer-house by turns.	Virt. rep. 50 Geo. III. c. 112.
	„ 33	„ 20 Act anent Advocats their Subscribing the Minutes of Debate.	Obs. In des., owing to changes in practice.
35	„ 34	„ 21 Act anent the Lord Ordinar his not leaving the Outer bench.	Virt. rep. 50 Geo. III. c. 112.
	„ 37	Act prorogating the Monethly Fast within the Town and Suburbs of Edinburgh.	Spent.
40	„ 38	„ 22 Act for Settling the Quiet and Peace of the Church. In part, namely : From “ for the more effectuell Settling ” to “ said Office And lastly.”	As to part in Col. 3, spent.
45	„ 39	„ 23 Act Renewing the Commission for Plantation of Kirks and Valuation of Teinds. In part namely : From “ and it being fitt and convenient ” to the end.	As to part in Col. 3, spent.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1693. Apr. 18. Cap. 42	1693. Cap. 26	Act anent the Lords of Session their advising with open doors. In part, namely: From "and hereby casses" to the end.	As to part in Col. 3, spent.	5
" 45	" 28	Act anent the Common Good of Royall Burrowes. In part, viz.: From "and for preventing the like" to "that doe affect the samen;" and the words "both of Merchants and Deacons of Crafts."	As to part in Col. 3, partly spent; partly sup. 3 & 4 Will. IV. c. 76, and 63 and 64 Vict. c. 49. ss. 98, 99.	10 15
" 46	" 31	Act anent Forfaulted Persons - - -	Spent.	
" 48	" 29	Act anent the right making and measuring of Linen Cloath.	Virt. rep. 1707, c. 7., Art. vi.	20
" 49		Act in favours of the Manufactury of baises and Erecting them in a free Incorporation.	Expired.	
" 50	" 32	Act for Encouraging of Forraigne Trade	Virt. rep. 1707, c. 7., Art. vi.	
" 51	" 30	Act and Ratification anent the Communication of Trade to Burghs of Barony and Regality. In part, namely: From "and their Majesties with consent forsaied" to the end.	As to part in Col. 3, virt. rep. 9 & 10 Vict. c. 17.	25 30
" 60	" 37	Act Prorogating the Dyet for Ministers to take the Oath of Alledgeance and Assurance.	} Spent.	35
" 61	" 38	Additional Act ordaining the Lords of Session to judge summarly anent the persons restored against their Forfaultures.		
" 62	" 39	Act for the Justiciary in the Highlands -	Sup. 1702, c. 8.	
" 4	" 40	Act against Profaneness - - -	In part spent; rem. obs. In des., owing to change in social circumstances.	40
" 67	" 41	Act altering the Quorum of the Commission for visitation of Universities Colledges and Schools.	Spent.	
" 71	" 33	Act anent Resetting and Intercommuning with declared Traitors.	Sup. 7 Anne c. 21.	45
" 72	" 34	Commission for Regulation of Judicatories.	Spent.	
" 73	" 35	Act anent Procuratories of Resignation and Precepts of Sasine.	Partly falls with procuratories of resignation in virtue of 37 & 38 Vict. c. 94; partly with precepts of sasine, 21 & 22 Vict. c. 76.	50
Vol. IX., p. 346.	" 43	Act of Adjournment - - -	Spent.	

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
		Parliamentum apud Edinburgh. Parlt. 1st. Sess. 5th.	
5	1695. Mai. 9. Cap. 1	Act for a Solemn Fast - - -	Spent.
	„ 4	„ 2 Act Regulating Citations before the Parliament.	Virt. rep. 1707, c. 7., Arts. i and ii.
	„ 5	„ 3 Act Adjourning the Summer Session till the first of July.	Spent.
10	„ 6	„ 4 Act anent the Justice Court - - - In part, viz.: From “And that after the said dispute” to “shall proceed to the advising”; and from “And it is further hereby statute” to the end.	As to part in Col. 3, in part obs. In des., owing to changes in practice; rem. sup. 11 Geo. I. c. 26. s. 10.
15	„ 8	„ 6 Act regulation the sale and Payment of Bankrupts Estates. In part, viz.: From “in the hands of the Magistrates” to “compleat payment thereof”; the words “in manner forsaied” twice thereafter occurring; and from “And further His Majesty” to “may affect the purchase.”	As to part in Col. 3, virt. rep. 33 Geo. III. c. 74. s. 7.
20	„ 9	„ 7 Act for Six Months Supply upon the Land Rent.	Spent.
25	„ 10	„ 8 Act for a Company Tradeing to Affrica and the Indies.	Virt. rep. 1707, c. 96.
	„ 11	„ 9 Act adjourning the Session till the first day of November 1695.	} Spent.
	„ 12	„ 10 Act for Pole Money - - -	
35	„ 16	„ 13 Act against Prophaneness - - -	} Obs. In des., owing to change in social circumstances.
	„ 17	„ 14 Act for Restraining the Profanation of the Lords Day by keeping weekly Mercats on Monday and Saturday.	
40	„ 27	„ 16 Act anent the ease of annual rents due by Persons restored and anent the Creditors diligence to be used against them.	Spent.
	„ 28	„ 17 Act anent the Mint - - -	Virt. rep. 1707, c. 7., Art. xvi.
45	„ 29	„ 18 Act anent the Quorum of the Commission for Plantation of Kirks and Valuation of Teinds.	Sup. 1707, c. 10.
	„ 32	„ 21 Explanatory Act anent the Excise of Brandy.	Virt. rep. 1707, c. 7., Art. vii.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1695. Mar. 9. Cap. 35	1695. Cap. 22	Act against Intruding into Churches without a Legall Call and Admission thereto. In part, namely: The words "from the Heretors and Eldership" and from "Likas His Majesty Doth" to the end.	As to part in Col. 3, in part virt. rep. 10 Anne c. 21; rem. spent. 5
" 36	" 23	Act anent Lands lying Run-rig - In part, viz.: The words "Stewarts and Lords of Regality."	As to part in Col. 3, sup. 20 Geo. II. c. 43, and 1 Vict. c. 39. 10 15
" 39	" 24	Act for Obviating the fraud of Appearance and Heirs.	Sup. 37 & 38 Vict. c. 94. ss. 9 and 12.
" 40	" 25	Act anent the Repetition of Fines -	Spent.
" 42	" 26	Act discharging Popish Persons to prejudge their Protestant Heirs in Succession.	Rep. in gen. terms 9 & 10 Vict. c. 59. s. 1. 20
" 51	" 27	Act concerning the Church - In part, viz.: From "being sensible of the hurt" to "good to allow, and"; from "hereby allowes to all Ministers" to "notwithstanding. And His Majesty with consent forsaied"; and from "And lastly" to the end.	As to part in Col. 3, partly spent; rem. falls with 1695, c. 26. 25
" 52	" 28	Act for the Additional and Annexed Excises.	Virt. rep. 1707, c. 7., Art. vii. 30
" 53	" 29	Act for continuing the Additional Excise till March 1697 with three Moneths farther Cess.	Spent.
" 55	" 31	Act for Turning the Tack of the Pole 1693 into a Collection.	} Spent. 35
" 57	" 32	Act and Commission for Reviseing the laws and practiques of this Kingdom.	
" 63	" 32	Act for Encouraging the Exportation of Victual.	Virt. rep. 1707, c. 7., Art. xviii. 40
" 64	" 33	Act for the Levies - - - -	Expired.
" 65	" 34	Act for Additional Imposition upon Forraign Commodities imported.	Virt. rep. 1707, c. 7., Art. vi.
" 66	" 35	Act anent Burying in Scots Linen -	In part rep. in gen. terms, 1707, c. 94; rem. falls with that Act. 45
" 67	" 36	Act anent the Skinners - - -	Virt. rep. 1707, c. 7., Art. xviii.
" 68	" 37	Act anent the Justiciary of the Highlands	Spent.
" 71	" 40	Act anent Letters passing the Signet - In part, viz.: The words "and Letters of Citation before the Parliament."	As to part in Col. 3, falls with Scottish Parliament, 1707, c. 7. 50

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
5	1695. Mar. 9. Cap. 73	1695. Cap. 42 Act allowing the Administrators of the Common good of Burrowes to Adventure their Stocks or any part thereof in the Company of Forraign Trade.	Virt. rep. 1707, c. 96.
10	" 74 " 74 Vol. IX., p. 523.	" 43 Act for Reviving the Acts of Council anent the Poor. " 45 Act of Adjournment - - -	Spent. Spent.
Parliamentum apud Edinburgh. Parlt. 1st. Sess. 6th.			
15	1696. Sept. 8. Cap. 1	1696. Cap. 1 Act anent the Supply of Eighteen Moneths Cess upon the Land Rent.	} Spent.
	" 2	" 2 Act for an Additional Excise - - -	
20	" 3	" 3 Act appointing the Association to be Subscribed by all persons in public trust.	
	" 4	" 4 Act for regulateing Deeds done on death bed.	Sup. 34 & 35 Vict. c. 81.
25	" 5	" 5 Act for declaring nottour Bankrupt In part, namely: The words "or retire to the Abbey or any other privileged place," "or retireing" and "retireing."	As to part in Col. 3, falls with Sanctuary.
	" 6	" 6 Act for Selling of Meal by weight - -	Virt. rep. 1707, c. 7., Art. xvii.
30	" 7	" 7 Act allowing the Venting of Rum -	Spent.
	" 9	" 9 Act of Prescription anent Tutors and Curators accompts. In part, namely From "as also that" to the end.	As to part in Col. 3, spent.
35	" 10	" 10 Act that no Law pass at the first reading	Virt. rep. 1707, c. 7., Art. iii.
	" 11	" 11 Act Explanatory of the Act 1695 Entitled Act for obviating the fraud of Appearance and Heirs.	Falls with 1695, c. 39.
40	" 12	" 12 Act anent the Privileges of Burghs of Regality and Barrony as to the Cureing and packing of Salmond fish.	Falls with 1693, c. 12.
	" 18	" 18 Act anent Registration of Seasins and other writts and diligences. In part, namely: From "and that notwithstanding" to "Articles of the said Act."	As to part in Col. 3. spent.
45			

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1696. Sept. 8. Cap. 19	1696. Cap. 19	Act for Registrating of Summonds that shall be made use of for Interruptions. In part, namely: The words "upon a bill" from "in a particular Register" to "kept at Edinburgh;" from "And that this registration" to "kept in books apart"; from "and allows" to "Hornings and Inhibitions"; and from "And His Majestie" to the end.	As to part in Col. 3, sup. 13 & 14 Vict. c. 36, s. 13; 31 & 32 Vict. c. 64, s. 15; and by modern provisions as to keepers' fees. 5 10 15
.. 21	.. 21	Act anent Aliments - - - -	Obs. In des., owing to changes in procedure.
.. 22	.. 22	Act for Expenses in Suspensions - -	Virt. rep. 1 & 2 Vict. c. 86, s. 4.
.. 23	.. 23	Act anent the Levy of a Thousand men -	Spent.
.. 24	.. 24	Act for the better payment of the Creditors on forfault Estates.	Virt. rep. 7 Anne. c. 21. Falls with 1690, c. 104. 20
.. 27	.. 27	Act approving the Proclamation of Council for encourageing the Import of Victuall.	Spent.
.. 28	.. 28	Act anent Protestant Servants in Popish Families.	Rep. in gen. terms 9 & 10 Vict. c. 59, s. 1. 25
.. 29	.. 29	Act for the better provideing the Poor and repressing of Beggars.	Sup. 8 & 9 Vict. c. 83.
.. 30	.. 30	Act ratifeing the Proclamation of Council anent the Pole 1695.	Spent. 30
.. 31	.. 31	Act against Prophaneness - - - -	Obs. In des., owing to change in social circumstances.
.. 32	.. 32	Act anent the Aliment of poor prisoners -	Falls with imprisonment for debt, 43 & 44 Vict. c. 34.
.. 35	.. 33	Act against Killers of Black Fish and Destroyers of the Fry and Smolts of Salmund. In part, namely: To "discovery of the delinquents and"; and from "under the pains" to the end.	As to part in Col. 3, sup. by Salmon Fisheries Acts, 1862 and 1868. 35 40
.. 36	.. 34	Act appointing Proclamations and other Legall Executions within the Stewartry of Monteith to be published and execute at the mercat cross of Doun in place of the Tapaltee.	Obsolete and in desuetude, as Stewartry of Monteith is absorbed in Sherifdom of Perth. 45
.. 39	.. 37	Act anent the Measuring of Malt - -	Virt. rep. 1707, c. 7., Art. xvii.
.. 40	.. 38	Act anent the old Fourteen shilling pieces and their Halfs.	Virt. rep. 1707, c. 7., Art. xvi.
.. 43	.. 40	Act Prorogating the Commission of Justiciary for the Highlands.	Spent. 50

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1696. Sept. 8. 5 Cap. 44	1696. Cap. 41	Act declaring Minors free from Personall Execution for Civill Causes during their Pupillarity.	Falls with abolition of personal diligence, 43 & 44 Vict. c. 34.
„ 45	„ 42	Act against false Coyning and Clipping of Money.	Sup. 24 & 25 Vict. c. 99.
10 „ 46	„ 43	Act discharging the makeing use of Salt in brewing Ale or Beer.	Sup. 38 & 39 Vict. c. 63.
„ 47	„ 44	Act for makeing Salt upon Salt - - -	Virt. rep. 1707, c. 7., Art. viii.
Vol. X., p. 112	„ 46	Act of Adjournment - - - -	Spent.
15 1698. Jul. 19 Cap. 1	1698. Cap. 1	Parliamentum apud Edinburgh. Parlt. 1st. Sess. 7th. Act anent the Supply of Sixteen Months Cess upon the Land Rent.	Spent.
20 „ 4	„ 4	Act concerning Registration of Probative Writs. In part, namely: The words “and the principall to be given back to the partie.”	As to part in Col. 3, virt. rep. 31 & 32 Vict. c. 34. s. 2.
25 „ 5	„ 5	Act in favors of Minors anent Registering Summonds and Instruments of Interruption.	Spent.
„ 6	„ 6	Act against Olandestine and Irregular Marriages. In part, namely:— From “Acts of Parliament” to “viz. The,” from “and 12 Act” to “current Parliament,” and the words “and 1695.”	As to part in Col. 3, falls with 1695, c. 15.
30 „ 7	„ 7	Act Dischargeing the Wearing of Gold and Silver Lace.	Obs. In des., owing to change in circumstances; and virt. rep. 1707, c. 7. Art. vi.
35 „ 9	„ 9	Act anent Quartering of Souldiers -	Sup. 44 & 45 Vict. c. 58. s. 102.
„ 10	„ 10	Act anent Quartering for Deficiency -	Sup. by modern arrangement for collection of taxes.
40 „ 11	„ 11	Act for the Ease of small Vassalls of Bishops Lands now holden of the King. In part, viz.: The words “and precepts for infetting of their heirs”; and the words “or Baillies of Regality,” and “or Baillies of Regalitie.”	As to part in Col. 3, sup. 37 & 38 Vict. c. 94, and 20 Geo. II. c. 43.
45 „ 12	„ 12	Act anent Pole Money - - - -	Spent.
„ 14		Act in favors of the Four Ordinary Macers of the Session.	Sup. 1 & 2 Vict. c. 116. s. 25.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1698. Jul. 19. Cap. 33	1698. Cap. 14	Act in favors of the Senators of the Colledge of Justice.	Spent.	5
„ 34	„ 15	Act for preserving the Game - - -	Partly falls with the Acts it ratifies; partly expired.	
„ 36	„ 17	Act anent Persons going to and returning from France.	Spent.	10
„ 37	„ 18	Act anent the Tunnage - - -	Rep. in gen. terms, 1707, c. 7, Art vi.	
„ 38	„ 19	Act regulating the Trade betwixt burghs Royall and Burghs of Regality Barony and others.	Virt. rep. 9 & 10 Vict. c. 17.	
„ 39	„ 20	Act for settleing the Communication of Trade. In part, namely: From “and especially about” to “mentioned in the said Act”; and from “that in the terms declared” to “with advyce and consent forsaid.”	As to part in Col. 3, in part virt. rep. 9 & 10 Vict. c. 17; rem. spent.	15
„ 40	„ 21	Act anent the Poor - - -	Sup. 8 & 9 Vict. c. 83.	
„ 41	„ 22	Act against Personal Protections - -	Falls with personal diligence, 43 & 44 Vict. c. 34.	25
„ 42	„ 23	Act anent the Excyse of Brandie - -	Rep. in gen. terms, 1707, c. 7, Art. vii.	
„ 43	„ 24	Act for the Encouragement of White fishing and Herring fishing.	Rep. in gen. terms, 1707, c. 7, Art. vi.	
„ 44	„ 25	Act continueing the Pole - - -	Spent.	
„ 47	„ 26	Act and Remit to the Commission of the Pole.	} Spent.	30
Vol. X., p. 182.	„ 28	Act of Adjournment - - -		
		Parliamentum apud Edinburgh. Parlt. 1st. Sess. 9th.		35
1700. Oct. 29. Cap. 1	1700. Cap. 1	Act Adjourning the Session to the first Tuesday of December.	Spent.	
„ 2	„ 2	Act for Secureing the Protestant Religion and Presbyterian Government.	Sup. 1707, c. 6.	40
„ 3	„ 3	Act for preventing the growth of Popery	Sup. 33 Geo. III. c. 44.	
„ 4	„ 4	Act Adjourning the Session till the first of January.	} Spent.	45
„ 5	„ 5	Act adjourning the Session to the twenty eight day of January next.		

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1701. Jan. 31. 5 Cap. 6	1701. Cap. 6	Act for preventing wrongous Imprisonments and against undue delayes in Tryals. In part, viz.: From "And to the effect that" to "the like penalty of wrongous imprisonment"; from "And siklike it is hereby" to "anything in this Act notwithstanding"; and the words "parties disobedient or contumacious to Church censures."	As to part in Col. 3, in part rep. in gen. terms 51 & 52 Vict. c. 36; partly obs. In des., owing to change of circumstances; rem. falls under 39 Geo. III. c. 56.
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15			
.. 7	.. 7	Act Rescinding the Act of Parliament 1663 asserting the Kings prerogative in the ordering of Trade.	Spent.
20	.. 8	.. 8 Act Discharging the importing and wearing of Forreign Woollen Manufacture.	Rep. in gen. terms, 1707, c. 7., Art. vi.
	.. 9	.. 9 Act Discharging the Exportation of Wool	Expired.
25	.. 11	.. 10 Act Dischargeing Wine Brandie and all other Liquers of the growth of France.	Rep. in gen. terms, 1707, c. 7., Art. vi.
	.. 12	.. 11 Act against Profaneness - - -	Spent.
	.. 13	.. 12 Act prohibiteing the Importing of Silk Stuffs and others.	Rep. in gen. terms, 1707, c. 7., Art. vi.
30	.. 14	.. 13 Act in favors of the African and Indian Company.	Virt. rep. 1707, c. 96.
	.. 15	.. 14 Act Dischargeing the Quots of Testaments.	In part spent; rem. falls with 1661, c. 291.
	.. 16	.. 15 Act for a Supply of Twelve Moneths Cess upon the land rent.	} Spent.
35	.. 53	.. 16 Act and Commission anent the Pole - -	
	.. 54	.. 18 Act of Adjournment - - -	
ANNE.			
1702. Jun. 9 40 Cap. 1	1702. Cap. 1	Parliamentum apud Edinburgh. Act recognizeing her Majesties Royall Authority.	Spent.
	.. 2	.. 2 Act Adjourning the Session till the first of July next.	Spent.
45	.. 3	.. 3 Act for Secureing the true Protestant Religion and Presbyterian Government.	Sup. 1703, c. 2.
	.. 4	.. 4 Act Declaring the present meeting of Parliament to be a lawfull and free meeting of Parliament.	Spent.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.		
1702. Jun. 9. Cap. 5	1702. Cap. 5	Act for a National Fast - . . .	} Spent.	5	
„ 6	„ 6	Act anent the Supply of Ten Months and a halves Cess upon the Land Rent.		} Spent.	10
„ 7	„ 7	Act enabling her Majesty to appoint Commissioners to treat for an Union betwixt the two Kingdoms of Scotland and England.			
„ 8	„ 8	Act for the Justiciary in the Highlands -			
Vol. xi., p. 28.	„ 9	Act of Adjournment - . . .			
1703. Mai. 6 Cap. 1	1703. Cap. 1	Parliamentum apud Edinburgh. Act Asserting and Recognizing her Majesties Authority.	Spent.	15	
„ 2	„ 2	Act for Secureing the true Protestant Religion and Presbyterian Government.	Sup. 1707, c. 6.	20	
„ 3	„ 3	Act Ratifying the turning the meeting of the Estates in the year 1689 into a Parliament.	In part spent; rem. virt. rep. 7 Anne c. 21.		
„ 4	„ 4	Act anent Leasing Makers and Slanderers.	Sup. 6 Geo. IV. c. 47.	25	
„ 7	„ 6	Act and Commission anent the Public Accounts.	Spent.		
„ 8	„ 7	Act Dischargeing Butchers to be Grasiers, &c.	Obs. In des., owing to change of circumstances, Rankine Leases, 20.	30	
„ 9	„ 8	Act in favors of the Company trading to Africa and the Indies.	Virt. rep. 1707, c. 96.		
„ 10	„ 9	Act Dischargeing Importation of Irish Victual Beef and Cattle.	Rep. in gen. terms, 1707, c. 7, Art. vi.		
„ 11	„ 10	Act continuing the Prohibition of Exporting English or Irish Wool till the next Session of Parliament inclusive.	Expired.	35	
„ 13	„ 11	Act allowing the Importation of Wines and other Foreign Liquors.	Virt. rep. 1707, c. 7., Arts. vi. and vii.	40	
1704. Jul. 6. Cap. 1	1704. Cap. 1	Parliamentum apud Edinburgh. Parlt. 1st. Sess. 2nd. Act Adjourning the Session - . . .	} Spent.	45	
„ 4	„ 4	Act anent the Supply of Six Moneths Cess upon the Land Rent.			
„ 5	„ 5	Act in favors of the Five Lords Commissioners of the Justiciary.			Sup. 50 & 51 Vict. c. 35.

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.
1704. Jul. 6. 5 Cap. 6	1704. Cap. 6	Act allowing the Exportation of Wool, &c.	Expired.
" 7	" 7	Act continuing the Commission for the Publick Accounts.	Spent.
10 " 9	" 8	Act for an Imposition on Foreign Ships that come into this Kingdom for bearing the charges of finishing the Maps and description of the Sea coasts and Isles &c.	Expired.
15 1705. Jun. 28. " 47	1705. " 1	Parliamentum apud Edinburgh. Parlt. Ist. Sess. 3rd. Act Discharging the Importation of English Irish and Forreign Butter and Cheese.	Rep. in gen. terms, 1707, c. 7. Art. vi.
20 " 48	" 2	Act for advancing and establishing the Fishing Trade in and about this Kingdom. In part, namely: From "And for the better carrying on" to the end.	As to part in Col. 3, sup. 1707, c. 7. Art. viii.; 29 Geo. II. c. 23; 25 & 26 Vict., c. 97. s. 7, and 31 & 32 Vict. c. 123. s. 15.
25 " 49	" 3	Act appointing a Council of Trade	} Spent.
" 50	" 4	Act for a Treaty with England	
" 51	" 5	Act for incouraging the Exportation of Beef and Pork.	} Rep. in gen. terms, 1707, c. 7., Art. vi.
30 " 52	" 6	Act Declaring Linnen and Woollen Manufacture free of duty at Exportation.	
" 53	" 7	Act for a Supply of Seven Months Cess out of the Land Rent.	Spent.
35 Vol. xi., p. 299.	" 10	Act of Adjournment	Spent.
1706. Oct. 3. 40 Cap. 1	1706. Cap. 1	Parliamentum apud Edinburgh Parlt. Ist. Sess. 4th. Act Adjourning the Sesaion till the first day of December next.	} Spent.
" 2	" 2	Act for a Supply of Eight Months Cess out of the Land Rent.	
45 " 3	" 3	Act against all Musters and Rendevouzes during the present Session of Parliament without Her Majesties special command.	Expired.
" 4	" 4	Act adjurneing the Session to the first day of January next and continueing the sitting thereof from the last of February to the last day of March next inclusive.	Spent.
50			

Record Edition.	12mo Edition.	Title of Enactment and Extent of Repeal.	Reasons for Repeal.	
1707. Jan. 2. Cap. 5	1707. Cap. 5	Act Adjourning the Session to the fourth day of February next to come.	Spent.	5
Oct. 3. Cap. 7	„ 7	Act Ratifying and Approving the Treaty of Union of the Two Kingdoms of Scotland and England. In part, namely: Art v. Art vi. from “And seeing” to the end. Art. viii. Arts. x. to xv. Art. xvi., from “And a mint” to the end. Art. xvii. Art. xix., from “And that after the Union” to the end. Art. xxii., from “And that when” to the end.	As to part in Col. 3, already rep. in 6 Anne c. 11.	10
„ 8	„ 8	Act Settling the manner of Electing the Sixteen Peers and Forty Five Commoners to Represent Scotland in the Parliament of Great Britain. In part, namely: From “and that of the” to “his or their place,” and from “and Protestant excluding” to the end.	As to part in Col. 3, in part virt. rep. by Reform Acts and 9 & 10 Vict. c. 59; rem. sup. 6 Anne c. 78.	25
„ 10	„ 9	Act anent Plantation of Kirks and Valuation of Teinds. In part, namely: The words “each Wednesday in the afternoon”; and from “And also declaring” to “and none else.”	As to part in Col. 3, sup. by changes in modern practice.	30
„ 11	„ 10	Act Discharging Musters and Rendezvous till the first day of January next and Prorogating the Suspension of the clause in the Act of Security thereanent till the said time.	Expired.	35
„ 91	„ 13	Act for preserving the Game - - In part, namely: To “as above As also” and from “And if any common Fowler” to the end.	As to part in Col. 3, in part virt. rep. 13 Geo. III. c. 54, and 48 Geo. III. c. 94.; rem. obs. In des., owing to change of circumstances.	40
„ 94	„ 14	Act for Burying in Woollen - -	Obs. In des., owing to change in circumstances.	45
„ 96	„ 15	Act concerning the Payment of the Sums out of the Equivalent to the African Company.	} Spent.	50
„ 97	„ 16	Act concerning the Publick Debts -		
Vol xi., p. 491.	„ 18	Act of Adjournment - - -		

Statute Law Revision (Scotland) Bill.

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D C H A N C E L L O R .

Schedule, page 27, columns 1 and 2, leave out ("1847") and insert ("1487")

page 32, leave out lines 7 to 11, inclusive.

page 33, leave out lines 40 and 41.

line 42, leave out ("Cap") and insert

(" ")

page 35, leave out lines 38 and 39.

page 78, line 10, after ("to") insert ("quhair of")

page 103, line 32, leave out ("will") and insert

("evill")

Statute Law Revision (Scotland)
Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD CHANCELLOR.

31st July 1906.

PRINTED BY TYRE AND SPOTTISWOODE,
PRINTERS TO HER KING'S MOST EXCELLENT MAJESTY
And to be purchased either directly or through any Bookseller, from
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32, Abingdon Street, Westminster, S.W.; or
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E. POSONSKY, 116, Grafton Street, Dublin.

[Price 4d.]

(162 a.)

A

B I L L

INTITULED

An Act for the Suppression of Betting in Streets and other Public Places. A.D. 1906.

BE it 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, as follows :—

- 5 **1.**—(1) Any person frequenting any street or public place, Betting in a street, &c. on behalf either of himself or of any other person, for the purpose of bookmaking, or betting, or wagering, or agreeing to bet or wager, or paying or receiving or settling bets, shall
- 10 (a) in the case of a first offence be liable, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding ten pounds ;
- (b) in the case of a second offence be liable, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding twenty pounds ; and
- 15 (c) in the case of a third or subsequent offence, or in any case where it is proved that the person whilst committing the offence had any betting transaction with a person under the age of sixteen years, be liable on conviction on indictment to a fine not exceeding fifty
- 20 pounds or to imprisonment, with or without hard labour, for a term not exceeding six months without the option of a fine, or on conviction under the Summary Jurisdiction Acts to a fine not exceeding thirty pounds or to imprisonment, with or without
- 25 hard labour, for a term not exceeding three months, without the option of a fine ;

(79.)

A.D. 1906. — and shall in any case be liable to forfeit all books, cards, papers, and other articles relating to betting which may be found in his possession.

(2) Any constable may take into custody without warrant any person found committing an offence under this Act, and may 5 seize and detain any article liable to be forfeited under this Act.

(3) Any person who appears to the court to be under the age of sixteen years shall for the purpose of this section be deemed to be under that age unless the contrary be proved.

(4) For the purpose of this section the word "street" shall 10 include any highway or any public bridge, road, lane, footway, square, court, alley, or passage, whether a thoroughfare or not; and the words "public place" shall include any public park, garden, or seabeach, and any unenclosed ground to which the public for the time being have unrestricted access. 15

Act not to apply to a racecourse.

2. Nothing contained in this Act shall apply to any ground used for the purpose of a racecourse for racing with horses or adjacent thereto on the days on which races take place.

Recovery of penalties. 50 & 51 Vict. c. 35. Short title.

3. In Scotland, "indictment" has the same meaning as in the Criminal Procedure (Scotland) Act, 1887. 20

4. This Act may be cited as the Street Betting Act, 1906.

Street Betting Bill [H.L.]

A M E N D M E N T

T O B E M O V E D O N T H I R D R E A D I N G

B Y

T H E L O R D W E M Y S S (*E. Wemyss*).

Clause 1, page 2, leave out subsection (2).

(79 a.)

Street Betting Bill [H.L.]

AMENDMENT

TO BE MOVED ON THIRD READING

BY

THE LORD WEYMSS (*E. Wemyss*).

17th May 1906.

PRINTED BY RYBE AND SPOTLISWOODE,
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52, Abingdon Street, Westminster, S.W.1; or
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E. PONSONBY, 114, Grafton Street, Dublin.

[*Price 5d.*]]

(79 a.)

Street Betting Bill [H.L.]

COMMONS AMENDMENTS.

Page 1, line 5, leave out (“ any street or public place ”) and insert (“ or loitering in streets or public places ”)

Page 2, line 9, after (“ proved ”) insert (“ or unless the person charged shall satisfy the court that he had reasonable ground for believing otherwise ”)

line 11, leave out (“ or ”) and insert (“ and ”)

line 15, after (“ access ”) insert (“ and shall also include every enclosed place (not being a public park or garden) to which the public have a restricted right of access, whether on payment or otherwise, if at or near every public entrance there is conspicuously exhibited by the owners or persons having the control of the place a notice prohibiting betting therein ”)

line 20, after (“ 1887 ”) insert (“ and ‘ passage ’ includes common close or common stair or passage leading thereto ; and, in the event of an offender failing to make payment of a fine imposed under section 1, (1), (a), or (b) of this Act, he shall be liable to imprisonment in accordance with the provisions of the Summary Jurisdiction Acts, an offence prosecuted summarily under this Act may be tried before the sheriff or before any magistrate of any royal parliamentary or police burgh officiating under the provisions of any local or general Police Act ”)

After clause 3, insert new clause A. :

A. In Ireland where in pursuance of this Act an order is made by a court of summary jurisdiction for a term of imprisonment not exceeding one month, without the option of a fine, the party against whom the order is made shall be entitled to appeal in like manner as if the term of imprisonment exceeded one month.

Application
to Ireland.

Clause 10—*continued*.

BY THE LORD DUNBOYNE.

Page 5, line 26, after (“ Act ”) insert the following new subsection :

(3) An appeal may be taken from any determination of the county court under this Act, and the enactments in the County Court (Ireland) Acts, 1851 to 1889, relating to appeals in the case of ordinary civil bill, shall apply accordingly.

line 27, after (“ appeal ”) insert (“ at the election of the “ party appealing ”)

Clause 12.

BY THE EARL OF MAYO.

Page 6, lines 4 and 5, leave out (“ clubs for social and athletic “ purposes ”)

BY THE EARL OF PEMBROKE AND MONTGOMERY.

Page 6, line 5, after (“ buildings ”) insert (“ situate in towns “ and ”)

Clause 13.

BY THE LORD DENMAN.

Page 6, leave out lines 21, 22, and 23.

Town Tenants (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

COMPENSATION FOR IMPROVEMENTS.

Clause.

1. Tenant's right to compensation for improvements.
 2. Limitation of tenant's right in certain cases.
 3. Landlord's right to object.
 4. Conditions of compensation.
 5. Compensation for unreasonable disturbance.
 6. Sums to be deducted by landlord.
 7. Exceptions.
 8. Exclusion of certain holdings.
 9. Prohibition of contracting out.
 10. Jurisdiction of the county court.
 11. Proceedings in respect of claims.
 12. Holdings to which Act applies.
 13. Definitions.
 14. Registration of improvements.
 15. Commencement of Act.
 16. Short title.
-

[6 EDW. 7.]

Town Tenants (Ireland).

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act to improve the position of Tenants of certain Houses, Shops, or other Buildings in Ireland. A.D. 1906.

BE it 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, as follows:—

5 COMPENSATION FOR IMPROVEMENTS.

1.—(1) Subject to the provisions of this Act, a tenant of a holding to which this Act applies, may, on quitting his holding, claim, in the prescribed manner, compensation to be paid by the landlord in respect of all improvements on his holding made
 10 subsequent to the date of the passing of this Act by him or his predecessors in title, which at the date of such claim add to the letting value of the holding, and are suitable to the character of the holding, and have not diminished the letting value of any other property of the same landlord. Provided always that the
 15 sum to be awarded as compensation for any improvement shall, in no case, exceed the capitalised value of such addition to the letting value of such holding as the Court shall determine to be the direct result of such improvement.

Tenant's
right to
compensa-
tion for im-
provements.

(2) In the event of any dispute between a landlord and a
 20 tenant with regard to a claim for compensation under this section, such dispute, unless the parties agree to refer it to arbitration, shall be determined by the court in accordance with the provisions of this Act, and the court in awarding such compensation to the tenant in respect of such improvements, may, in reduction of the tenant's
 25 claim, take into consideration the time during which the tenant

(234.)

A

A.D. 1906. may have enjoyed the advantage of the improvements and the rent at which such holding had been held, and any benefits which the tenant may have received from his landlord in consideration expressly or impliedly of the improvements made.

Limitation
of tenant's
right in cer-
tain cases.

2.—(1) A tenant of a holding who is quitting it shall not be entitled to any compensation in respect of any improvement when it appears to the court that the landlord has made an offer which in the opinion of the court is reasonable, of a new tenancy or of the continuance or renewal of the tenancy, with the right to the tenant to dispose of his interest therein, and the tenant has not accepted the offer. 5
10

(2) A tenant shall not be entitled to any compensation in respect of any improvement which the landlord had undertaken to make, except in cases where the landlord has failed to perform his undertaking within the time agreed on between him and the tenant, or within a time which, in the opinion of the court, is a reasonable time. 15

(3) A tenant shall not be entitled to any compensation in respect of any improvement made in contravention of a contract in writing not to make the improvement. 20

(4) A tenant shall not be entitled to any compensation in respect of any improvement made in pursuance of a contract entered into for valuable consideration, including a building lease.

Landlord's
right to
object.

3.—(1) Where a tenant of a holding proposes to make improvements in his holding, he shall send to his landlord notice, in the prescribed manner, of his intention to make such improvements, together with a specification and plan of the proposed improvements, and if the landlord or his known agent does not, within three months after the receipt of the notice, send notice of objection, in the prescribed manner, to the tenant, the tenant may proceed to make the proposed improvements; but if the landlord or his agent sends such notice objecting to all or any of the improvements, the tenant may, in the prescribed manner, apply to the court, and the court may, if satisfied that the improvement will add to the letting value of the holding, and is reasonable and suitable to the character thereof, and will not diminish the letting value of any other property of the same landlord, sanction all or any of the proposed improvements, making such modifications in the specification or plan as the court thinks fit. 25
30
35
40

(2) Provided always that the landlord may, at any time after receiving the tenant's notice or during the hearing by the court or after the decision of the court, undertake to execute the improvement himself, and may execute the same in a reasonable and proper manner, and charge the tenant with a sum not exceeding five pounds per centum per annum on the outlay incurred in executing the improvement, or at the election of the tenant not exceeding such annual sum payable for a period of twenty-five years as will repay such outlay in the said period, with interest at the rate of three pounds per centum per annum, Any annual sum charged against a tenant under this subsection shall be recoverable as rent. A.D. 1906.

(3) A tenant shall not be entitled to claim compensation in respect of any improvements unless he has given notice thereof under this section, and (in case the landlord has given notice of objection thereto) the improvements have been sanctioned by the court: Provided that where any sanitary authority, under the Public Health (Ireland) Acts, 1878 to 1900, or the Housing of the Working Classes (Ireland) Acts, 1890 to 1896, requires the owner or occupier to make any improvements or execute any works in the holding, the occupier, upon the landlord's default, may make or execute (subject to the provisions of the preceding subsection) such improvements or works, and such improvements or works shall be deemed to be improvements within the meaning of this Act.

4. The landlord of a holding, or any person authorised by him, may at all reasonable times enter on the holding, or any part of it, for the purposes of this Act. Power to enter.

5. Where, in the case of any holding, there are several persons standing in the relation to each other of landlord and tenant, the following provisions shall apply:— Conditions of compensation

Any mesne landlord against whom a claim arises under this Act shall, at the end of his term, be entitled to claim compensation against his immediate landlord in like manner and on the same conditions as if he had himself made the improvements in question:

A mesne landlord shall not be entitled to make a claim under this section unless he has, within the time and in the manner prescribed, sent to his immediate landlord or his agent copies of all documents relating to proposed improvements or claims which have been sent to him,

A.D. 1906.

in pursuance of the last preceding section. The said immediate landlord shall thereupon have, in addition to the mesne landlord, the powers conferred by or in pursuance of the last preceding section in like manner as if he were the immediate landlord of the occupying tenant, 5 and shall, in the manner and to the extent prescribed, be bound by the proceedings.

Compensation for unreasonable disturbance.

6.—(1) Where the landlord, without good and sufficient cause, terminates or refuses to grant a renewal of the tenancy, or it is proved that an increase of rent is demanded from the tenant as the result of improvements which have been effected at the cost of such tenant, and for which he has not, either directly or indirectly, received an equivalent from the landlord, and such demand results in the tenant quitting the holding, the tenant upon quitting the holding shall, in addition to the compensation (if any) 15 to which he may be entitled in respect of improvements, and notwithstanding any agreement to the contrary, be entitled to compensation for the loss of goodwill and the expense which, by reason of his quitting the holding, he sustains or incurs upon or in connection with the removal of his goods, implements, produce, or 20 stock: Provided that such compensation shall in no case exceed three years' rent of the holding.

In the event of any difference arising as to any matter under this section the difference shall, in default of agreement, be settled 25 by the court.

(2) This section shall apply only to houses, shops, and other buildings occupied wholly or to a substantial extent for trade or business purposes, and which are held (a) under tenancies from year to year created after the passing of this Act, or (b) under leases made after the passing of this Act for terms of less than thirty-one 30 years, or for a life or lives, or (c) under contracts of tenancy existing at the passing of this Act where the rent of the holding is under one hundred pounds per annum.

Sums to be deducted by landlord.

7. Out of any moneys payable to a tenant under this Act, all sums due to the landlord from the tenant or his predecessors 35 in title in respect of rent, or in respect of any deterioration of the holding arising from any non-observance on the part of the tenant of any express or implied covenant or agreement, may be deducted by the landlord, and also any taxes payable by the tenant due in respect of the holding and not recoverable by him 40 from the landlord.

[6 EDW. 7.]

Town Tenants (Ireland).

5

8. A tenant who is evicted for breach of any condition of his tenancy shall not be entitled to any compensation for disturbance under this Act. A.D. 1906.
—
Exceptions.

9. This Act shall not apply to any holding let to the tenant during his continuance in any office, appointment, or employment, or for the temporary convenience, or to meet a temporary necessity, either of the landlord or tenant, provided that any such letting made after the passing of this Act shall be by contract in writing which shall express the purpose for which such letting is made. Exclusion of certain holdings.

10. Any contract (other than a contract either to make or not to make an improvement) made after the passing of this Act, by virtue of which a tenant would be, directly or indirectly, deprived of his right to obtain compensation under this Act, shall be void unless the court adjudicating upon a claim for compensation by such tenant shall, having regard to all the circumstances of the case, be of opinion that such contract was reasonable and that it was entered into by the parties without any direct or indirect compulsion. Prohibition of contracting out.

11.—(1) The court for the determination of all matters under this Act shall, be the county court having jurisdiction where the holding is situate. Jurisdiction of the county court.

(2) Subject to the provisions of this Act, rules for regulating proceedings in a county court under this Act may be made in accordance with the County Courts (Ireland) Acts, 1851 to 1889, and such rules may (inter alia) provide for—

- (a) the manner in, and the time within, which notice under this Act shall be served ;
- (b) the manner in which notices, orders, and other documents under this Act may be authenticated ;
- (c) (subject to the provisions of this Act) the particulars to be inserted in any notice to any person or in any application to or order made by the court under this Act.

12.—(1) Any person aggrieved by any determination of the county court under this Act may appeal either— Appeals.

- (a) to the judge of assize or a judge of the High Court, as the case may be, in accordance with the provisions of the County Courts (Ireland) Acts, 1851 to 1889,

A.D. 1906. relating to appeals in the case of ordinary civil bills; or

(b) to the Court of Appeal in accordance with rules of the Supreme Court:

Provided that if in any proceedings appeals are taken both to the judge of assize or a judge of the High Court and to the Court of Appeal, the appeals shall be heard together by such judge, and a further appeal may be taken from his determination to the Court of Appeal in accordance with rules of the Supreme Court.

Proceedings
in respect
of claims.

13. Sections eighteen, twenty-one, twenty-three, twenty-six, and twenty-seven of the Landlord and Tenant (Ireland) Act, 1870, shall, so far as they are applicable, apply to proceedings in respect of claims under this Act; and the said section twenty-three shall have effect as if "county court" were substituted therein for "civil bill court"; and the duty imposed upon the court by the said section twenty-seven shall, on the application of a limited owner, be performed as well where compensation is awarded by the court as where the amount of compensation is agreed upon.

Application
of capital
money under
45 & 46 Vict.
c. 38.

14. Capital money arising under the Settled Land Act, 1882, may be applied in payment of any moneys expended and costs incurred by a landlord under or in pursuance of this Act in or about the execution of any improvement, as for an improvement authorised by the said Settled Land Act; and such money may also be applied in discharge of any charge created on a holding under or in pursuance of this Act in respect of any such improvement as aforesaid, as in discharge of an incumbrance authorised by the said Settled Land Act to be discharged out of such capital money.

Provision
in case of
trustees.

15. Where the landlord is a person entitled to receive the rents and profits of any holding as trustee, or in any character otherwise than for his own benefit, the amount due from such landlord in respect of compensation under this Act shall be charged and recovered as follows, and not otherwise (that is to say):—

(1) The amount so due shall not be recoverable personally against such landlord, nor shall he be under any liability to pay such amount, but the same shall be a charge on and recoverable against the holding only;

[6 EDW. 7.]

Town Tenants (Ireland).

7

(2) Such landlord shall, either before or after having paid to the tenant the amount due to him, be entitled to obtain from the county court a charge on the holding to the amount of the sum required to be paid or which has been paid, as the case may be, to the tenant.

A.D. 1906.

(3) If such landlord neglect, or fail within one month after the tenant has quitted his holding, to pay to the tenant the amount due to him, then after the expiration of such one month the tenant shall be entitled to obtain from the county court in favour of himself, his executors, administrators, and assigns, a charge on the holding to the amount of the sum due to him, and of all costs properly incurred by him in obtaining the charge or in raising the amount due thereunder.

(4) The court shall, on proof of the tenant's title to have a charge made in his favour, make an order charging the holding with payment of the amount of the charge, including costs, in like manner and form as in case of a charge which a landlord is entitled to obtain.

16. Any company now or hereafter incorporated by Parliament and having power to advance money for the improvement of land, may take an assignment of any charge made by a county court under the provisions of this Act, upon such terms and conditions as may be agreed upon between such company and the person entitled to such charge; and such company may assign any charge so acquired by them to any person or persons whomsoever.

Advance made by a company.

17. The holdings to which the provisions of this Act relating to compensation for improvements apply are houses, shops, and other buildings situate in urban districts, towns, or villages, and occupied either for residential or for business purposes, or partly for residential and partly for business purposes.

Holdings to which Act applies.

18. The following expressions in this Act shall, unless the context otherwise requires, have the meanings herein-after respectively assigned to them (that is to say):—

Definitions.

“Landlord” shall have the same meaning as in section one of the Landlord and Tenant (Ireland) Act, 1860;

“Owner” shall have the same meaning as in section two of the Public Health (Ireland) Act, 1878;

“Tenant” shall mean any person entitled in actual possession to the holding under any contract of tenancy for a

(243.)

B

A.D. 1906. awarded by the court as where the amount of compensation is agreed upon.

Holdings to which Act applies.

12. The holdings to which the provisions of this Act relating to compensation for improvements apply are houses, shops, clubs for social and athletic purposes, and other buildings occupied either for residential or for business purposes, or partly for residential and partly for business purposes. 5

Definitions.

13. The following expressions in this Act shall, unless the context otherwise requires, have the meanings herein-after respectively assigned to them (that is to say):— 10

“Landlord” shall have the same meaning as in section one of the Landlord and Tenant (Ireland) Act, 1860;

“Owner” shall have the same meaning as in section two of the Public Health (Ireland) Act, 1878;

“Tenant” shall mean any person entitled in actual possession to the holding under any contract of tenancy for a year or for any longer period, whether the interest of such tenant shall have been acquired by original contract, lawful assignment, bequest, devise, or act and operation of law; 15 20

“Lease” means a lease, under-lease, assignment operating as a lease or under-lease, or an agreement for such lease, under-lease, or assignment;

“Rules” include forms;

“Prescribed” means prescribed by rules of the county court; 25

The expression “predecessor in title” shall have the same meaning as in the Landlord and Tenant (Ireland) Act, 1870, as amended by section seven of the Land Law (Ireland) Act, 1881.

Registration of improvements.

14. Improvements by a landlord or tenant on any holding may be registered in the manner provided by section six of the Landlord and Tenant (Ireland) Act, 1870, but the court in which the improvements may be registered shall be the court within the meaning of this Act, and the said section for the purposes of this section shall be deemed to be incorporated in this Act. 30 35

Commencement of Act.

15. This Act shall come into operation on the first day of January nineteen hundred and seven.

Short title.

16. This Act may be cited as the Town Tenants (Ireland) Act, 1906.

Town Tenants (Ireland) Bill,

A M E N D M E N T S

TO BE MOVED IN COMMITTEE.

Clause 1.

BY THE LORD CLONBROCK.

Page 1, line 9, after (“ made ”) insert (“ subsequent to the date ”
“ of the passing of this Act ”)

BY THE LORD ASHBOURNE.

Page 1, line 13, after (“ landlord ”) insert (“ Provided always
“ that the sum to be awarded as compensation for any improvement
“ shall, in no case, exceed the capitalised value of such addition to
“ the letting value of such holding as the Court shall determine to
“ be the direct result of such improvement ”)

BY THE LORD DENMAN.

Page 1, line 19, after (“ improvements ”) insert (“ shall have
“ regard to the increased letting value attributable thereto but ”)

BY THE LORD SUDLEY (*E. Arran*).

Page 1, line 20, after (“ consideration ”) insert (“ the time
“ during which the tenant may have enjoyed the advantage of the
“ improvements, and ”)

Clause 2.

BY THE LORD KENRY (*E. Dunraven*) AND THE
LORD CLONBROCK.

Page 2, lines 6 and 7, leave out (“ made either before or after
“ the passing of this Act ”)

(223 **.)

A

Town Tenants (Ireland) Bill.

AMENDMENTS

TO BE MOVED ON THIRD READING

BY

THE VISCOUNT HUTCHINSON
(E. Donoughmore)

AND

THE LORD DUNBOYNE.

15th December 1906.

PRINTED BY EYRE AND SPOTTISWOODE,
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39, Abingdon Street, Westminster, S.W.1; or
OLIVER and BOYD, Edinburgh; or
E. POSONSKY, 116, Grafton Street, Dublin.

[*Price 3d.*]]

(243 a.)

Town Tenants (Ireland) Bill.

A M E N D M E N T

TO BE MOVED ON THIRD READING

BY

THE VISCOUNT HUTCHINSON (*E. Donoughmore*).

Clause 6, page 4, line 17, after ("contrary") insert ("unless
" such agreement was, in the opinion of the court, reasonable, and
" not made under direct or indirect compulsion ")

Town Tenants (Ireland) Bill.

AMENDMENT

TO BE MOVED ON THIRD READING

BY

THE VISCOUNT HUTCHINSON
(E. Donoughmore).

17th December 1906.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY,
to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, Peter Lane, E.C.; or
OLIVER and BOYD, Edinburgh; or
E. POSONNY, 116, Grafton Street, Dublin.

[*Price 3d.*]

(243*b.*)

Town Tenants (Ireland) Bill.

COMMONS REASONS FOR DISAGREEING TO CERTAIN OF THE
LORDS AMENDMENTS TO THE TOWN TENANTS (IRE-
LAND) BILL, AND COMMONS AMENDMENT TO ONE OF
THE LORDS AMENDMENTS.

[The references refer to Bill (223).]

Lords Amendment.

Clause 1, page 1, line 9, after (“made”) insert (“subsequent to
“the passing of this Act”)

The Commons disagree to this amendment for the following
reason :

Because they are of opinion that it is essential that the clause
should be retrospective and because the provisions relating
to compensation for improvements in the Landlord and
Tenant (Ireland) Act, 1870, and the Agricultural Holdings
Act, 1883, were retrospective.

Lords Amendments.

Clause 2, page 2, lines 6 and 7, leave out (“made either before
“or after the passing of this Act”)

lines 13 and 14, and lines 17 and 18, leave
out (“whether before or after the passing of this Act”)

lines 20 to 23, leave out subsection (5).

lines 24 and 25, leave out (“after the passing
“of this Act”)

Clause 3, page 3, line 13, leave out (“made after the passing of
“this Act”)

The Commons disagree to these amendments for the following
reason :

Because the amendments are consequential on the amendment
previously disagreed to.

(255.)

Lords Amendment.

Clause 5, page 4, line 7, leave out from the beginning of the clause to (“ In ”) in line 16 and insert :

.—(1) Where the landlord, without good and sufficient cause, terminates or refuses to grant a renewal of the tenancy, or it is proved that an increase of rent is demanded from the tenant as the result of improvements which have been effected at the cost of such tenant, and for which he has not, either directly or indirectly, received an equivalent from the landlord, and such demand results in the tenant quitting the holding, the tenant upon quitting the holding shall, in addition to the compensation (if any) to which he may be entitled in respect of improvements, and notwithstanding any agreement to the contrary, be entitled to compensation for the loss of goodwill and the expense which, by reason of his quitting the holding, he sustains or incurs upon or in connection with the removal of his goods, implements, produce, or stock: Provided that such compensation shall in no case exceed three years rent of the holding.

The Commons amend this amendment by leaving out from (“ stock ”) to the end of the amendment.

Lords Amendment.

Clause 9, page 5, line 4, leave out (“ whether before or ”)

The Commons disagree to this amendment for the following reason :

Because they consider that the clause should be retrospective.

A

B I L L

INTITULED

An Act to provide for the regulation of Trades Unions and Trade Disputes. A.D. 1906.

BE it 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, as follows:—

5 **1.** The following paragraph shall be added as a new paragraph after the first paragraph of section three of the Conspiracy and Protection of Property Act, 1875:—

Amendment of law of conspiracy in the case of trade disputes. 38 & 39 Vict. c. 86.

10 “An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be actionable.”

15 **2.**—(1) It shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or of peacefully persuading any person
20 to work or abstain from working.

Peaceful picketing.

(2) Section seven of the Conspiracy and Protection of Property Act, 1875, is hereby repealed from “attending at or near” to the end of the section.

25 **3.** An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other person to break a contract of employment or that it is an interference with the trade,
(212.)

Removal of liability for interfering with another person's business, &c.

A.D. 1906. business, or employment of some other person, or with the
 — right of some other person to dispose of his capital or his
 labour as he wills.

Prohibition
 of actions of
 tort against
 trade unions.

4.—(1) An action against a trade union, whether of workmen
 or masters, or against any members or officials thereof on behalf 5
 of themselves and all other members of the trade union in
 respect of any tortious act alleged to have been committed by
 or on behalf of the trade union, shall not be entertained by any
 court.

(2) Nothing in this section shall affect the liability of the 10
 trustees of a trade union to be sued in the events provided for
 by the Trades Union Act, 1871, section nine, except in respect
 of any tortious act committed by or on behalf of the union in
 contemplation or in furtherance of a trade dispute.

Short title
 and construc-
 tion.

5.—(1) This Act may be cited as the Trade Disputes Act, 15
 1906, and the Trade Union Acts, 1871 and 1876, and this Act
 may be cited together as the Trade Union Acts, 1871 to 1906.

(2) In this Act the expression "trade union" has the same
 meaning as in the Trade Union Acts, 1871 and 1876, and shall
 include any combination as therein defined, notwithstanding that 20
 such combination may be the branch of a trade union.

(3) In this Act and in the Conspiracy and Protection of
 Property Act, 1875, the expression "trade dispute" means any
 dispute which is connected with the employment or non-employ-
 ment or the terms of the employment, or with the conditions of 25
 labour, of any person; and in section three of the last-mentioned
 Act, the words "between employers and workmen" shall be
 repealed.

Trade Disputes Bill.

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E .

BY THE EARL RUSSELL.

Clause 2, page 1, line 13, leave out ("one or more persons") and insert ("any number of persons not exceeding twenty")

line 17, leave out ("resides or") and leave out ("or happens to be")

Clause 5, page 2, line 26, leave out ("person") and insert ("workman or body of workmen")

BY THE LORD WEMYSS (*E. Wemyss*).

Clause 2, page 1, line 13, leave out ("one or more") and insert ("not more than three")

line 16, after ("attend") insert ("peaceably and in a reasonable manner"), and after ("near") insert ("each entrance of"), and leave out ("house or")

line 17, leave out ("resides or") and leave out ("or happens to be")

line 20, after ("working") insert ("Provided that no person shall, after being requested by any person annoyed by his conduct, or by any constable instructed by such person to move away, so act as wilfully to obstruct, insult, or annoy such person. Provided that no person shall act in such a manner as to cause a reasonable apprehension in the mind of any other person that violence will be used to him or his wife or family, or damage be done to his property")

Clause 3, page 1, line 25, after ("actionable") insert ("as a tort")

lines 26 and 27, leave out ("that it induces some other person to break a contract of employment or")

(212 a.)

Page 2, leave out clause 4, and insert the following new clause :

.—(1) Where a committee of a trade union constituted as hereinafter mentioned has been appointed to conduct on behalf of the union a trade dispute, an action whereby it is sought to charge the funds of the union with damages in respect of any tortious act committed in contemplation or furtherance of the trade dispute, shall not lie, unless the act was committed by the committee or by some person acting under their authority :

Provided that a person shall not be deemed to have acted under the authority of the committee if the act was an act or one of a class of acts expressly prohibited by a resolution of the committee, or the committee by resolution expressly repudiate the act as soon as it is brought to their knowledge.

(2) The committee may be a committee appointed either generally to conduct all trade disputes in which the union may be involved, or to conduct any trade disputes of a specified class or in a specified locality, or to conduct any particular trade dispute.

(3) If so provided by the rules of any trade union it shall be lawful to appoint a trustee or trustees of the sick, accident, and superannuation funds of such union ; and the real and personal estate constituting such funds and vested in the trustee or trustees so appointed shall not be available for any purpose other than the provision of benefits to members of the trade union who are suffering from sickness or accident or have been superannuated, and shall not be liable to answer any judgment in respect of any tortious act committed by the committee or by a person acting under their authority.

Clause 4, page 2, line 6, after ("union") insert ("for the " recovery of damages")

BY THE VISCOUNT HUTCHINSON (*E. Donoughmore*).

After clause 5 insert as a new clause :

. Nothing in this Act shall apply to anything done in contemplation of or furtherance of a dispute arising from or out of or directly or indirectly connected with the use, occupation, or enjoyment by any person or persons of any land or any building or buildings thereon.

Trade Disputes Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE.

BY THE LORD BALFOUR.

Clause 2, page 1, line 16, after (“attend”) insert (“peaceably
“ and in a reasonable manner ”)

Clause 3, page 1, lines 26 and 27, leave out (“induces some
“ other person to break a contract of employment or that it is ”)

BY THE LORD KELVIN.

Page 2, line 8, leave out (“shall not be”) and insert (“if”)
line 9, after (“court”) insert (“shall not permit or
“ entail any expenditure out of the funds of the trade union
“ specially allotted to life insurance or charitable purposes ”)

Trade Disputes Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD BALFOUR

AND

THE LORD KELVIN.

5th December 1906.

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OLIVER and BOYD, Edinburgh; or
K. HOSKOT, 116, Grafton Street, Dublin.

[Price 5d.]

(212b.)

Trade Disputes Bill.

A M E N D M E N T

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D M U S K E R R Y.

Clause 4, page 2, line 9, after ("court") insert ("excepting
" in the case of workmen who, being induced by union agents
" not to follow their employment or to take the places of men
" on strike, suffer damage as a result of such inducement")

Trade Disputes Bill.

AMENDMENT

TO BE MOVED IN COMMITTEE

BY

THE LORD MUSKERRY.

6th December 1906.

PRINTED BY **EYRE AND SPOTTISWOOD,**
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And to be purchased, either directly or through any Bookseller, from
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32, Abingdon Street, Westminster, S.W.; or
OLIVER and BOYD, Edinburgh; or
E. POSSONBY, 114, Grafton Street, Dublin.

[*Price 3d.*]]

(212 c.)

Trade Disputes Bill.

A M E N D M E N T

TO BE MOVED IN COMMITTEE

BY

THE LORD LEITH OF FYVIE.

Clause 2, page 1, line 30, after (“ working ”) insert (“ provided
“ that due notice shall have been given to the police authorities in
“ the district affected of the contemplation or furtherance of a trade
“ dispute ”)

Trade Disputes Bill.

AMENDMENT

TO BE MOVED IN COMMITTEE

BY

THE LORD LIEUTENANT OF FYVIE.

10th December 1906.

PRINTED BY BYRNE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
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32, Abingdon Street, Westminster, S.W.; or
OLIVER and BOYD, Edinburgh; or
E. POSSONBY, 116, Grafton Street, Dublin.

[Price 3d.]

(212 d.)

Trade Disputes Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE.

BY THE LORD AVEBURY.

Clause 1, page 1, line 12, after ("actionable") insert ("Provided
" that nothing in this Act shall affect the rights of any person or
" persons not a party to such trade dispute ")

BY THE LORD JAMES OF HEREFORD.

Leave out clause 4.

Trade Disputes Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD AVEBURY

AND

THE LORD JAMES OF HEREFORD.

11th December 1906.

PRINTED BY EYRE AND SPOTTISWOOD,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any bookseller, from
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32, Abingdon Street, Westminster, S.W.1; or
OLIVER and BOND, Edinburgh; or
E. PONSORBY, 116, Grafton Street, Dublin.

[Price 3d.]

(212 e.)

Trade Disputes Bill.

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E .

Clause 1.

BY THE LORD AVEBURY.

Page 1, line 12, after (“actionable”) insert (“Provided that
“nothing in this Act shall affect the rights of any person or persons
“not a party to such trade dispute.”)

Clause 2.

BY THE LORD WEMYSS (*E. Wemyss*).

Page 1, line 13, leave out (“one or more”) and insert (“not
“more than three”)

BY THE EARL RUSSELL.

Page 1, line 13, leave out (“one or more persons”) and insert
 (“any number of persons not exceeding twenty”)

BY THE LORD WEMYSS (*E. Wemyss*) AND
THE LORD BALFOUR.

Page 1, line 16, after (“attend”) insert (“peaceably and in a
“reasonable manner”)

BY THE LORD WEMYSS (*E. Wemyss*).

Page 1, line 16, after (“near”) insert (“each entrance of”),
and leave out (“house or”)

(212 **.)

A

Clause 2—*continued.*

BY THE EARL RUSSELL
AND THE LORD WEMYSS (*E. Wemyss*).

Page 1, line 17, leave out (“resides or”) and leave out (“or happens to be”)

BY THE LORD WEMYSS (*E. Wemyss*).

Page 1, line 20, after (“working”) insert (“Provided that no person shall, after being requested by any person annoyed by his conduct, or by any constable instructed by such person to move away, so act as wilfully to obstruct, insult, or annoy such person. Provided that no person shall act in such a manner as to cause a reasonable apprehension in the mind of any other person that violence will be used to him or his wife or family, or damage be done to his property”)

BY THE LORD LEITH OF FYVIE.

Page 1, line 20, after (“working”) insert (“provided that due notice shall have been given to the police authorities in the district affected of the contemplation or furtherance of a trade dispute.”)

Clause 3.

BY THE LORD WEMYSS (*E. Wemyss*).

Page 1, line 25, after (“actionable”) insert (“as a tort”)
lines 26 and 27, leave out (“that it induces some other person to break a contract of employment or”)

BY THE LORD BALFOUR.

Page 1, lines 26 and 27, leave out (“induces some other person to break a contract of employment or that it”)

(3)

Clause 4.BY THE LORD WEMYSS (*E. Wemyss*).

Page 2, line 6, after ("union") insert ("for the recovery of
" damages")

BY THE LORD KELVIN.

Page 2, line 8, leave out ("shall not be") and insert ("if")
line 9, after ("court") insert ("shall not permit or
" entail any expenditure out of the funds of the trade union
" specially allotted to life insurance or charitable purposes")

BY THE LORD MUSKERRY.

Page 2, line 9, after ("court") insert ("excepting in the case
" of workmen who, being induced by union agents not to follow
" their employment or to take the places of men on strike, suffer
" damage as a result of such inducement")

BY THE LORD JAMES OF HEREFORD.

Leave out clause 4.

BY THE LORD WEMYSS (*E. Wemyss*).

Leave out clause 4, and insert the following new clause :

.—(1) Where a committee of a trade union constituted as hereinafter mentioned has been appointed to conduct on behalf of the union a trade dispute, an action whereby it is sought to charge the funds of the union with damages in respect of any tortious act committed in contemplation or furtherance of the trade dispute, shall not lie, unless the act was committed by the committee or by some person acting under their authority :

Provided that a person shall not be deemed to have acted under the authority of the committee if the act was an act or one of a class of acts expressly prohibited by a resolution of the committee, or the committee by resolution expressly repudiate the act as soon as it is brought to their knowledge.

(2) The committee may be a committee appointed either generally to conduct all trade disputes in which the union may be involved, or to conduct any trade disputes of a specified class or in a specified locality, or to conduct any particular trade dispute.

(212 **.)

A 2

Clause 4—*continued*.

(3) If so provided by the rules of any trade union it shall be lawful to appoint a trustee or trustees of the sick, accident, and superannuation funds of such union; and the real and personal estate constituting such funds and vested in the trustee or trustees so appointed shall not be available for any purpose other than the provision of benefits to members of the trade union who are suffering from sickness or accident or have been superannuated, and shall not be liable to answer any judgment in respect of any tortious act committed by the committee or by a person acting under their authority.

Clause 5.

BY THE EARL RUSSELL.

Page 2, line 26, leave out (" person ") and insert (" workman " or body of workmen ")

After Clause 5.

BY THE VISCOUNT HUTCHINSON (*E. Donoughmore*).

Insert as a new clause :

. Nothing in this Act shall apply to anything done in contemplation of or furtherance of a dispute arising from or out of or directly or indirectly connected with the use, occupation, or enjoyment by any person or persons of any land or any building or buildings thereon.

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITLED

An Act to provide for the regulation of Trades Unions and Trade Disputes. A.D. 1906.

BE it 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, as follows:—

5 **1.** The following paragraph shall be added as a new paragraph after the first paragraph of section three of the Conspiracy and Protection of Property Act, 1875:—

Amendment
of law of con-
spiracy in the
case of trade
disputes.
38 & 39 Vict.
c. 86. j

10 “An act done in pursuance of an agreement or combination by two or more persons shall, if done in contemplation or furtherance of a trade dispute, not be actionable unless the act, if done without any such agreement or combination, would be actionable.”

15 **2.**—(1) It shall be lawful for one or more persons, acting on their own behalf or on behalf of a trade union or of an individual employer or firm in contemplation or furtherance of a trade dispute, to attend peacefully and in a reasonable manner at or near a house or place where a person resides or works or carries on business or happens to be, if they so attend merely for the purpose of peacefully obtaining or communicating information, or
20 of peacefully persuading any person to work or abstain from working.

Peaceful
picketing.

(2) Section seven of the Conspiracy and Protection of Property Act, 1875, is hereby repealed from “attending at or near” to the end of the section.

25 **3.** An act done by a person in contemplation or furtherance of a trade dispute shall not be actionable on the ground only that it induces some other person to break a contract of
(236.)

Removal of
liability for
interfering
with another,

A.D. 1906. employment or that it is an interference with the trade,
 person's business, or employment of some other person, or with the
 business, &c. right of some other person to dispose of his capital or his
 labour as he wills.

Prohibition
 of actions of
 tort against
 trade unions.

4.—(1) An action against a trade union, whether of workmen 5
 or masters, or against any members or officials thereof on behalf
 of themselves and all other members of the trade union in
 respect of any tortious act alleged to have been committed by
 or on behalf of the trade union, shall not be entertained by any
 court. 10

(2) Nothing in this section shall affect the liability of the
 trustees of a trade union to be sued in the events provided for
 by the Trades Union Act, 1871, section nine: Provided that
 the said trustees shall not be made liable in any action for any
 tortious act committed for or on behalf of the union where such 15
 tortious act does not touch or concern the property, right, or
 claim to property of the trade union.

Short title
 and construc-
 tion.

5.—(1) This Act may be cited as the Trade Disputes Act,
 1906, and the Trade Union Acts, 1871 and 1876, and this Act
 may be cited together as the Trade Union Acts, 1871 to 1906. 20

(2) In this Act the expression "trade union" has the same
 meaning as in the Trade Union Acts, 1871 and 1876, and shall
 include any combination as therein defined, notwithstanding that
 such combination may be the branch of a trade union.

(3) In this Act and in the Conspiracy and Protection of 25
 Property Act, 1875, the expression "trade dispute" means any
 dispute between employers and workmen, servants, or persons
 employed in any trade or industry, whether in such employer's
 employment or not, which is connected with the employment
 or non-employment or the terms of the employment, or with 30
 the conditions of labour, of any person; and in section three of
 the last-mentioned Act, the words "between employers and
 workmen" shall be repealed.

Trade Disputes Bill.

COMMONS REASONS FOR DISAGREEING TO CERTAIN OF THE
LORDS AMENDMENTS TO THE TRADE DISPUTES BILL,
AND COMMONS AMENDMENTS TO ONE OF THE LORDS
AMENDMENTS.

Lords Amendment.

Page 1, line 16, after (“attend”) insert (“peaceably and in a
“reasonable manner”)

The Commons disagree to the amendment made by the Lords
in page 1, line 16, for the following reason :

Because the peaceable exercise of the right conferred by the
clause is sufficiently safe-guarded by the words as they
stood in the clause as it left the Commons.

Lords Amendment.

Clause 4, page 2, line 12, leave out from (“nine”) to the end
of the clause and insert (“Provided that the said trustees shall
“not be made liable in any action for any tortious act committed
“for or on behalf of the union where such tortious act does not
“touch or concern the property, right, or claim to property of
“the trade union”)

The Commons disagree to the amendment made by the Lords
in page 2, line 12, for the following reason :

Because the object of the amendment is sufficiently met by the
words of the original clause.

Lords Amendment.

Clause 5, page 2, line 24, after (“dispute”) insert (“between
“employers and workmen, servants or persons employed in any
“trade or industry whether in such employers’ employment or
“not”)

The Commons amend this amendment by leaving out from
 (“workmen”) to the end of the amendment and inserting (“or

“ between workmen and workmen ”), with the following consequential amendment in page 2, line 26, after (“ person ”) insert (“ and the expression ‘ workmen ’ means all persons employed in trade or industry whether or not in the employment of the employer with whom a trade dispute arises ”)

Trade Disputes Bill.

COMMONS REASONS FOR DISAGREEING
TO CERTAIN OF THE LORDS AMEND-
MENTS TO THE TRADE DISPUTES
BILL, AND COMMONS AMEND-
MENTS TO ONE OF THE LORDS
AMENDMENTS.

Ordered to be printed 18th December 1906.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE KING'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
WYMAN and SONS, LTD., Fetter Lane, E.C.4; or
OLIVER and BOYD, Edinburgh; or
E. PONSORRY, 116, Grafton Street, Dublin.

[Price 3d.]

(252.)

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Altrincham Urban District Council Tramways Dewsbury Corporation Tramways Newcastle-upon-Tyne Corporation Tramways Ossett Corporation Tramways Portobello and Musselburgh Tramways (Port Seton Extension) and Rochdale Corporation Tramways. A.D. 1906.

WHEREAS under the authority of the Tramways Act 1870 the Board of Trade have made the several Provisional Orders set out in the schedule to this Act annexed : 33 & 34 Vict.
c. 78.

And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the authority of the said Act and set out in the schedule to this Act annexed be confirmed by Act 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 as follows :—

1. This Act may be cited as the Tramways Orders Confirmation Act 1906. Short title.

2. The several Orders set out in the schedule to this Act annexed shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in (66.) Confirmation
of Orders in
schedule.

A

A.D. 1906. the said schedule shall from and after the passing of this Act have full force and validity and the dates of the same respectively shall be the date of the passing of this Act.

Protection of
houses of
labouring
class.

3. The promoters mentioned in the Portobello and Musselburgh Tramways (Port Seton Extension) Order 1906 by this Act confirmed shall not in the exercise of the powers of this Act or of the said Order purchase or acquire in any burgh or in any district within the meaning of the Public Health (Scotland) Act 1897 ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied. If any promoters acquire or appropriate any house or houses under the powers of this Act or of the said Orders in contravention of the foregoing provision they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom. Provided that the court may if it think fit reduce such penalty.

For the purposes of this section—

“Labouring class” means mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them :

“House” means any house or part of a house occupied as a separate dwelling.

SCHEDULE.

A.D. 1906.

LIST OF ORDERS.

- ALTRINCHAM URBAN DISTRICT COUNCIL TRAMWAYS.—Order authorising the Urban District Council of Altrincham in the County of Chester to construct the tramways in their district authorised by the Altrincham Urban District Council Tramways Order 1904.
- DEWSBURY CORPORATION TRAMWAYS.—Order authorising the Mayor Aldermen and Burgesses of the Borough of Dewsbury to construct the tramways in their borough authorised by the Dewsbury Corporation Tramways Order 1904.
- NEWCASTLE-UPON-TYNE CORPORATION TRAMWAYS.—Order authorising the Mayor Aldermen and Citizens of the City of Newcastle-upon-Tyne to construct additional tramways in the said city.
- OSSETT CORPORATION TRAMWAYS.—Order authorising the Mayor Aldermen and Burgesses of the Borough of Ossett to construct the tramways in their borough authorised by the Ossett Corporation Tramways Order 1904.
- PORTOBELLO AND MUSSELBURGH TRAMWAYS (PORT SETON EXTENSION).—Order authorising the Musselburgh and District Electric Light and Traction Company Limited to construct tramways in the County of Haddington the Burghs of Prestonpans and Cockenzie and Port Seton and the Parishes of Prestonpans and Tranent and for other purposes.
- ROCHDALE CORPORATION TRAMWAYS.—Order authorising the Mayor Aldermen and Burgesses of the Borough of Rochdale to construct additional tramways in the said borough.

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ALTRINCHAM URBAN DISTRICT COUNCIL.

*Altrincham
Urban District
Council.*

Order authorising the Urban District Council of Altrincham in the County of Chester to construct the Tramways in their District authorised by the Altrincham Urban District Council Tramways Order 1904.

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- Short title. 1. This Order may be cited as the Altrincham Urban District Council Tramways Order 1906.
- Promoters. 2. The urban district council of Altrincham shall be the Promoters for the purposes of this Order.
- Powers of construction, &c. 3. The whole of the sections and the schedule of the Altrincham Urban District Council Tramways Order 1904 with the exception of section 1 (Short title) and section 4 (Promoters) are hereby incorporated in this Order and this Order shall be read and construed as if such sections and schedule were specifically enacted and set out herein.

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DEWSBURY CORPORATION.

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*Dewsbury
Corporation.*

Order authorising the Mayor Aldermen and Burgesses of the Borough of Dewsbury to construct the Tramways in their Borough authorised by the Dewsbury Corporation Tramways Order 1904.

- Short and collective titles. 1. This Order may be cited as the Dewsbury Corporation Tramways Order 1906 and the Dewsbury Corporation Tramways Order 1904 and this Order may be jointly cited as the Dewsbury Corporation Tramways Orders 1904 and 1906.
- Promoters. 2. The mayor aldermen and burgesses of the borough of Dewsbury acting by the council shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."
- Powers of construction &c. 3. The whole of the sections and the schedule of the Dewsbury Corporation Tramways Order 1904 with the exception of section 1 (Short title) and section 4 (the Promoters) are hereby incorporated in this Order and this Order shall be read and construed as if such sections and schedule were specifically enacted and set out herein.
- Application of section 30 of Tramways Act 1870 to overhead wires. 4. Section 30 (except sub-sections 1 and 5 thereof) of the Tramways Act 1870 in its application to the tramways undertaking of the Promoters shall have effect as if wires or apparatus laid in a road included wires or apparatus erected or carried over a road or footpath.

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NEWCASTLE-UPON-TYNE CORPORATION.

A.D. 1906.

Newcastle-upon-Tyne Corporation.

Order authorising the Mayor Aldermen and Citizens of the City of Newcastle-upon-Tyne to construct additional Tramways in the said City.

- 5 1. This Order may be cited as the Newcastle-upon-Tyne Corporation Tramways Order 1906. Short title.
2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order. Incorporation of Acts.
- 10 3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings : Interpretation.
- 15 Provided that in this Order—
- The expression “the Act of 1899” “the Act of 1902” and “the Act of 1904” mean respectively the Newcastle-upon-Tyne Tramways and Improvement Act 1899 the Newcastle-upon-Tyne Corporation Tramways Extensions Act 1902 and the Newcastle-upon-Tyne Corporation Act 1904;
- 20 The expression “the tramways” means the tramways and works by this Order authorised;
- The expression “the corporation tramways” has the meanings assigned thereto by the Act of 1904;
- 25 The expression “the city” means the city of Newcastle-upon-Tyne;
- The expression “mechanical power” includes steam electrical and every other motive power not being animal power and the word “engine” includes motor.
4. The mayor aldermen and citizens of the city acting by the council shall be the Promoters for the purposes of this Order and are in this Order referred to as “the Promoters.” Promoters.
5. The Promoters may subject to the provisions of this Order construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order (which plans and sections are in this Order referred to respectively as “the deposited plans” and “the deposited sections”) the tramways hereinafter described with all necessary and proper rails plates sleepers channels tubes cables mains wires and electric lines junctions turntables turnouts crossings passing-places poles posts conduits section boxes tramway plant machinery apparatus appliances works and conveniences connected therewith or as may be necessary or proper therefor and for connecting and using the same with the Corporation Tramways. Construction of tramways.
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A.D. 1906.
 Newcastle-
 upon-Tyne
 Corporation.

Provided that nothing in this Order or in any Act wholly or in part incorporated herewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section. 5

The tramways will be wholly situated within the city and are as follows:—

A tramway (No. 1) (double line 1 furlong 5·10 chains in length) commencing in the parish of Saint Andrew by a junction with the termination of the existing Corporation tramway in Market Street at or near Pilgrim Street extending thence north-eastward along the line of the new street connecting Pilgrim Street with New Bridge Street into and terminating in the parish of All Saints in the last-named street by a junction with the existing tramway therein at a point thereon about 1¼ chains eastward of the centre of Trafalgar Street; 10 15

A tramway (No. 1A) (double line 1·35 chains in length) situated in the parish of Saint Andrew and commencing by a junction with the existing Corporation Tramway in Market Street at a point thereon about 1 chain westward from Pilgrim Street and passing in a south-easterly direction and terminating in the said Pilgrim Street by a junction with the existing Corporation Tramway about 1 chain south of Market Street; 20

A tramway (No. 1B) (double line 1·65 chains in length) situated in the parish of Saint Andrew and commencing by a junction with the existing Corporation Tramway in Pilgrim Street at a point about 1 chain north from Market Street and passing in a south-easterly direction and terminating in the said new street by a junction with the proposed tramway No. 1 at a point thereon about 1 chain east of Pilgrim Street. 25 30

Tramways to
 form part of
 Corporation
 Tramways.

6. Subject to the provisions of this Order the tramways shall for all purposes form part of the Corporation Tramways and the Promoters and their lessees and licensees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are subject and liable to with respect to the Corporation Tramways and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds and for the use of carriages placed and run thereon by them as they are authorised to demand and take in respect of the tramways authorised by the Act of 1902 Provided that nothing in this Order shall authorise the attachment of brackets wires and apparatus to any house or building without the consent of the owner and occupier thereof or the taking of any lands except by agreement. 35 40 45

[6 EDW. 7.]

Tramways Orders Confirmation.

7 A.D. 1906.

7. Section 20 (for protection of the Post-Office Telegraph Lines) of the Act of 1904 shall extend and apply to the tramways and to the Promoters in respect thereof.

Newcastle-upon-Tyne Corporation.
For protection of Post-master General.

5 8. The promoters may include in any mortgage of the local rate made under section 20 of the Tramways Act 1870 the tramway rate authorised by section 93 of the Act of 1899 and the revenue of their tramway undertaking.

Mortgage may include tramway rate and tramway revenue.

9 Before carrying any balance standing to the credit of the tramway revenue to the City Fund as authorised by the Act of 1899 the Promoters shall pay the interest on moneys borrowed by them under and provide the requisite instalments and sinking fund payments prescribed by the Act of 1899 and required in relation to any moneys borrowed under the provisions of this Order and section 92 (Application of tramway revenue) of the Act of 1899 shall be construed accordingly.

Application of tramway revenue.

15 10. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates tolls or charges authorised by this Order.

Saving for general Acts.

OSSETT CORPORATION.

Order authorising the Mayor Aldermen and Burgesses of the Borough of Ossett to construct the Tramways in their Borough authorised by the Ossett Corporation Tramways Order 1904.

Ossett Corporation.

25 1. This Order may be cited as the Ossett Corporation Tramways Order 1906 and the Ossett Corporation Tramways Order 1904 and this Order may be jointly cited as the Ossett Corporation Tramways Orders 1904 and 1906.

Short and collective titles.

30 2. The mayor aldermen and burgesses of the borough of Ossett acting by the council shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Promoters.

35 3. The whole of the sections and the schedule of the Ossett Corporation Tramways Order 1904 with the exception of section 1 (Short title) and section 4 (the Promoters) are hereby incorporated in this Order and this Order shall be read and construed as if such sections and schedule were specifically enacted and set out herein.

Powers of construction &c.

40 4. Section 30 (except sub-sections 1 and 5 thereof) of the Tramways Act 1870 in its application to the tramways undertaking of the Promoters shall have effect as if wires or apparatus laid in a road included wires or apparatus erected or carried over a road or footpath.

Application of section 30 of Tramways Act 1870 to overhead wires.

A.D. 1906. PORTOBELLO AND MUSSELBURGH (PORT SETON
EXTENSION).

*Portobello and
Musselburgh
(Port Seton
Extension).*

*Order authorising the Musselburgh and District Electric Light
and Traction Company Limited to construct Tramways in the
County of Haddington the Burghs of Prestonpans and Cockenzie
and Port Seton and the Parishes of Prestonpans and Tranent
and for other purposes.* 5

Short and col-
lective titles.

1. This Order may be cited as the Portobello and Musselburgh Tramways
(Port Seton Extension) Order 1906 and this Order and the Portobello and
Musselburgh Tramways Orders 1900 to 1905 may be cited jointly as the
Portobello and Musselburgh Tramways Orders 1900 to 1906. 10

Incorporation
of Acts.

2. The provisions of the Lands Clauses Acts (except with respect to the
purchase and taking of lands otherwise than by agreement and with respect
to entry upon lands by the Promoters of the undertaking) and of the
Tramways Act 1870 are hereby incorporated with this Order except where
the same are inconsistent with or expressly varied by this Order. 15

Interpretation.

3. The several words terms and expressions to which by the Acts in
whole or in part incorporated with this Order meanings are assigned have
in this Order the same respective meanings:

Provided that in this Order—

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The expression "the tramways" means respectively the tramways
and works by this Order authorised or (as the case may be) any
part thereof;

The expression "the undertaking" means the undertaking by this
Order authorised;

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The expressions "the Order of 1900" and "the Order of 1903"
mean respectively the Portobello and Musselburgh Tramways
Order 1900 confirmed by the Tramways Orders Confirmation
(No. 3) Act 1900 and the Portobello and Musselburgh Tramways
Order 1903 confirmed by the Tramways Orders Confirmation (No. 1)
Act 1903. 30

Promoters.

4. The Musselburgh and District Electric Light and Traction Company
Limited (in whom are now vested the undertakings authorised by the
Order of 1900 and the Order of 1903) shall be the Promoters for the
purposes of this Order and are in this Order referred to as the Promoters. 35

Lands by
agreement.

5. The Promoters may by agreement from time to time purchase and
acquire for the purposes of the undertaking such lands as they may
require and may from time to time sell or dispose of any such lands which
may not be necessary for such purposes Provided that they shall not at
any time hold for such purposes more than five acres of land in addition
to any lands they have acquired or may acquire under or for the purposes
of the Orders of 1900 and 1903 Provided always that nothing in this 40

A.D. 1906.

Act shall exonerate the Promoters from any indictment action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land acquired by them under this section.

*Portobello and
Musselburgh
(Port Seton
Extension).*

Construction of
tramways.

6. The Promoters may subject to the provisions of this Order construct and maintain in accordance with the plans and sections deposited for the purposes of this Order at the office of the Board of Trade, the tramways herein-after described with all proper rails plates sleepers junctions turntables turnouts crossings engine houses carriage houses apparatus works and conveniences connected therewith or for the purposes thereof and may work and use the same Provided that nothing in this Order or in any Act wholly or in part incorporated herewith shall extend to or authorise any interference with any works of any undertakers under the Electric Lighting Acts 1882 and 1888 and the Electric Lighting (Scotland) Act 1890 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

The tramways authorised by this Order are:—

Tramway No. 2.—Situatē in the parish of Prestonpans and county of Haddington commencing in the main road between Musselburgh and Port Seton at a point in such road where the boundary of the burgh of Musselburgh intersects that road passing thence in an easterly direction along the said main road between Musselburgh and Port Seton and terminating by a junction with the intended Tramway No. 3 at a point in such road where the boundary of the burgh of Prestonpans intersects the said road.

Tramway No. 2 is intended to be laid as a single line throughout excepting between the following points where such tramway is intended to be laid as a double line viz.:—

(a) Between two points in the before-mentioned road measured respectively 2 furlongs 4·62 chains or thereby and 3 furlongs 0·68 chains or thereby from the commencement of the tramway;

(b) Between two points in the before-mentioned road measured respectively 4 furlongs 1·20 chains or thereby and 5 furlongs 6·35 chains or thereby from the commencement of the tramway;

(c) Between two points in the before-mentioned road measured respectively 7 furlongs 7·56 chains or thereby and 1 mile 1 furlong 3·44 chains or thereby from the commencement of the tramway.

The total length of Tramway No. 2 is 1 mile 1 furlong 3·44 chains of which 5 furlongs 6·43 chains is single line and 3 furlongs 7·01 chains is double line.

Tramway No. 3.—Situatē wholly in the burgh of Prestonpans parish of Prestonpans and county of Haddington commencing by

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*Portobello and
 Musselburgh
 (Port Seton
 Extension).*

a junction with the intended Tramway No. 2 at its termination as before described passing thence in an easterly direction through the High Street of Prestonpans which street forms part of the main road between Musselburgh and Port Seton and terminating by a junction with the intended Tramway No. 4 at a point in such 5 street or road where the eastern boundary of the burgh of Prestonpans intersects the said street or road.

Tramway No. 3 is intended to be laid as a single line throughout excepting between the following points where such tramway is intended to be laid as a double line viz. :— 10

(a) Between two points in the before-mentioned street or road measured respectively 8·44 chains and 1 furlong 1·47 chains or thereby from the commencement of the tramway ;

(b) Between two points in the before-mentioned street or road measured respectively 1 furlong 7·59 chains or thereby and 2 furlongs 0·62 chains or thereby from the commencement of the tramway ; 15

(c) Between two points in the before-mentioned street or road measured respectively 4 furlongs 7·90 chains or thereby and 5 furlongs 0·93 chains or thereby from the commencement of the tramway ; 20

(d) Between two points in the before-mentioned street or road measured respectively 5 furlongs 7·37 chains or thereby and 6 furlongs 0·40 chains or thereby from the commencement of the tramway. 25

The total length of Tramway No. 3 is 6 furlongs 4·12 chains of which 5 furlongs 2 chains is single line and 1 furlong 2·12 chains is double line.

Tramway No. 4.—Situatè in the parish of Prestonpans and county 30 of Haddington commencing by a junction with the intended Tramway No. 3 at its termination as before described passing thence in an easterly direction along the said main road between Musselburgh and Port Seton and terminating by a junction with the intended Tramway No. 5 at a point in such road where the 35 boundary of the burgh of Cockenzie and Port Seton intersects the said road.

Tramway No. 4 is intended to be laid as a single line throughout excepting between the following points where such tramway is intended to be laid as a double line viz. :— 40

(a) Between two points in the before-mentioned road measured respectively 1 furlong 9·80 chains or thereby and 2 furlongs 2·83 chains or thereby from the commencement of said tramway ;

(b) Between two points in the before-mentioned road measured respectively 3 furlongs 8·63 chains or thereby and 4 furlongs 1·66 chains or thereby from the commencement of said tramway.

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 Portobello and
 Musselburgh
 (Port Seton
 Extension).

5 It is proposed to lay such tramway so that for a distance of more than 30 feet a less space than 9 feet 6 inches intervenes between the outside of the footpath and the nearest rail of the tramway at the following places:—

10 (a) On the north side of the road from a point 1 furlong 9·9 chains or thereby to a point 2 furlongs 2·73 chains or thereby both measured from the commencement of said tramway;

15 (b) On the north side of the road from a point 3 furlongs 8·8 chains or thereby to a point 4 furlongs 1·66 chains or thereby both measured from the commencement of said tramway;

(c) On the south side of the road from the commencement of said tramway to its termination.

20 The total length of Tramway No. 4 is 4 furlongs 1·66 chains of which 3 furlongs 5·60 chains is single line and 6·06 chains double line.

25 Tramway No. 5.—Situatè wholly in the burgh of Cockenzie and Port Seton parish of Tranent and county of Haddington commencing by a junction with the intended Tramway No. 4 at its termination as before mentioned passing thence in an easterly direction along the said main road between Musselburgh and Port Seton and terminating at a point 0·70 chains or thereby east of the line of the east wall of the gardens of Barracks House Port Seton.

30 Tramway No. 5 is intended to be laid as a single line throughout excepting between the following points where such tramway is intended to be laid as a double line viz. :—

35 (a) Between two points in the before-mentioned road measured respectively 1 furlong 1·65 chains or thereby and 1 furlong 4·68 chains or thereby from the commencement of said tramway;

40 (b) Between two points in the before-mentioned road measured respectively 2 furlongs 6·11 chains or thereby and 2 furlongs 9·14 chains or thereby from the commencement of said tramway;

(c) Between two points in the before-mentioned road measured respectively 4 furlongs 5·07 chains or thereby and 4 furlongs 8·1 chains or thereby from the commencement of said tramway.

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*Portobello and
Musselburgh
(Port Seton
Extension).*

It is proposed to lay such tramway so that for a distance of more than 30 feet a less space than 9 feet 6 inches intervenes between the outside of the footpath and the nearest rail of the tramway at the following places:—

- (a) On the north side of the road from the commencement of said tramway to its termination; 5
- (b) On the south side of the road from the commencement of said tramway to a point 3·3 chains or thereby from the commencement of said tramway;
- (c) On the south side of the road from a point 1 furlong 1·75 chains or thereby to a point 1 furlong 4·58 chains or thereby both measured from the commencement of said tramway; 10
- (d) On the south side of the road from a point 2 furlongs 6·3 chains or thereby to a point 2 furlongs 9·15 chains or thereby both measured from the commencement of said tramway. 15

The total length of Tramway No. 5 is 5 furlongs 4·20 chains of which 4 furlongs 5·11 chains is single line and 9·09 chains is double line. 20

For protection
of Royal
Observatory,
Edinburgh.

7.—(1) The Promoters shall not except with the approval of the Commissioners of Works erect any generating station or take a supply of energy from any generating station situate within the city of Edinburgh or within a distance of eight hundred yards from the boundary wall of the Royal Observatory on Blackford Hill Edinburgh unless the site for a generating station or the generating station from which the supply is to be taken is specified in an Act of Parliament or in an Order confirmed by or having the effect of an Act of Parliament. 25

(2) The Promoters shall not place or lay down any electric mains cables or wires within a distance of 400 yards from the boundary wall of the Royal Observatory on Blackford Hill Edinburgh without the previous approval of the Commissioners of Works. 30

For protection
of Haddington-
shire County
Council.

8. For the protection of the county council of the county of Haddington (in this section called "the county council") and the Western District Committee of the county council (in this section called "the district committee") as the road authorities within the said county the following provisions shall unless otherwise agreed between the county council and the Promoters apply and have effect in relation to so much of the tramways as is situate within the jurisdiction of the county council (which portion of the tramways is in this section referred to as "the tramways") :— 35

- (1) The Promoters shall have no claim against the county council or its committees for damage to the tramways or interruption 40

in their traffic arising from a breach in any sea walls vested in or under the control of the county council or the district committee or for damage arising from subsidence or for loss caused through regular operations of the county council or its committees and if it shall be found that the construction or working of the tramways has an injurious effect upon any such sea wall the Promoters shall be responsible for all damage caused thereby and the county council may execute such works for strengthening such sea wall as they may think necessary and the reasonable expense thereof shall be repaid to them by the Promoters :

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*Portobello and
Musselburgh
(Port Seton
Extension).*

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(2) The Promoters shall at their own expense form bottom and roll (but they shall not be bound to maintain except so far as such maintenance or the cost thereof is imposed upon or made payable by them by the Tramways Act 1870 or this Order) so much of the carriage way situate beyond the portions thereof which they are required to maintain as shall have been interfered with or disturbed by the operations of the Promoters in the construction of the tramways and works and shall in all cases restore or alter the contour of the roads where interfered with to the satisfaction of the county council :

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(3) All standards supports and posts to be erected by the Promoters shall be painted with two coats of paint of such colours and manner and so often (not being more than once in every three years) as the county council may require and if any standard support or post at any time after erection is in the opinion of the county council an obstruction to the ordinary traffic on the road the Promoters shall at their own expense on being required by the county council so to do alter the position thereof in such manner as the county council shall reasonably require :

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(4) The Promoters shall at their own expense if so required by the county council light by electricity the standards placed in any street or road within the jurisdiction of the county council at such places as in the opinion of the county council (or in case of difference between the county council and the Promoters in the opinion of the arbiter as hereinafter provided) may be dangerous to the public using such street or road :

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(5) Any paving metalling or material excavated by the Promoters in the construction of said tramways and other works and suitable for making concrete in connection with the construction of the tramways may be used by the Promoters for that purpose and all paving metalling or material not so used shall if required by the county council be delivered to the road

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*Portobello and
Musselburgh
(Port Seton
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surveyor of the county council and shall be deposited by the Promoters at any place within a radius of one mile which he shall appoint and the remainder shall be removed by the Promoters at their expense:

- (6) The Promoters shall at their own expense pave with whinstone setts and thereafter maintain to the satisfaction of the county council the several portions of road mentioned in section 28 of the Tramways Act 1870 and in addition where any part of the tramways is laid on either side of the road the whole space between the outer edge of the channel and the nearest rail of the tramways: 5
- (7) The Promoters shall at their own expense pave with whinstone setts to the satisfaction of the county council the whole width of the roads hereinafter mentioned but shall only be bound to maintain such portions thereof as are mentioned in that behalf in section 28 of the Tramways Act 1870 and the last preceding subsection (that is to say):— 15
- (A) The road in the burgh of Prestonpans in which Tramway No. 3 will be situate between the shop of Thomas Rennie 189 High Street and the eastern end of the passing place shown on the deposited plans as situate immediately east of Harlaw Hill; 20
- (B) The road in the parish of Prestonpans in which Tramway No. 2 will be situate from Ravenshaugh Bridge for a distance of 264 yards to the east thereof In the case of the road last mentioned the setts shall be laid upon a proper and sufficient bed of concrete and in addition to paving the roadway the Promoters shall also at their own expense for said distance properly form kerb and channel the footpath on the north side of such road to the reasonable satisfaction of the county council. 25
- (8) The Promoters shall at their own expense and to the satisfaction of the county council relay upon lines and levels to be approved by the county council any footpath where the same shall be disturbed by the operations or works of the Promoters: 35
- (9) The Promoters shall relieve and indemnify the county council and their committees of and from all liability to the public in respect of accidents due to the presence of the tramways in the road and not due to the default or negligence of the county council or its committees and shall also relieve and indemnify the county council and its committees of and from all liability to the public for accidents which may be caused by any depression or rut at the junction of the paving to be maintained by the Promoters with the portions of road maintained by the county council or any of its committees: 40 45

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*Portobello and
Musselburgh
(Port Seton
Extension).*
- 5 (10) The Promoters shall at their own expense and to the satisfaction of the district committee clean sand and water the several portions of the roads which the Promoters are by section 28 of the Tramways Act 1870 or by this Order required to maintain :
- 10 (11) All setts kerbs paving road metal or material used by the Promoters in the construction repair or maintenance of any road within the jurisdiction of the county council shall be obtained from quarries approved by the district committee :
- 10 (12) The Promoters shall during the construction of the tramways and the execution of any works leave such a sufficient and safe open carriage way as will admit of the usual traffic on the road being carried on without interruption :
- 15 (13) The Promoters shall repay to the county council all outlays which the county council may reasonably incur during the construction of the tramways and thereafter through the presence of the tramways on the road either on account of extraordinary traffic or by reason of the traffic being concentrated on a portion of the road and also all additional expenditure caused by the presence of the tramways on the road which may be incurred by the county council in the laying down repair or maintenance of sewers drains and other appliances under ground belonging to the county council as the same shall be certified by the road surveyor of the western district committee of East Lothian :
- 20 (14) If any bridge repairable by the county council or the district committee upon or along which any part of the tramways or any works or apparatus of the Promoters is or are laid be altered or rebuilt by the county council or the district committee the county council or the district committee may require the Promoters at their own expense to alter temporarily or permanently such part of the tramways or such works or apparatus in such manner as the county council or the district committee may reasonably require :
- 25 (15) The county council shall not be liable for any damage which the Promoters may sustain through the acts of the county council or the district committee in constructing re-constructing improving enlarging repairing or maintaining any road or bridge sewer drain pipe channel conduit or water or other works or through the use of steam rollers or scarifiers or the reasonable exercise of any rights functions powers or privileges vested or to be vested in the county council or district committee :
- 30 (16) The Promoters shall repay to the county council on demand all expenses that may be reasonably incurred by the county council or the district committee in connection with the supervision of the execution and future maintenance of the Promoters' works :
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*Portobello and
 Musselburgh
 (Port Seton
 Extension).*

- (17) The Promoters shall not without the consent of the county council or of the district committee having control of the roads use salt or any other material for thawing ice or snow on any road on which the tramways are laid :
- (18) The Promoters shall at their own expense widen the bridge at Ravenshaugh by extending the archway thereof southwards to the wall of Colonel Aitchison's property and shall also strip the bridge and give the whole arch to the loading on the haunches a coating of cement concrete nine inches thick and shall thereafter replace the metal on the bridge and roll in the same to the satisfaction of the county council : 5 10
- (19) The Promoters shall at their own expense lower the wall on the south side of the road between Ravenshaugh House and the double line shown on the deposited plans immediately to the east of such house so that such wall shall not exceed five feet in height for the distance shown on the plan referred to in the next subsection : 15
- (20) The Promoters shall at their own expense concurrently with the construction of the tramways execute and carry out the several road widenings shown on the plan dated 6th March 1906 and signed by John D. Watson and Thomas Callen on behalf of the county council and Alexander Guild writer to the signet and William Allan Carter on behalf of the Promoters (a copy of which has been deposited with the Board of Trade) and shall for that purpose acquire and dedicate to the public such lands and construct and execute such footpaths kerbs channels and other works as shall be necessary or proper and shall complete the said road widenings in all respects to the satisfaction of the county council and the tramways shall not be opened for public traffic until the said road widenings have been completed in manner aforesaid : 20 25 30
- (21) The Promoters shall at their own expense rebuild the bridge or culvert over the Redburn in the burgh of Prestonpans to the reasonable satisfaction of the county council :
- (22) Notwithstanding anything shown on the deposited plans the Promoters shall construct their tramways so far as within the burgh of Prestonpans as a single line with passing places in such position in the road as the Board of Trade and the county council shall approve but if after the said tramways have been in regular working operation for a reasonable time and not less than 12 months after the opening for public traffic it shall in the opinion of the county council be found that a single line cannot be worked without unreasonable interference with or inconvenience to the ordinary street 35 40

5 traffic then the Promoters shall be bound on the requisition
of the county council to lay down a double or interlacing
line of tramway in such position in the road as the Board of
Trade and the county council shall approve. Provided that
10 if the Promoters shall be dissatisfied with the opinion of the
county council that a single line cannot be worked without
such interference or inconvenience the Promoters may appeal
to the Board of Trade but in the event of the Board of Trade
deciding against the county council the county council may
15 at any later date require the matter to be reconsidered by the
Board of Trade and after any such reconsideration the Board
of Trade may require the Promoters to lay down a double or
interlacing line :

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—
*Portobello and
Musselburgh
(Port Seton
Extension).*

15 (23) The Promoters shall be bound to execute such other works upon
the roads in which the tramways will be situate or the
footpaths thereof in addition to those hereinbefore provided
for as may be required by the county council as in their
opinion necessary owing to the presence of the tramways in
20 said roads and such works shall be specified in a schedule to
be furnished by the county council to the Promoters within two
months from the commencement of this Order and if no such
schedule shall be delivered within the said period all further
obligations on the Promoters shall be held as discharged
25 Provided that the Promoters may in lieu of executing the
works so to be specified in said schedule pay to the county
council the sum of five hundred pounds in full satisfaction of
their obligations under this subsection and in order that the
county council may execute such works in the said roads as
they may think fit :

30 (24) If any difference shall arise between the Promoters and the
county council or the district committee under this section
such difference shall be referred to arbitration.

9. For the protection of the provost magistrates and councillors of
the burgh of Prestonpans (hereinafter referred to as "the corporation")
35 the following provisions shall unless otherwise agreed between the
Promoters and the corporation apply and have effect (that is to say) :—

For protec-
tion of burgh
of Prestonpans.

40 (1) Notwithstanding anything contained in sections 30 and 31 of
the Tramways Act 1870 or in this Order the Promoters
shall not in making forming laying down maintaining repairing
or renewing the tramways or any part thereof themselves alter
or interfere with (1) the then existing lines or levels of the
mains aqueducts conduits or lines of pipes and apparatus
connected therewith or any of them conveying water to and
through the burgh including consumers' pipes or (2) the then

(66.)

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*Portobello and
Musselburgh
(Part Seton
Extension).*

- existing lines or levels of the sewers drains watercourses
subways defences or works within the burgh and connections
therewith nor shall the Promoters injuriously affect or
interrupt (1) the supply of water conveyed by the said
mains aqueducts and others including consumers' pipes or 5
(2) the sewerage or drainage of the burgh and any duplication
or alteration or removal or relaying of or interference with
(1) the said mains aqueducts and others including consumers'
pipes or (2) the said sewers drains and others and connections
therewith as may be necessary in consequence of the con- 10
struction and maintenance of the tramways or as may be
required by the Promoters shall be executed by the corporation
at the expense of the Promoters and the corporation shall at
all times have right of access to (1) such mains aqueducts and
others including consumers' pipes and (2) such sewers drains 15
and others and connections therewith and to the roads on
which the tramways are laid for the duplication extension
renewal repair enlargement alteration and maintenance of the
same and for making new connections and laying additional
pipes when and wherever they shall see fit and the cost of 20
duplications extensions renewals repairs enlargements altera-
tions and maintenance of (1) such mains aqueducts and others
(including consumers' pipes) and (2) such sewers drains and
others and connections therewith laid before the construction of
the tramways shall be borne and paid to the corporation by 25
the Promoters to the extent to which such cost has been caused
in any manner of way by their works and in all cases where
works are to be executed by the corporation at the cost of the
Promoters they shall use every means in their power to have
the works executed as economically as possible and with all 30
reasonable dispatch :
- (2) The Promoters shall at their own expense place manholes giving
access to and communication with the sewers and drains within
the burgh of Prestonpan on the route of the tramways where
same may be found necessary and failing agreement at such 35
places as may be fixed by the referee to be appointed as herein-
after provided for :
- (3) The size position design construction and colour as well as the
placing and erection of all posts standards wires supports
brackets and other apparatus on the line of the tramways so 40
far as within the burgh shall be subject to the approval of and
be first approved of by the corporation and the corporation
shall be entitled to the free use for themselves and others of
such posts standards supports and brackets for lighting purposes
Provided said use does not materially interfere with the efficient 45

working of the tramways and the position of such posts and others shall be altered at the expense of the Promoters when reasonably required by the corporation:

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Musselburgh
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Extension).*

5 (4) When the Promoters open or break up any footpath or footway within the burgh for the erection or repair of any post or standard or for any other purpose after the construction of the tramways they shall within three days after the same has been opened or broken up restore the same to as good a condition as that in which it was before it was opened or broken up and
10 any road or street within the burgh opened up by the Promoters either during the construction of the tramways or afterwards shall be restored with all reasonable dispatch and in case the Promoters shall make any default in restoring any such footpath footway or road or street the corporation shall restore the same as aforesaid at the expense of the Promoters:

15 (5) In all cases of disputes between the corporation and the Promoters in regard to the compliance by the Promoters with the terms of this Order the matter shall be referred by the parties to the Board of Trade or to any single referee who shall be appointed
20 by the Board of Trade who shall decide the matter on the application of either party and whose decision shall be final and conclusive.

25 10. For the protection of the provost magistrates and councillors of the burgh of Cockenzie and Port Seton (in this section referred to as "the corporation") the following provisions shall unless otherwise agreed between the Promoters and the corporation apply and have effect (that is to say):—

*For protec-
tion of burgh
of Cockenzie
and port of
Seton.*

30 (1) The provisions of section 9 (For protection of burgh of Prestons) of this Order shall apply to the corporation as if they were herein re-enacted with the substitution of the corporation and the burgh for the corporation and burgh in that section referred to:

35 (2) The Promoters shall be bound at their own expense if required by the corporation to light by electricity the standards or poles placed on any roadway within the burgh at all points which in the opinion of the corporation (or in case of dispute between the corporation and the Promoters in the opinion of an arbiter as by section 9 (5) of this Order provided) are dangerous all to the satisfaction of the corporation from half an hour after
40 sunset to half an hour before sunrise every day continuously during the hours that cars are running on the tramways.

11. Unless otherwise agreed between the county council of the county of Haddington and the western district committee of the county council of that county (in this section referred to as "the owners") and the Promoters the provision of section 8 (For the protection of the water mains and pipes
45 of the Edinburgh District Water Trustees) of the Order of 1900 shall apply

*For protec-
tion of water
mains and
pipes.*

*Portobello and
Musselburgh
(Port Seton
Extension).*

to the mains aqueducts conduits or lines of pipes and apparatus of the owners as if such section were enacted by this Order with the substitution of the owners for "the water trustees."

For protec-
tion of gas
mains and
pipes.

12. Unless otherwise agreed between the Prestonpans Gas Light Company (in this section referred to as "the owners") and the Promoters the provisions of section 10 (For the protection of the gas mains and pipes of the Edinburgh and Leith Corporation Gas Commissioners) of the Order of 1900 shall apply to the gas mains and pipes of the owners as if such section were enacted by this Order with the substitution of the owners for "the gas commissioners."

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For protec-
tion of Sum-
merlee Iron
Company
Limited.

13. For the protection of the Summerlee Iron Company Limited their successors and assignees (in this section referred to as the "colliery company") the following provisions shall unless otherwise agreed between the Promoters and the colliery company apply and have effect (that is to say):—

15

(1)—(A) In the construction and maintenance of the tramways the Promoters shall cause as little detriment to the railways of the colliery company, and shall do as little damage thereto and cause as little interference with or interruption to the user of the same as may be and make good any damage so caused;

20

(B) The colliery company shall have liberty at any time to reconstruct or repair their railways as necessity may arise Provided that except in case of emergency the colliery company shall give to the promoters seven days' notice of any work of reconstruction or repair about to be undertaken by them and in carrying out the works necessary for any such reconstruction or repair the colliery company shall execute the same with the utmost dispatch and shall execute and carry out the same in such manner as to cause the least possible delay to the traffic on the tramways and shall forthwith make good all damage to and interference with the tramways:

25

30

(2) Notwithstanding anything contained in this Order the colliery company desiring to construct a colliery railway across any road along which any of the tramways are by this Order authorised to be constructed and having the consent and approval of the road authority may with the consent of the Promoters (which consent shall not be unreasonably withheld) and under the supervision of the engineer of the Promoters construct the same across the tramway in such position and manner and at such times as the Promoters may reasonably require and upon and subject to such terms and conditions as they may reasonably impose Provided that if any difference shall arise between the colliery company and the Promoters as to whether the Promoters' consent is unreasonably withheld or as to the reasonableness of their requirements or of the terms and conditions sought to be imposed the same shall be determined by an arbiter mutually

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- 5 agreed upon And in the event of the parties failing to agree upon an arbiter by an arbiter appointed by the Board of Trade Provided further that all damage to or interference with the tramway or works of the Promoters caused by any works of the colliery company for or in connection with any such construction shall forthwith be made good by the colliery company.
- 10 14. Subject to the provisions of this Order the provisions of the sections of the Order of 1900 and of the Order of 1903 the numbers and marginal notes whereof are set out in the schedule hereto shall so far as they are applicable in that behalf extend and apply *mutatis mutandis* to the tramway and undertaking by this Order authorised in like manner in every respect as if the tramway and undertaking by this Order authorised formed part of the tramways and undertaking authorised by the Order of 1900 Provided that in the application of the said provisions the expressions "the tramways" the "undertaking" and "this Order" shall be construed to mean respectively the tramway and the undertaking by this Order authorised and this Order.
- 20 15. Section 30 (except subsections 1 and 5 thereof) of the Tramways Act 1870 in its application to the tramways and the undertaking of the Promoters shall have effect as if wires or apparatus laid in a road included wires or apparatus erected or carried over a road or footpath.
- 25 16. The tramways by this Order authorised shall for the purposes of the traffic and of the rates and charges to be demanded and taken thereon be deemed to form part of the undertaking of the Promoters authorised by the Order of 1900 and the provisions of the Order of 1900 by this Order applied shall so far as applicable extend and apply to the tramway by this Order authorised and to the traffic upon the same and to the rates and charges authorised to be demanded and taken in respect of such traffic in like manner and in every respect as if the tramways authorised by this Order formed part of the tramways authorised by the Order of 1900 Provided that the Promoters shall not charge more than twopence for the journey from Ravenshaugh Bridge to the eastern boundary of the burgh of Prestonpans or more than threepence for the whole journey from terminus to terminus of the tramways by this Order authorised.
- 30 17. In the event of the Promoters granting on the tramways authorised by the Order of 1900 rates for passengers minerals or goods lower than those actually charged from time to time on the tramways authorised by this Order or granting greater privileges or facilities on the said first mentioned tramways the Promoters shall forthwith be bound to apply the said lower rates privileges and facilities to the tramways authorised by this Order so that these tramways may always occupy an equally favoured position.
- 45 18.—(1) The Promoters shall run each day in the week (with the exception of Sundays when the service of cars shall be such as the Pro-

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*Portobello and
Musselburgh
(Port Seton
Extension).*Extending to
this Order
certain pro-
visions of
Orders of 1900
and 1903.Application of
Section 30 of
Tramways
Act 1870 to
overhead wires.Tramways to
be deemed part
of tramways
authorised by
Order of 1900
as regards
traffic and rates
and charges.Protection
against differ-
entiation in
rates.

Service of cars.

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Portobello and
Musselburgh
(Port Seton
Extension).

motors may consider necessary) between the hours of eight in the morning and ten in the evening at least one car each way over the tramways every thirty minutes during these hours The Promoters shall be liable to a penalty not exceeding one pound for every day on which they do not run such number of cars as aforesaid in accordance with the provisions of this section Provided always that the Promoters shall not be liable to any such penalty if the failure to run such number of cars arises from circumstances over which the Promoters have no control. 5

(2) Before and after the hours aforesaid the Promoters shall run such a number of cars over the tramways as the reasonable convenience of the public may require and further the Promoters shall run a car from the western terminus to the eastern terminus of the tramways to convey passengers travelling to Port Seton by the latest car at night which may run on the tramways of the corporation of Edinburgh or their lessees to the terminus at Portobello. 10 15

(3) Any question which may arise as to the service of cars required in the public interest may be determined on the application of the Promoters or of the local authority or any other body or person by the Board of Trade whose decision shall be final and conclusive.

As to purchase
by local
authority.

19. Notwithstanding anything in the Tramways Act 1870 contained— 20

(1) The powers of purchase given by section 43 of the Tramways Act 1870 shall not be exercisable by the local authority until the expiration of forty-two years from the passing of the Act confirming this Order The period of twenty-one years in 43rd section of the Tramways Act 1870 mentioned shall be deemed to be the period of forty-two years from the passing of the Act confirming this Order and the periods of seven years in such section mentioned shall be deemed to be the periods of seven years subsequent to such period of forty-two years: 25 30

(2) Notwithstanding the preceding provisions of this section the powers of purchase given by section 43 of the Tramways Act 1870 shall be exercisable by the local authority at the expiration of periods of fourteen twenty-one and twenty-eight years from the passing of the Act confirming this Order upon the terms prescribed by subsection 3 of this section and in such case the period and the terms of purchase in the said section 43 mentioned shall as regards so much of the undertaking as aforesaid be deemed to be the respective periods and terms of purchase by this section prescribed: 35 40

(3) The price to be paid on any such purchase shall be—

(A) A sum equal to the actual cost of the land buildings works material rolling stock and plant purchased after deducting a reasonable sum for depreciation; and

- (B) In respect of goodwill an additional sum equal (1) in the case of a purchase on the expiration of a period of fourteen years to the net profits of the undertaking during the four years immediately preceding the purchase and (2) in the case of a purchase on the expiration of a period of twenty-one years to the net profits of the undertaking during the two years immediately preceding the purchase and (3) in the case of a purchase on the expiration of a period of twenty-eight years to the net profits of the undertaking during the year immediately preceding the purchase.
- (4) If any question arises as to the price to be paid on any such purchase that question shall be referred to arbitration and if any other question arise with regard to the purchase that question may be settled by the Board of Trade.

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*Portobello and
Musselburgh
(Port Seton
Extension).*

20. In the event of the Promoters desiring to exercise the power of sale conferred by section 44 of the Tramways Act 1870 they shall as regards the tramways within the districts of the respective local authorities give to each such local authority six calendar months' previous notice of their intention to exercise such power and of the terms and conditions of such proposed sale and each such local authority may thereupon if by resolution passed at a special meeting of the members constituting such local authority in accordance with the provisions of section 43 of the Tramways Act 1870 they so decide within the said period of six months by notice in writing require the Promoters to sell to them the tramways so far as they are situate within the district of such local authority upon the same terms and conditions as those specified in the said first-mentioned notice and the Promoters shall forthwith sell the same to such local authority accordingly and all the provisions of section 43 of the Tramways Act 1870 with regard to the purchase of the undertaking by the local authority shall extend and apply to any sale to a local authority under this section.

Local
Authority have
right to pur-
chase in event
of contemplated
sale.

21. Subject to the provisions of this Order the Promoters may enter into and carry into effect agreements with any local authority company body or person authorised by Provisional Order or Act of Parliament to supply electrical power (in this section called "the undertakers") in whose limits for the supply of electricity the tramways or any part thereof are situate for or with respect to all or any of the following purposes and all matters incidental thereto (that is to say):—

As to supply
of electrical
energy.

- (1) The supply by the undertakers of electrical power to the Promoters for the purposes of their tramways so far as situate within the area of supply of such undertakers:
- (2) The payments to be made or other consideration to be given in respect of any such supply.

A.D. 1906.

*Portobello and
Musselburgh
(Port Seton
Extension).*SCHEDULE.SECTIONS OF THE ORDERS OF 1900 AND 1903 EXTENDED TO
THIS ORDER.

Section.	Marginal Note.	
	ORDER OF 1900.	5
13	Gauge and width of carriage.	
14	Provisions as to construction of tramways.	
15	As to rails of tramways.	
16	Penalty for not maintaining rails and road in good condition.	
17	Right of access to sewers &c.	10
18	Tramways to be kept on level of surface of road.	
20	Crossovers to be constructed in certain cases.	
22	Temporary tramways may be made when necessary.	
23	Application of road materials excavated in construction of works.	
24	As to removal of snow &c.	15
25	Tramways not to be opened until certified by the Board of Trade.	
26	Provisions as to motive power.	
27	Mechanical power works.	
28	As to posts standards and brackets.	
29	Mechanical power works to be subjected to section 30 of the tramways Act 1870.	20
30	Byelaws.	
31	Amendment of the Tramways Act 1870 as to byelaws by local authority.	
32	Special provisions as to use of electrical power.	25
33	For the protection of the Postmaster General as amended by section 11 of the Order of 1903.	
34	Traffic upon tramways.	
35	Promoters not bound to carry animals goods &c.	
38	As to stopping-places.	30
39	Rates for passengers (except the proviso).	
40	As to fares on Sundays and holidays.	
41	Passengers' luggage.	
42	Cheap fares for the labouring classes.	
43	Rates and charges for animals goods &c.	35
44	Payment of rates and charges.	
45	Periodical revision of rates and charges.	
48	Agreements with road authorities.	
49	Working agreements.	
50	Saving as to powers of borrowing on mortgage.	40
51	Orders &c. of the Board of Trade.	

[6 EDW. 7.]

Tramways Orders Confirmation.

25

Section.	Marginal Note.	A.D. 1906.
	ORDER OF 1900— <i>continued.</i>	<i>Portobello and Muselburgh (Port Seton Extension).</i>
52	Recovery of penalties.	
53	Form and delivery of notices.	
54	Provisions as to arbitration.	
55	Saving for general acts. Schedule.	
	ORDER OF 1903.	
10	Power to make additional crossings and to alter tramway lines.	

10

ROCHDALE CORPORATION.

Order authorising the Mayor Aldermen and Burgesses of the Borough of Rochdale to construct additional Tramways in the said Borough. *Rochdale Corporation.*

1. This Order may be cited as the Rochdale Corporation Tramways Order 1906. Short title.

2. The provisions of the Lands Clauses Acts (except with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) and of the Tramways Act 1870 are hereby incorporated with this Order except where the same are inconsistent with or expressly varied by this Order. Incorporation of Acts.

3. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order meanings are assigned have in this Order the same respective meanings: Interpretation.

Provided that in this Order—

25 The expression "the Act of 1900" means the Rochdale Corporation Act 1900;

The expression "the Order of 1904" means the Rochdale Corporation Tramway Order 1904;

30 The expression "the tramways" means the tramways and works by this Order authorised or (as the case may be) any part thereof;

The expression "the Corporation tramways" has the meaning assigned to it by the Act of 1900;

The expression "the borough" means the borough of Rochdale.

(66.)

D

Rochdale Corporation.
Promoters.

4. The mayor aldermen and burgesses of the borough acting by the council shall be the Promoters for the purposes of this Order and are in this Order referred to as "the Promoters."

Construction of tramways.

5. The Promoters may subject to the provisions of this Order maintain the portion already constructed of the tramways hereinafter described and may construct and maintain in accordance with the plans and sections deposited at the office of the Board of Trade for the purposes of this Order as the same have been amended previously to the passing of the Act confirming this Order (which plans and sections so amended as aforesaid are in this Order respectively referred to as "the deposited plans" and "the deposited sections") the remaining portions of the tramways hereinafter described with all proper rails plates sleepers channels (including in that expression channels passages and tubes for ropes cables and electric lines) junctions turntables turnouts crossovers and passing places carriages works mechanical appliances waiting rooms sheds shelters plant and conveniences connected therewith as may be necessary or proper therefor and for connecting and using the same with the Corporation tramways Provided that nothing in this Order or in any Act wholly or in part incorporated herewith shall extend to or authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the Act of 1882 apply except in accordance with and subject to the provisions of that section.

The tramways by this Order authorised to be maintained or constructed and maintained are situate in the borough and are—

Tramway No. 1 (being a portion of the Tramway No. 15 described in and authorised by the Act of 1900 and in part already constructed) commencing in St. Mary's Gate by a junction with the existing tramway of the Promoters at a point 6 yards or thereabouts westward from the western side of Albert Street passing thence in an easterly direction along St. Mary's Gate and into and along Blackwater Street and terminating in Lord Street at a point 63 yards or thereabouts southward from the southern side of Barrack Yard being the point at which the tramway as constructed terminates and the Promoters may notwithstanding anything contained in sections 9 and 10 of the Act of 1900 maintain work and use the said tramway as if the provisions of those sections had been complied with.

Tramway No. 1 is a single line except between the points hereinafter specified where it is a double line (that is to say):—

In St. Mary's Gate and Blackwater Street between a point 23 yards or thereabouts eastward from the eastern side of Albert Street and a point 9 yards or thereabouts northward from the northern side of Half Moon Yard.

Tramway No. 1 is 9.42 chains in length of which 2.10 chains will be double line and 7.32 chains single line.

Tramway No. 3 commencing in Maclure Road by a junction with the northernmost rails of the existing tramway of the Promoters at a point 6 yards or thereabouts north-westward from the north-western side of Station Road passing thence northward along Maclure Road thence into and northward along an intended new street to be formed between Maclure Road and Richard Street thence into and north-westward along Richard Street thence into and north-eastward along Drake Street and terminating in that street by a junction with the existing tramway of the Promoters at a point 37 yards or thereabouts north-eastward from the south-western side of Richard Street.

A.D. 1906:
 —
Rochdale Corporation.

Tramway No. 3 will be laid as a single line except between the points hereinafter specified where it will be laid as a double line (that is to say) :—

In Richard Street and Drake Street between a point 26 yards or thereabouts south-eastward from the south-eastern side of Drake Street and the termination of the tramway.

Tramway No. 3 will be 1 furlong and 4·80 chains in length of which 2·48 chains will be double line and 1 furlong 2·32 chains single line.

Tramway No. 3A commencing in Maclure Road by a junction with the southernmost rails at the existing tramway of the Promoters at a point 1 yard or thereabouts eastward from the western side of such road at its junction with Lower Tweedale Street passing thence north-eastward along Maclure Road and terminating in that road by a junction with Tramway No. 3 at a point 36 yards or thereabouts northward from the north-western side of Station Road.

Tramway No. 3A will be 1·34 chains in length and will be single line throughout.

6. Subject to the provisions of this Order the tramways shall for all purposes form part of the Corporation tramways and the Promoters and their lessees and licensees may in respect of the tramways exercise and enjoy all and the like powers rights privileges and authorities which they now may or are empowered to exercise and enjoy and shall be subject and liable to the like penalties conditions restrictions and stipulations as they are subject and liable to with respect to the Corporation tramway and may demand take and recover in respect of the tramways or any part or parts thereof the like tolls rates and charges for the use thereof and for the conveyance thereon of traffic of all kinds and for the use of carriages placed and run thereon by them as they are authorised to demand and take in respect of the tramways authorised by the Act of 1900 Provided that nothing in this Order shall authorise the attachment of brackets wires and apparatus to any house or building without the consent of the owner and occupier thereof or the taking of any lands except by agreement.

Tramways to form part of Corporation tramways.

A.D. 1906.
 ———
Rochdale Corporation.
 Saving for general Acts.

7. Nothing in this Order contained shall exempt the Promoters or any person using the tramways or the tramways from the provisions of any general Act relating to tramways passed before or after the commencement of this Order or from any future revision or alteration under the authority of Parliament of the maximum rates or charges authorised by this Order.

5

Tramways Orders Confirmation. [H.L.]

A

B I L L

INTITLED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Tramways Act 1870 relating to Altrincham Urban District Council Tramways Dewsbury Corporation Tramways Newcastle-upon-Tyne Corporation Tramways Ossett Corporation Tramways Portobello and Musselburgh Tramways (Port Seton Extension) and Rochdale Corporation Tramways.

The Lord Granard (E. Granard).

Ordered to be printed 3rd May 1906.

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[*Price 3d.*]

(66.)

[6 EDW. 7.] *Ure Elder Fund Order Confirmation.* [H.L.] 1

A

B I L L

INTITULED

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Ure Elder Fund. A.D. 1906.

WHEREAS His Majesty's Secretary for Scotland has made the Provisional Order set forth in the Schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict.
c. 47.

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 as follows:—

10 **1.** The Provisional Order contained in the Schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation
of Order in
Schedule.

2. This Act may be cited as the Ure Elder Fund Order Confirmation Act 1906. Short title.

A.D. 1906.

SCHEDULE.

URE ELDER FUND.

Provisional Order for incorporating the Trustees of the Ure Elder Fund for Indigent Widow Ladies for regulating the Fund and conferring powers on the Trustees and for other 5 purposes.

WHEREAS the deceased Isabella Ure or Elder LL.D. widow of John Elder engineer and shipbuilder in Glasgow (hereinafter called the testatrix) by her trust disposition and deed of settle- 10 ment dated the twenty-second day of February one thousand nine hundred and four assigned and disposed to and in favour of Sir James Bell Baronet of Montgreenan in the county of Ayr (therein designed residing at No. 7 Marlborough Terrace Glasgow) Sir David Richmond Knight residing at Broompark Pollokshields Glasgow John Gray M'Kendrick M.D. professor of physiology in 15 the University of Glasgow and Alexander M'Grigor of Cairnoch in the county of Stirling (therein designed writer in Glasgow) and such other person or persons as might thereafter be nominated by her or assumed into the trust thereby created and the acceptors and acceptor survivors and survivor of them (the major 20 number of them accepting and surviving and resident in Great Britain from time to time being a quorum) and the heir of the survivor as trustees and trustee for the ends uses and purposes therein mentioned (the said trustees and their foresaids and their quorum being herein referred to as "her trustees") all and 25 sundry the whole estate heritable and moveable real and personal which might belong to her at the time of her decease with the writs titles and vouchers thereof and she nominated and appointed her trustees to be her executors and executor And the testatrix after directing payment of her debts sickbed and funeral expenses 30 and the expenses of the trust thereby created and bequeathing certain annuities amounting in the whole to six hundred and twenty pounds per annum and legacies therein mentioned directed her trustees to invest the necessary amounts to secure such annuities in British consols and that on the expiry of the several 35 annuities the respective amounts set aside to secure the same

should fall into and form part of the residue of her said means and estate and as it was her wish that the burial ground in the Glasgow Necropolis along with the monument erected thereon should always be kept in good order requested her trustees to
 5 make such arrangements with the Merchants' House or other body by payment of a capital sum or otherwise as would enable this to be given effect to And inter alia after reciting that it had been for some time her intention to devote at her death the residue of her means and estate to some benevolent object said
 10 bequest to be in memory of her brother's great regard for her husband and to bear the name of "Ure Elder" and that after long and careful deliberation she had determined to devote said residue to the relief and succour of indigent widow ladies connected with either Glasgow or Govan the testatrix directed
 15 her trustees so soon as might be convenient after her death to pay over said residue either in whole or in such instalments as they might find convenient to a body of trustees consisting of the lord provost of Glasgow for the time being who should be a trustee ex officio and twelve others (therein called "the Trustees
 20 of the fund") of whom six should be ladies and six gentlemen to be appointed two ladies and two gentlemen by the lord provost and magistrates of the city of Glasgow two ladies and two gentlemen by the Faculty of Physicians and Surgeons of Glasgow and two ladies and two gentlemen by the Faculty of Procurators of
 25 Glasgow such body of trustees being incorporated for the purpose of receiving payment and accepting a conveyance of the said residue and of managing the same as a fund to be called "The Ure Elder Fund for Indigent Widow Ladies" for the relief of indigent widow ladies connected with Glasgow or
 30 Govan who have not an income of fifty pounds per annum Declaring that the whole conditions regulations and rules for the management and investment of said fund and the distribution and application of the income and interest thereof the regulations for the appointment conduct rotation and retiral
 35 of the Trustees of the fund the number of Trustees to form a quorum as well as the period for which they should hold office all details regarding the appointment and powers of a chairman and office bearers and generally every other matter whatever connected with the management of the fund and the distribution
 40 and application of the income thereof to the recipients of the same should be set forth in a deed or deeds of mortification to be executed by her trustees with all convenient speed but that before

A.D. 1906. payment of said residue or any part thereof to the Trustees of the fund the said deed or deeds of mortification should be accepted by the Trustees of the fund as the conditions and regulations of that bequest Declaring further that her Trustees should be entitled and they were thereby authorised and empowered to confer upon 5 the Trustees of the fund (who should be considered to be gratuitous Trustees) as full and ample powers of investment and management with regard to the said bequest as she could herself confer upon them and especially without prejudice to foresaid generality her trustees should be entitled to confer upon the Trustees of the fund 10 power to appoint any one of her trustees secretary of the fund and to give him a reasonable remuneration for his trouble And the testatrix declared that she had specially directed that six ladies should be included among the Trustees of the fund as she wished them to take upon themselves the special duty of visiting the 15 applicants and recommending for benefit those whom they might consider most deserving it being her opinion that this special work could be more conveniently accomplished by ladies than by gentlemen and that her wish was that these ladies should take a kindly interest in the applicants they had recommended and who 20 were accepted by visiting them and advising where such would be acceptable and appreciated or promote the welfare of the applicants in any way and so more completely carry out her idea of sympathetic aid And further declaring that while it was her wish and desire that her trustees should be absolutely unfettered 25 in the instructions and regulations which they might consider it necessary to insert in the deed or deeds of mortification aforesaid yet she would recommend that natives or widows of natives of Glasgow or Govan should have the preference that a preference should also be given to those indigent widow ladies connected as 30 aforesaid with Glasgow or Govan who were aged invalided or burdened with large families that no smaller sum than twelve pounds sterling or larger sum than twenty pounds sterling per annum should be voted to each widow lady but that gifts in money in addition might be given in cases of great necessity arising 35 from sickness death or other serious emergency that in the event of two relatives living together applying for the benefit of the fund the amount to be allotted to them jointly per annum should be the said sum of twelve pounds or such other increased sum up to twenty pounds as aforesaid as the case might be together with 40 one-half of the amount of such sum added thereto and that it was also her opinion that no part of the capital or income of the

said fund should be expended on building purchasing or furnishing homes for indigent widow ladies as she considered that the purposes of the fund might be best secured by the expenditure of the income in grants to indigent widow ladies residing in their own homes or with friends Declaring that if her trustees should find any difficulty in drawing and executing the deed or deeds of mortification before mentioned or if they thought it would be conducive towards the proper establishment and working of the Ure Elder Fund for Indigent Widow Ladies then and in either of those events or if her trustees should otherwise deem it expedient for any reason whatever the testatrix authorised her trustees to apply for and obtain an Act of Parliament for the constitution and regulation of the fund and to pay the expenses of such Act out of the residue of her estate :

A.D. 1906.
—

And whereas by a codicil dated the twenty-second day of July one thousand nine hundred and four the testatrix inter alia nominated and appointed John Macintyre M.B. C.M. 179 Bath Street Glasgow to be one of her trustees and executors with all the rights privileges and immunities conferred upon her trustees in her said trust disposition and deed of settlement and directed her trustees to convey a piece of vacant land at Govan as therein mentioned but did not otherwise alter or affect the provisions contained in her said trust disposition and deed of settlement :

And whereas the testatrix died on the eighteenth day of November one thousand nine hundred and five without leaving any testamentary writing other than the said trust disposition and deed of settlement and codicil hereinbefore mentioned :

And whereas the said Sir James Bell Sir David Richmond John Gray M'Kendrick Alexander M'Grigor and John Macintyre by minutes under their hands dated the twenty-second day of November one thousand nine hundred and five accepted of the offices of trustees and executors conferred upon them by the said trust disposition deed of settlement and codicil and in virtue thereof have taken possession of the property of the testatrix and are proceeding to carry out the purposes of the trust but the residue of the estate payable to the Trustees of the fund cannot yet be ascertained :

And whereas the said trust disposition and deed of settlement and codicil were duly registered in the books of council and session at Edinburgh the twenty-third day of November one thousand nine hundred and five :

A.D. 1906. And whereas it is expedient for the proper establishment and working of the Ure Elder Fund for Indigent Widow Ladies upon a permanent and secure basis that the Trustees of the fund should be incorporated and that the said fund should be constituted and regulated in manner in this Order provided: 5

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899:

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows:— 10

Short title.

1. This Order may be cited as the Ure Elder Fund Order 1906.

Interpretation of terms.

2. In the construction of this Order the following expressions have the meanings hereby assigned to them (that is to say):—

The expression “the trust deed” means the hereinbefore 15 recited trust disposition and deed of settlement and the hereinbefore recited codicil;

The expression “the Trustees” means the Trustees incorporated by this Order;

The expression “the testamentary trustees” means the said 20 Sir James Bell Sir David Richmond John Gray M’Kendrick Alexander M’Grigor and John Macintyre and the survivors and survivor of them and the heir of the survivor or other the trustees or trustee for the time being of the trust deed;

The expressions “the fund” and “the trust” mean the Ure 25 Elder Fund for Indigent Widow Ladies and whole trust as established and defined by this Order;

The expression “the city” means the city and royal burgh of Glasgow;

The expression “the magistrates” means the lord provost 30 and magistrates of the city;

The expression “the Faculty of Physicians” means the Faculty of Physicians and Surgeons of Glasgow;

The expression “the Faculty of Procurators” means the Faculty of Procurators in Glasgow; 35

The expressions “the chairman” and “the treasurer” mean the persons appointed by the Trustees to be their chairman and treasurer respectively for the time being;

The expression "the secretary" means until the Trustees shall appoint a person to be their secretary Archibald Hamilton Donald writer in Glasgow and after such appointment by the Trustees the person so appointed; A.D. 1906.

5 The expression "the court" means the court of session in Scotland in either of the divisions thereof;

The expression "the sheriff" means the sheriff of the county of Lanark but does not include a sheriff-substitute.

3. This Order except where otherwise provided shall com-
10 mence and take effect on and from the first day of January one thousand nine hundred and seven. Commence-
ment of
Order.

4. From and after the commencement of this Order the lord provost of Glasgow for the time being and twelve persons to be appointed by the magistrates the Faculty of Physicians and the
15 Faculty of Procurators respectively as in this Order provided shall be and are hereby incorporated by the name of "The Trustees of the Ure Elder Fund for Indigent Widow Ladies" and by that name shall be a body corporate with perpetual succession and a common seal and with power to purchase and hold lands and to
20 sue and be sued and with all other rights powers and privileges of a body corporate. Incorporation of
Trustees.

5.—(1) Before the first day of January one thousand nine hundred and seven the magistrates the Faculty of Physicians and the Faculty of Procurators shall each appoint two men and two
25 women to be Trustees of the fund from and after the said first day of January one thousand nine hundred and seven. Appoint-
ment of
trustees by
magistrates
and faculties.

(2) Two of the Trustees so appointed by each body namely one man and one woman to be selected by the appointing body from the Trustees appointed by it shall subject to their so long living
30 and not retiring continue in office for one year and then retire and the remainder of the Trustees so appointed and every Trustee appointed under the next subsection shall subject as aforesaid continue in office for two years and then retire.

(3) Before the first day of January in the year one thousand
35 nine hundred and eight and in each succeeding year the magistrates the Faculty of Physicians and the Faculty of Procurators shall each appoint one man and one woman to be Trustees of the fund from and after such first day of January.

A.D. 1906. (4) Every Trustee going out of office shall be eligible to be re-appointed.

6.—(1) Any Trustee may at any time resign his or her office by letter addressed to the secretary and such letter shall be entered in the minutes of the next meeting of the Trustees and such resignation shall take effect as at the date of such meeting. 5

Trustees
may resign
and casual
vacancies.

(2) If any vacancy occurs in the office of Trustee otherwise than by effluxion of time the secretary shall forthwith intimate the fact to the body which appointed the Trustee vacating his or her office and such body shall as soon as practicable after such intimation appoint a man or woman as the case may be to fill the vacant office. 10

(3) A trustee appointed under the last preceding subsection shall continue in office only so long as the Trustee in whose place he or she is appointed would have been entitled to continue in office. 15

Mode of ap-
pointment.

7. The appointment of a Trustee or Trustees by each of the bodies by this Order authorised to make such appointment shall be made in the manner which to the body making such appointment shall seem fit and shall be intimated to the secretary in writing in the case of the magistrates by the town clerk of the city and in the case of each of the said faculties by the clerk or secretary thereof. 20

Proceedings
not to be in-
validated by
failure to
appoint
Trustees.

8. No failure or delay or defect in the appointment of any Trustee and no vacancy in the office of Trustee shall prevent the Trustees from acting in the execution of this Order nor shall any act or proceeding of the Trustees or of any committee appointed by them be invalidated or be illegal by reason or in consequence of any such vacancy or of any defect in the appointment of any one or more Trustees provided the number of Trustees entitled to act shall not thereby be reduced below five. 25 30

Meetings of
Trustees.

9.—(1) Stated meetings of the Trustees shall be held in the month of February in each year and on such other dates (not being less than three in each year) as the Trustees may from time to time appoint and shall be convened by the secretary but the first meeting of the Trustees in the year one thousand nine hundred and seven shall be held in the month of January in lieu of the month of February. 35

(2) A special meeting of the Trustees shall at any time be convened by the secretary on the instructions of the chairman or

on a requisition addressed to the secretary and signed by any three or more of the Trustees The notice convening such special meeting shall specify the objects for which the meeting is convened and only the matters so specified shall be considered and disposed of
5 at such meeting.

(3) At all meetings of the Trustees five shall form a quorum.

(4) Any meeting of the Trustees may be adjourned from time to time and in the event of any stated meeting of the Trustees failing from the non-attendance of a quorum such meeting shall
10 be held to be adjourned from day to day at the same hour until a quorum shall attend.

10. The office of the Trustees and the place for their meetings shall be within the city with power to the Trustees in any special cases to convene and hold meetings in such other convenient
15 places as they may appoint.

11.—(1) At their first stated meeting in each year the Trustees shall appoint one of their number to be chairman who shall continue in office until the first stated meeting in the following year and shall be eligible for re-appointment The chairman shall
20 preside at each meeting of the Trustees that shall be held during the year of his appointment In the event of the office of chairman from any cause becoming vacant the Trustees shall supply the vacancy at their next meeting.

(2) In the absence of the chairman from any meeting or in
25 the event of the office of chairman being vacant one of the Trustees to be chosen for that purpose by a majority of the Trustees present shall preside in his room at such meeting.

(3) At every meeting of the Trustees the chairman or the Trustee presiding in his room shall have a deliberative vote and
30 also in case of equality of votes a casting vote.

12.—(1) The Trustees may from time to time appoint a committee or committees of their own number and may devolve upon such committee or committees all or any of the powers and duties of the Trustees under this Order.

35 (2) No committee shall consist of less than five members and a majority of the members of each committee shall be a quorum.

(3) Failing special provision each committee shall appoint one of their number to be their convener and to preside at their meetings and in the absence of the convener from any meeting

A.D. 1906. of a committee one of the other members of such committee to be chosen for that purpose by a majority of the members present shall preside in his room at such meeting.

(4) At every meeting of a committee the convener or other member of such committee presiding in his room shall have a 5 deliberative vote and also in case of equality of votes a casting vote.

(5) Unless otherwise directed by the Trustees the proceedings of all committees shall be reported to and be subject to the approval of the Trustees. 10

Business at meetings of Trustees.

13. The Trustees may from time to time do all such acts as shall appear to them to be necessary or fitting to be done in order to carry into full operation and effect the objects and purposes of this Order and they shall cause minutes of all resolutions determinations acts and proceedings at each of their stated 15 and other meetings and the names of all Trustees present at such meetings to be entered in a book or books to be provided for that purpose which minutes shall be subscribed by the chairman or in his absence by some other Trustee present at such meeting and duly authorised by the Trustees to that effect and when so 20 subscribed shall be deemed to be duly authenticated.

Books and accounts to be kept.

14. The Trustees shall cause to be kept regular and distinct books and accounts of the affairs and management of the trust and shall cause the said books and accounts to be brought to a balance as upon the thirty-first day of December in each year 25 or as upon such other day as they may at any stated meeting prescribe.

Accounts and audit thereof.

15. The accounts of the trust for each year ending on the thirty-first day of December or on such other day as may be prescribed by the Trustees shall be made up as soon as con- 30 veniently may be after that day and shall within fourteen days from the date of their being so made up be audited by an auditor to be appointed by the Trustees and at the first stated meeting in each year the Trustees shall receive and take into consideration the accounts of the affairs and management of the trust and the 35 report of the auditor upon the said accounts and shall cause the accounts to be docqueted and signed as correct by the chairman or other Trustee presiding at such meeting or give such other instructions and adopt such measures as may be considered necessary in the circumstances of the case. 40

[6 EDW. 7.] *Ure Elder Fund Order Confirmation.* 11

16. The Trustees may appoint and employ a secretary a treasurer and such other officer or officers including law agents and counsel of their own number or otherwise as they may deem necessary to conduct the affairs business and accounts of the trust and may from time to time dismiss such secretary treasurer or other officer or officers or may arrange for their retirement and may appoint other persons in their places and may out of the income of the trust pay to such secretary treasurer and other officers such salaries or remuneration or such allowance on retirement as the Trustees may deem proper or in the case of law agents and counsel the usual professional remuneration The Trustees may appoint the same person to hold any two or more offices The Trustees may require the secretary treasurer or other officer or officers to find security for their intrusions to such amount as the Trustees shall consider reasonable and proper.

A.D. 1906.

Appointn. ent
of officers.

17. The treasurer or other officer specially authorised for the time being shall receive all rents feu-duties and other moneys payable to the Trustees and he shall lodge in bank in name of the Trustees all sums received by him on their behalf and shall not be entitled to retain in his hands more than fifty pounds for a longer period than seven days The receipt of the treasurer or other officer authorised as aforesaid for moneys paid to him on account of revenue shall at all times be a sufficient discharge for the moneys therein expressed to be received and shall wholly exonerate the person paying the same from seeing to the application thereof All cheques drawn on the banking account of the Trustees shall be signed by at least two of the Trustees and the treasurer.

Duties of
officers.

18. All deeds and writings (other than receipts for money received on account of revenue) which shall be made and granted by the Trustees shall be held to be validly executed if sealed with the common seal of the Trustees and subscribed by any two of their number and by the secretary and in all matters and proceedings whatsoever wherein it shall be requisite to make any declaration or affidavit by or on behalf of the Trustees such declaration or affidavit may be made by any one of the Trustees or by the secretary and in all actions and diligence the books of the trust or excerpts therefrom certified by one of the Trustees or by the secretary shall be legal evidence.

Execution of
deeds by
Trustees.

19. Any summons notice writ or other document whatsoever requiring to be served upon the Trustees may be served by the

Service of
writs on
Trustees.

(227.)

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A.D. 1906. same being sent by post or delivered personally to the secretary or by being left at the office of the Trustees or in case there shall be no such secretary and no such office by being delivered personally to the chairman.

Transfer of property to Trustees.

20.—(1) The testamentary Trustees shall from time to time 5 as the same shall be ascertained convey transfer and pay to the Trustees the residue of the means and estate of the said Isabella Ure or Elder after and subject to the implementing of the purposes of the trust deed other than the purposes of such residue which are to be implemented by the Trustees and the Trustees 10 shall accept and receive and hold manage and administer such residue and the income thereof as a fund to be called “the Ure Elder Fund for Indigent Widow Ladies” for the ends uses and purposes specified in this Order.

(2) For the purposes of this section any sum or sums of stock 15 or money invested or set aside to secure an annuity bequeathed by the trust deed shall not be deemed to form part of the said residue until such annuity shall have expired and been fully paid and satisfied.

Investment of fund.

21. The capital funds of the trust shall from time to time 20 be laid out and invested by the Trustees in the purchase or upon the security of lands houses feu-duties ground rents or ground annuals or of any of the stocks funds or other property heritable or moveable real or personal in which gratuitous Trustees are or may hereafter be by any public general Act applicable to Scotland 25 empowered to invest their trust funds with power to the Trustees from time to time to vary such investments and without prejudice to such power with power to the Trustees to sell any lands houses feu-duties ground rents or ground annuals belonging to the trust and that either by public roup or private bargain. 30

Application of income of fund.

22. The income of the fund and of the investments for the time being representing the same shall be applied by the Trustees in manner following (that is to say):—

First In payment of the salaries remuneration and other allowances of the secretary treasurer and other officers of 35 the trustees and all other expenses of the management and administration of the trust and the fund; and

Secondly In maintaining in its present form and style and in keeping in good order and condition the burial ground in the Glasgow Necropolis forming Compartment Epsilon 40

[6 Edw. 7.] *Ure Elder Fund Order Confirmation.* 13

No. 278 therein now or lately the property of the said A.D. 1906.
Isabella Ure or Elder and Alexander Elder Fernholm
Southport and the monument erected thereon :

Thirdly The residue of such income shall as far as possible
5 be distributed in accordance with the provisions of the
trust deed :

Provided that any income not applied in manner aforesaid
in the year in which the same shall have been received shall be
invested as and become part of the capital funds of the trust.

10 23. No annuity to be granted to any widow shall be less Amount of
annuities to
be granted.
than twelve pounds or more than twenty-five pounds per annum
or in the case of a widow living with a relative to whom an annuity
is paid by the Trustees less than ten pounds or more than twenty
pounds per annum.

15 24. In bestowing the said annuities and special grants of Preference
to be given
to natives
and widows
of natives of
Glasgow and
Govan.
money the Trustees shall give the preference to indigent widow
ladies who or whose husbands were born within the present
boundaries of the city or of the burgh of Govan or of any parish
or place which shall have been incorporated with the city or the
20 said burgh at the time of the bestowal of the said annuity or
grant and subject to such preference the Trustees shall prefer
indigent widow ladies who are aged invalided or burdened with
large families.

25 25. All annuities and other sums of money bestowed or granted Annuities
alimentary
provisions.
under the provisions of this Order shall be incapable of sale
assignment or transference in whole or in part by the persons
on or to whom the same shall be bestowed or granted and shall
not be subject to arrestment or other diligence at the instance of
their creditors but shall be purely alimentary and shall be paid
30 notwithstanding any such sale assignment transference arrestment
or diligence to the said persons respectively for their own use
exclusively and the receipt of such persons shall be a good and
effectual discharge for the same.

35 26. The trust shall be administered by the Trustees subject Administra-
tion of trust.
to and in accordance with the rules and regulations contained in
the Schedule to this Order or such other rules and regulations
as may hereafter be made thereanent in manner mentioned in
this Order.

40 27. The Trustees may make such rules and regulations in Power to
make rules
and regula-
tions.
addition to or in substitution for all or any of these contained
(227.) C 2

A.D. 1906. in the Schedule to this Order as they may think proper for the management and administration of the trust or the fund and may vary or rescind any of such rules or regulations Provided that such rules and regulations be not repugnant to the laws of that part of the United Kingdom called Scotland or to any provision 5 of this Order other than a provision contained in the Schedule to this Order And provided that no such rule or regulation to be made as aforesaid and no variation or rescission of any rule or regulation shall be held to be in force unless the same shall have been sanctioned at one meeting of the Trustees and shall 10 have been confirmed at a subsequent meeting of the Trustees held not sooner than one month after the meeting at which the same was sanctioned and unless in the case of a new rule or regulation made in substitution for any of the rules and regulations contained in the Schedule to this Order or in the case of 15 a variation or rescission of any of such last-mentioned rules and regulations such new rule or such variation or rescission as the case may be shall have been approved by the sheriff.

Application to court for direction in case of doubt.

28. In the event of any question or dispute arising as to the construction of the trust deed or of this Order or as to the proper 20 operation and administration of the trust or in consequence of there being at any time less than five Trustees entitled to act or in consequence of any other special fact or occurrence the Trustees or so many of them as may be entitled to act for the time may apply to the court for direction and that by petition disclosing the 25 circumstances material for the consideration of the court who thereupon shall order such intimation and service as they shall think fit and shall have full power and discretion to give such direction as they shall consider just and best for the ends uses and purposes of the trust and thereupon the Trustees acting on 30 such direction shall be held to have discharged their duty as Trustees and to be relieved of all responsibility in the subject matter of the said application and the expense of such application and of all proceedings connected therewith shall be defrayed as the court shall direct. 35

Costs of Order.

29. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Order and the confirming Act or otherwise in relation thereto shall be paid by the testamentary Trustees out of the residue of the means and estate of the said Isabella Ure or Elder. 40

The SCHEDULE in this Order referred to.

A.D. 1906.

RULES AND REGULATIONS FOR THE MANAGEMENT AND ADMINISTRATION
OF THE TRUST AND THE FUND.

1. All meetings of the Trustees shall be convened by circulars posted
5 to the address of each Trustee at least three days before the day of meeting
and specifying any special business to be considered at the meeting.

2. The secretary or other officer appointed by the Trustees for that
purpose shall in addition to the duties made incumbent on him by the
Order keep the minute and other books (other than books of account)
10 required to be kept by the Order or prescribed by the Trustees and shall
have the custody of the writs securities and other papers of the trust. He
shall receive the applications of applicants for the benefits of the trust
conduct the correspondence of the Trustees make up rolls of applicants for
and recipients of the benefits of the trust summon all meetings of the
15 Trustees and of any committee appointed by the Trustees and generally
do all such acts and things as the Trustees shall from time to time
prescribe.

3. The treasurer shall keep all books of account and accounts
required to be kept by the Order or from time to time prescribed by the
20 Trustees and as soon as practicable after the thirty-first day of December
in each year make out a statement of the affairs and property of the trust
for the previous year and also a prospective statement of the affairs and
property of the trust for the current year. Copies of the said statements
shall be sent to each of the Trustees with the circulars convening the first
25 stated meeting of the Trustees and shall be laid before such meeting.

4. An account shall be opened and kept in name of the Trustees with
a bank to be selected from time to time by the Trustees.

5. All applications for the benefits of the trust shall be made on a
printed form of application to be prescribed by the Trustees and supplied
30 by the secretary and shall be accompanied by a certificate subscribed by
the minister of the parish in which the applicant shall reside or of the
congregation to which she belongs or by a person whose respectability and
position are known to and considered sufficient by the Trustees attesting
the truth of the statements in the application. Provided that on the
35 recommendation of any Trustee the Trustees may dispense with any of the
said requirements in the case of a person who is already a recipient of
the benefits of the trust.

6. All applications for the benefits of the trust shall as far as possible
be investigated by some one or more of the Trustees personally and it

A.D. 1906. shall be the special duty of the ladies for the time being appointed as Trustees to visit the applicants for and recipients of the benefits of the trust.

7. Before making any appropriation of the benefits of the trust the Trustees shall have regard to the annual accounts for the preceding 5 year the existing and prospective statements of the affairs and property of the trust prepared by the treasurer as aforesaid and any report of any individual Trustee or Trustees or of any committee of the Trustees and the Trustees shall as nearly as may be so adjust the number of the annuitants and the amount of the annuities and special grants of money 10 that the whole free income of the fund for the year then current shall be consumed.

8. The appropriation of the benefits of the trust shall be made by the Trustees from time to time in the exercise of their discretion at meetings of their body and not separately by an individual Trustee or 15 individual Trustees or by a committee.

9. The annuities shall be granted for such period as the Trustees may from time to time determine with reference to each case but the Trustees may at any time in their own discretion discontinue or suspend the payment of or reduce the amount of any annuity granted to any 20 person.

10. Payment shall be made to the annuitants by half-yearly or such other instalments and on such days and either upon personal application or otherwise as the Trustees either generally or in any individual case may prescribe. 25

11. The Trustees may authorise the treasurer to pay any annuity or special grant of money to some person duly authorised to receive it by the annuitant or to a trustee curator relative or friend of the annuitant on her behalf and the receipt of such person trustee curator relative or friend shall be an effectual discharge for the same. 30

12. Every annuitant on the roll shall on such day or days in each half-year as the Trustees shall direct lodge a certificate with the secretary in such form as the Trustees shall prescribe by the minister of the parish in which the annuitant resides or of the congregation to which she belongs that she is alive and is indigent and failing the production of such certificate by any annuitant her annuity may be discontinued. 35

13. The Trustees may if they think it expedient in any case administer the annuity or special grant of money as they deem best on behalf of the annuitant. Provided that no such annuity or special grant shall be expended by the Trustees on building purchasing or furnishing 40 a house or houses for any annuitant.

A

B I L L

INTITULED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Herne Bay Water Maidstone Water Mid-Kent Water Rickmansworth and Uxbridge Valley Water Sleaford and District Water and Slough Water. A.D. 1906.

WHEREAS under the authority of the Gas and Water Works Facilities Act 1870 the Board of Trade have made the Provisional Orders set out in the schedule to this Act annexed: 33 & 34 Vict.
c. 70.

5 And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament:

10 And whereas it is expedient that the Provisional Orders made by the Board of Trade as aforesaid and set out in the Schedule to this Act be confirmed by Act of Parliament:

15 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 as follows:—

1. This Act may be cited as the Water Orders Confirmation Act 1906. Short title.

2. The Orders as set out in the Schedule to this Act shall be and the same are hereby confirmed and all the provisions thereof in manner and form as they are set out in the said Schedule shall from and after the passing of this Act have full validity and effect. Confirmation
of Orders in
Schedule.

(65.)

A

A.D. 1906.

SCHEDULE.

LIST OF ORDERS.

- HERNE BAY WATER.**—Order empowering the Herne Bay Waterworks Company to raise additional capital.
- MAIDSTONE WATERWORKS.**—Order empowering the Maidstone Water- 5
works Company to raise additional capital.
- MID-KENT WATER.**—Order empowering the Mid-Kent Water Company to extend their limits of supply to raise additional capital and for other purposes.
- RICKMANSWORTH AND UXBRIDGE VALLEY WATER.**—Order empowering 10
the Rickmansworth and Uxbridge Valley Water Company to lay down an additional main.
- SLEAFORD AND DISTRICT WATER.**—Order empowering the Sleaford Water Company to construct and maintain a new reservoir to raise additional capital and for other purposes. 15
- SLOUGH WATER.**—Order empowering the Slough Waterworks Company to raise additional capital to extend their limits of supply and for other purposes.
-

HERNE BAY WATER.

A.D. 1906.

*Order empowering the Herne Bay Waterworks Company to raise additional Capital.**Herne Bay.*

1. This Order may be cited as the Herne Water Order 1906. Short title.
- 5 2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order." Commence-
ment of Order.
- 10 3. The Herne Water Act 1867 (in this Order referred to as "the Act of 1867") the Herne Water Order 1871 (in this Order referred to as "the Order of 1871") the Herne Water Order 1883 (in this Order referred to as "the Order of 1883") the Herne Water Order 1888 (in this Order referred to as "the Order of 1888") the Herne Bay Water Act 1899 (in this Order referred to as "the Act of 1899") and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order. Construction
of Order.
- 15 4. So far as the same relate to the powers conferred by this Order the provisions of the Companies Clauses Consolidation Acts 1845 to 1889 with respect to the following matters (that is to say):— Incorporation
of Acts.
- The distribution of the capital of the Company into shares ;
- 20 The transfer or transmission of shares ;
- The payment of subscriptions and means of enforcing the payment of calls ;
- The forfeiture of shares for non-payment of calls ;
- 25 The remedies of the creditors of the Company against the shareholders ;
- The borrowing of money by the Company on mortgage or bond ;
- The consolidation of shares into stock ;
- The general meetings of the Company and the exercise of the right of voting by the shareholders ;
- 30 The making of dividends ;
- The giving of notices ; and
- The provision to be made for affording access to the special Act by all parties interested ;
- 35 and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 and the Companies Clauses Act 1869 and the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by this Order) incorporated with and form part of this Order.

- A.D. 1906. For the purpose of such incorporation the term "special Act" in the
Herne Bay. said Acts shall be construed to mean this Order and the term "Company"
shall mean the Undertakers.
- Interpretation. 5. The several words and expressions to which by any Act incor-
porated with this Order and by the Gas and Water Works Facilities 5
Act 1870 meanings are assigned have in this Order the same respective
meanings.
- Undertakers. 6. The Herne Bay Waterworks Company incorporated by the Act of
1867 shall be the Undertakers for the purposes of this Order and are in
this Order referred to as "the Undertakers." 10
- Additional
capital. 7. In addition to the capital already authorised to be raised by the
Undertakers they may :—
- (1) Raise any further sums not exceeding in the whole twenty thousand
pounds by the issue of new ordinary shares or stock or new
preference shares or stock or wholly or partly by any one or more 15
of those modes respectively (in this Order referred to as "the
further new capital") but the Undertakers shall not issue any
share under the authority of this Order of less nominal value than
ten pounds nor shall any such share or stock issued under the
authority of this Order vest in the person accepting the same 20
unless and until the full price of such share or stock including
any premium obtained on the sale thereof as hereinafter provided
shall have been paid in respect thereof Provided that it shall
not be lawful for the Undertakers to create and issue under the
powers of this Order any greater nominal amount of capital than 25
will be sufficient to produce including any premiums which may
be obtained on the sale thereof the sum of twenty thousand
pounds ; and
- (2) Borrow on mortgage in respect of the further new capital by this
Order authorised to be raised any sum or sums not exceeding in 30
the whole one fourth part of the amount of the further new
capital at the time actually issued by shares or stock including
the premiums (if any) realised on the sale thereof but no part
thereof shall be borrowed until the whole of the shares or stock
in respect of which the power of borrowing is being exercised 35
including the premiums (if any) realised on the sale thereof
shall have been fully paid up and the Undertakers have proved
to the justice who is to certify under the fortieth section of
the Companies Clauses Consolidation Act 1845 before he so
certifies that such shares and stock including the premiums (if 40
any) realised on the sale thereof have been fully paid up and
upon production to such justice of the books of the Under-
takers and of such other evidence as he may think sufficient
he shall grant a certificate that the proof aforesaid has been
given which certificate shall be sufficient evidence thereof. 45

8. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the creation and issue of debenture stock or any part thereof respectively by the creation of shares or stock instead of by borrowing or to convert into capital any money borrowed under the provisions of this Order.

A.D. 1906.

Herne Bay.

As to conversion of borrowed money into capital.

9. Except as by this Order otherwise provided the further new capital created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if the further new capital were part of the existing capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Except as otherwise provided new shares or stock to be subject to the same incidents as other shares or stock.

10. The provisions contained in sections 12 to 16 inclusive of the Act of 1899 shall apply to the further new capital as if the same had been expressly incorporated with this Order with reference thereto and in construing those provisions for the purposes of this Order the expression "the Company" shall mean the Undertakers.

Incorporating provisions of Act of 1899 as to offering new capital by auction or tender.

11. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of section 19 of the Act of 1899.

Power to create debenture stock.

12. All money to be raised by the Undertakers on mortgage or debenture stock under the provisions of this Order shall have priority against the Undertakers and the property from time to time of the Undertakers over all other claims on account of any debts incurred or engagements entered into by them after the commencement of this Order Provided always that this priority shall not affect any claim against the Undertakers or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Undertakers which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Undertakers for the purposes of their undertaking and works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Undertakers.

Priority of money raised on mortgage or debenture stock over certain other claims.

13. All mortgages granted by the Undertakers in pursuance of or in conformity with any Acts before the commencement of this Order and subsisting at the date of such commencement shall during the continuance of such mortgages and subject to the provisions of the Acts in pursuance of or in conformity with which the same were granted have priority over any mortgages granted under the authority of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers.

Existing mortgages to have priority.

- A.D. 1906. 14 Section 18 of the Act of 1899 (appointment of receiver) is hereby
Herne Bay. repealed as from the commencement of this Order but without prejudice
 Appointment of receiver. to any appointment heretofore made or to any proceedings pending at the
 commencement of this Order and in lieu thereof the mortgagees of the
 Undertakers may enforce payment of arrears of interest of principal or 5
 principal and interest due on their mortgages by the appointment of a
 receiver And in order to authorise the appointment of a receiver in respect
 of arrears of principal the amount owing to the mortgagees by whom the
 application for a receiver is made shall not be less than one-tenth part of the
 total amount for the time being owing by the Undertakers on mortgage. 10
- Limits of divi- 15. The Undertakers shall not in any year declare or make out of
 dend on new their profits any larger dividend on the further new capital than seven
 capital. pounds in respect of every one hundred pounds actually paid up of so
 much of such capital as may be issued as ordinary capital unless a larger
 dividend be at any time necessary to make up the deficiency of any previous 15
 dividend which shall have fallen short of the said sum of seven pounds per
 centum per annum or than five pounds in respect of every one hundred
 pounds actually paid up of so much of such capital as may be issued as
 preference capital.
- Preference 16. Any preference shares or stock created and issued under the powers 20
 shares or stock may be redeemed by the Undertakers at such times and on such terms and conditions
 created subject as shall be expressed on the certificates of such shares or stock.
 to redemption.
- Limit of in- 17. The Undertakers shall not without the consent of the Board of
 terest on Trade pay interest at a higher rate than five pounds per centum per annum 25
 money bor- in respect of any moneys borrowed on mortgage or raised by the creation
 rowed. and issue of debenture stock under the authority of this Order.
- Application of 18. All moneys raised under this Order shall be applied to the purposes
 moneys. of the undertaking authorised by the Act of 1867 the Order of 1871 the
 Order of 1883 the Order of 1888 and the Act of 1889 to which capital is 30
 properly applicable.
- Costs of Order. 19. All the costs charges and expenses of and incidental to the applying
 for preparing obtaining and confirming this Order and otherwise in relation
 thereto shall be paid by the Undertakers.

MAIDSTONE WATER.

35

Maidstone. *Order empowering the Maidstone Waterworks Company to raise
 additional capital.*

- Short title. 1. This Order may be cited as the Maidstone Water Order 1906.
- Commence- 2 This Order shall come into force and have effect upon the day when
 ment of Order. the Act confirming this Order is passed which date is in this Order referred 40
 to as "the commencement of this Order."

3. The Maidstone Waterworks Act 1860 (in this Order referred to as "the Act of 1860") the Maidstone Waterworks Act 1863 (in this Order referred to as "the Act of 1863") the Maidstone Water Order 1873 (in this Order referred to as "the Order of 1873") the Maidstone Water Order 5 1874 (in this Order referred to as "the Order of 1874") the Maidstone Water Order 1879 (in this Order referred to as "the Order of 1879") the Maidstone Waterworks Act 1882 (in this Order referred to as "the Act of 1882") the Maidstone Waterworks Act 1885 (in this Order referred to as "the Act of 1885") the Maidstone Water Order 1896 (in this Order referred to as "the Order of 1896") the Maidstone Water Order 1899 (in this Order referred to as "the Order of 1899") and this Order shall be 10 construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order.

A.D. 1906.
Maidstone.
Construction
of Order.

4. So far as the same relate to the powers conferred by this Order the 15 provisions of the Companies Clauses Acts 1845 to 1889 with respect to the following matters (that is to say):—

Incorporation
of Acts.

The distribution of the capital of the Company into shares;

The transfer or transmission of shares;

20 The payment of subscriptions and means of enforcing the payment of calls;

The forfeiture of shares for non-payment of calls;

The remedies of the creditors of the Company against the shareholders;

The borrowing of money by the Company on mortgage or bond;

The consolidation of shares into stock;

25 The general meetings of the Company and the exercise of the right of voting by the shareholders;

The making of dividends;

The giving of notices; and

30 The provision to be made for affording access to the special Act by all parties interested;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 as amended by subsequent Acts are (except where expressly varied by this Order) incorporated with and form 35 part of this Order.

For the purpose of such incorporation the term "special Act" in the said Acts shall be construed to mean this Order and the term "Company" shall mean the Undertakers.

5. The Maidstone Waterworks Company incorporated by the Act of 40 1860 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Undertakers.

A.D. 1906.

Maidstone.
Additional
capital.

6. In addition to the capital already authorised to be raised by the Undertakers they may—

(1) Raise any further sums not exceeding in the whole twenty thousand pounds by the issue of ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those 5 modes respectively (in this Order referred to as “the additional capital”) but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any share or any stock issued under the authority of this Order vest in the person accepting the same unless and 10 until the full price of such share or stock including any premium obtained on the sale thereof as herein-after provided shall have been paid in respect thereof Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will 15 be sufficient to produce including any premiums which may be obtained on the sale thereof the said sum of twenty thousand pounds; and

(2) Borrow on mortgage of the undertaking in respect of the additional capital by this Order authorised to be raised by the issue of 20 ordinary or preference shares or stock any sum or sums not exceeding in the whole one-third of the amount payable in respect of the additional capital at the time actually issued including the premiums (if any) realised on the sale thereof but no part thereof shall be borrowed until shares or stock for so much of the 25 additional capital in respect of which such borrowing powers are exercised together with the premiums (if any) realised on the sale thereof have been fully paid up and the Undertakers have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so 30 certifies that such shares or stock and premiums (if any) have been fully paid up and upon production to such justice of the books of the Undertakers and such other evidence as he may think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence 35 thereof.

As to conversion of borrowed money into capital.

7. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage of the undertaking or any part thereof by the creation of shares or stock instead of borrowing or to convert into capital any money borrowed under the provisions of this 40 Order.

Except as otherwise provided new shares or stock to be subject to same incidents as other shares or stock.

8. Except as by this Order otherwise provided the additional capital and the shares or stock therein created by the Undertakers under this Order shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if the additional capital 45 were part of the existing capital of the Undertakers of the same class or description and the shares or stock were shares or stock in that capital.

[6 EDW. 7.]

Water Orders Confirmation.

9

Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

A.D. 1906.

Maidstone.

9. The Undertakers shall when any shares or stock forming part of the
 5 additional capital are to be issued and before offering the same to the
 holder of any other shares or stock of the Undertakers and whether the
 ordinary capital of the Undertakers is at a premium or not offer the same
 for sale by public auction or by tender in such manner at such times and
 subject to such conditions of sale as the directors may determine Provided
 10 that at any such sale no single lot shall comprise more than one hundred
 pounds nominal value of shares or stock and that the reserved price put upon
 such shares or stock shall not be less than the nominal amount thereof and
 that notice of the amount of the reserved price shall be sent by the Under-
 takers in a sealed letter to the Board of Trade not less than twenty-four
 15 hours before the day of auction or the last day for the reception of tenders
 as the case may be and such letter may be opened after such day of auction
 or last day for the reception of tenders and not sooner and provided that no
 priority of tender shall be allowed to any holder of shares or stock of the
 Undertakers except that if any bid or offer by tender of any holder of shares
 20 or stock in the company shall be the same in amount as any bid or offer of
 any other person the bid or offer of such holder of shares or stock shall be
 accepted in preference.
10. It shall be one of the conditions of any sale of shares or stock under
 the provisions of this Order that the full price thereof including any premium
 25 given by any purchaser at such sale in respect thereof shall be paid to the
 Undertakers within three months after such sale.
11. The intention to sell any shares or stock by auction or tender under
 the provisions of this Order shall be communicated in writing by the Under-
 takers to the clerk of every local authority having jurisdiction within the
 30 limits of supply of the Undertakers and to the secretary of the committee
 of the London Stock Exchange at least twenty-eight days before the day of
 auction or the last day for the reception of tenders as the case may be and
 notice of such intention shall be duly advertised by the Undertakers once in
 each of two consecutive weeks in one or more local newspapers circulating
 35 within such limits of supply.
12. When any shares or stock created under the provisions of this
 Order have been offered for sale by auction or tender under the provisions
 of this Order and not sold the same may be disposed of by the directors at
 a price not less than the reserved price put upon the same for the purpose
 40 of sale by auction or tender or may be offered at such reserved price to the
 holders of the ordinary shares or stock of the Undertakers in manner pro-
 vided by the Companies Clauses Act 1863 Provided always that any shares
 or stock not so disposed of or so offered and not accepted within the time
 prescribed by the said Act shall again be offered for sale by public auction
 45 or tender subject to and in accordance with the foregoing provisions of this
 Order with respect to the sale of shares or stock created under the powers

New shares or
 stock to be
 offered by auc-
 tion or tender.

Purchase
 money of
 capital sold by
 auction to be
 paid within
 three months.

Notice to be
 given as to
 sale &c. of
 shares or stock.

Shares or stock
 not sold by
 auction or by
 tender to be
 offered to
 shareholders.

A.D. 1906. of this Order except that the reserved price put upon such shares or stock
Maidstone. may upon such second or any subsequent sale if the directors of the
 Undertakers think fit be less than the nominal amount thereof and any
 shares or stock not then sold may be disposed of by the directors or offered
 to the holders of the ordinary shares or stock at not less than the last- 5
 mentioned reserved price and so until the whole of such shares or stock is
 sold.

Application
 of premium
 arising on
 issue of shares
 or stock.

13. Any sum of money which shall arise by way of premium from the
 issue of any such shares or stock under the provisions of this Order after
 deducting therefrom the expenses of and incident to such issue shall not be 10
 considered as profits of the Undertakers but shall be expended in extending
 or improving the undertaking or in paying off money borrowed or owing on
 mortgage by the Undertakers and shall not be considered as part of the
 capital of the Undertakers entitled to dividend.

Power to
 create debenture
 stock.

14. The Undertakers may create and issue debenture stock subject to 15
 the provisions of Part III. of the Companies Clauses Act 1863 but not-
 withstanding anything therein contained the interest of all debenture stock
 and of all mortgages at any time after the commencement of this Order
 created and issued or granted under any previous Act or Order or this
 Order or any subsequent Act or Order shall subject to the provisions 20
 of any subsequent Act or Order rank *pari passu* (without respect to the
 dates of the securities or of the Acts of Parliament Orders or resolutions
 by which the stock or mortgages were authorised) and shall have priority
 over all principal moneys secured by such mortgages Notice of the effect
 of this enactment shall be endorsed on all such mortgages and certificates of 25
 debenture stock.

Existing mort-
 gages to have
 priority.

15. All mortgages granted by the Undertakers in pursuance of or in
 conformity with any Acts or Orders before the commencement of this Order
 and subsisting at the date of such commencement shall during the con-
 tinuance of such mortgages and subject to the provisions of the Acts or 30
 Orders in pursuance of or in conformity with which the same were granted
 have priority over any mortgages granted under the authority of this
 Order but nothing in this section contained shall affect any priority of the
 interest of any debenture stock at any time created and issued by the
 Undertakers. 35

For appoint-
 ment of re-
 ceiver.

16. Section 18 (For appointment of a receiver) of the Order of 1899
 is hereby repealed as from the commencement of this Order but without
 prejudice to any appointment heretofore made or to the continuance of any
 proceedings then pending The mortgagees of the undertaking may enforce
 payment of arrears of interest or principal or principal and interest due on 40
 their mortgages by the appointment of a receiver and in order to authorise the
 appointment of a receiver in respect of arrears of principal the amount owing
 to the mortgagees by whom the application for a receiver is made shall not
 be less than five thousand pounds in the whole.

Limits of
 divi. and on
 new capital.

17. The Undertakers shall not in any year declare or make out of 45
 their profits any larger dividends on the additional capital than seven pounds
 in respect of every one hundred pounds actually paid up of so much of

[6 EDW. 7.]

Water Orders Confirmation.

11

such capital as may be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as preference capital. A.D. 1906.
—
Maidstone.

18. In case in any half year the net revenue of the Undertakers 5 applicable to dividend shall be insufficient to pay the full amount of the maximum dividend to which each class of ordinary shares or ordinary stock in the capital of the Undertakers is entitled a proportionate diminution shall be made in the rate of dividend then to be paid in respect of each class. Dividends on different classes of shares or stock to be paid rateably

19. The Undertakers shall not without the consent of the Board of 10 Trade pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order. Limit of interest on moneys borrowed.

20. All moneys raised under this Order shall be applied to the purposes of the undertaking to which capital is properly applicable. Application of moneys.

15 21. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers. Costs of Order.

MID KENT WATER.

20 *Order empowering the Mid-Kent Water Company to extend their limits of Supply to raise additional Capital and for other purposes.* *Mid-Kent.*

1. This Order may be cited as the Mid-Kent Water Order 1906. Short title.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred 25 to as "the commencement of this Order." Commencement of Order.

3. The Mid-Kent Water Act 1898 (in this Order referred to as "the Act of 1898") the Mid-Kent Water Act 1900 (in this Order referred to as "the Act of 1900") the Mid-Kent Water Order 1901 (in this Order referred to as "the Order of 1901") the Mid-Kent Water Order 1902 (in 30 this Order referred to as "the Order of 1902") the Mid-Kent Water Order 1903 (in this Order referred to as "the Order of 1903") and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order. Construction of Order.

4. So far as the same relate to the powers conferred by this Order the 35 provisions of the Companies Clauses Consolidation Acts 1845 to 1889 with respect to the following matters (that is to say).— Incorporation of Acts.

The distribution of the capital of the Company into shares :

The transfer or transmission of shares ;

(65.)

B 2

- A.D. 1906. The payment of subscriptions and means of enforcing the payment of calls ;
- Mid-Kent.* The forfeiture of shares for non-payment of calls ;
- The remedies of the creditors of the Company against the shareholders ;
- The borrowing of money by the Company on mortgage or bond ; 5
- The consolidation of shares into stock ;
- The general meetings of the Company and the exercise of the right of voting by the shareholders ;
- The making of dividends ;
- The giving of notices ; and 10
- The provision to be made for affording access to the special Act by all parties interested ;
- and Part I. (relating to the cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 the Companies Clauses Act 1869 and 15 the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by this Order) incorporated with and form part of this Order :
- Provided that section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words "with the consent in " writing of the owner or reputed owner of any such house or of the agent 20 " of such owner " were omitted therefrom.
- For the purpose of such incorporation the term "special Act" in the said Acts shall be construed to mean this Order and the term "company" shall mean the Undertakers.
- Interpretation. 5. The several words terms and expressions to which by any Act 25 incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings.
- Undertakers. 6. The Mid-Kent Water Company incorporated by the Act of 1898 shall be the Undertakers for the purposes of this Order and are in this 30 Order referred to as "the Undertakers."
- Extension of limits of supply. 7. The Undertakers shall have and may exercise subject to the provisions of this Order within the following new limits namely the parishes of Biddenden Frittenden High Halden Chart Sutton East Sutton Stalisfield Upper Hardres and Stelling all in the county of Kent (hereinafter 35 referred to as "the new limits") for or in relation to the supply of water all the like powers privileges and authorities and be subject to all the like duties liabilities and obligations in respect thereof as they now have and are subject to within the limits of the Act of 1898 as extended by the Act of 1900 and the Order of 1901 and the Order of 1902 and the Order of 40 1903 and from and after the commencement of this Order the limits of the Act of 1898 as extended by the Act of 1900 and the Order of 1901 and the Order of 1902 and the Order of 1903 shall be deemed to include the new limits Provided always that unless the Undertakers before the expiration of a period of twelve months from the commencement of this 45

Order or such other longer period as the Board of Trade may upon application under the common seal of the Hollingbourne Rural District Council by order in writing signed by a secretary or assistant secretary of the said Board within twelve months from the commencement of this

A.D. 1906.

Mid-Kent.

- 5 Order prescribe shall have constructed and laid a suitable main or line of pipes along the road which passes Ladds Court and Eylesden Court commencing at a point at or near Chart Corner in the parish of Chart Sutton and terminating at or near the boundary between that parish and the parish of Sutton Valence the powers conferred upon the Undertakers
- 10 by this Order for the supply of water to the parish of Chart Sutton or otherwise in relation thereto shall thereupon absolutely cease and determine.

8. If at any time after the expiration of three years from the commencement of this Order the Undertakers are not furnishing or prepared
- 15 on demand to furnish a sufficient supply of water in accordance with the provisions of this Order in any part of the district of any local authority within the new limits the local authority of such part of the said district may provide a supply in the whole or any part of their district within the new limits in accordance with the provisions of the Public Health Act
- 20 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Undertakers as if in either case there were no company authorised by this Order to supply water therein
- 25 Provided always that as regards the supply of water to the parishes of Frittenden and East Sutton respectively the said period of three years shall be reduced with respect to the parish of Frittenden to two years and with respect to the parish of East Sutton eighteen months
- If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of
- 30 water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

Where Undertakers not furnishing sufficient supply local authority or company may supply.

- 9.—(1) Whenever the Undertakers shall exercise the power conferred by the Waterworks Clauses Act 1847 of breaking up any main road within the new limits for the purpose of laying or repairing or removing
- 35 pipes the Undertakers shall as soon as the work is completed fill in the trenches and forthwith notify the Kent county surveyor thereof and the road or footpath shall thereupon be reinstated and made good by the said surveyor and all expenses properly incurred by such surveyor in reinstating the said road or path during a period of not more than twelve months in
- 40 the whole from the time when the said surveyor shall have been so notified as aforesaid shall be paid by the Undertakers to the Kent County Council
- Provided that nothing herein contained shall prejudice or affect the rights of the Undertakers or the said council or the obligations of the Undertakers under the Waterworks Clauses Act 1847 and the Local Government
- 45 Act 1888.

For protection of Kent County Council.

(2) Any alteration repair or improvement of any of the bridges or roads repairable by the county council of Kent or any alteration of or

A.D. 1906. in the position of the same may be made as if this Order had not passed
 and if any such alteration repair or improvement necessitates any alteration
 either temporary or permanent in the level or position of any of the works
 by this Order authorised to be made or placed in over or through any of
 the bridges or roads aforesaid or necessitates any support either temporary 5
 or permanent to any such works the Undertakers shall after fourteen
 days' notice in writing by the county surveyor on behalf of the said
 county council forthwith make such alteration or afford such support at
 their own expense.

For protection
 of South
 Eastern and
 London Chat-
 ham and Dover
 Railway Com-
 panies.

10. The provisions of section 14 of the Mid-Kent Water Order 1888 10
 shall be deemed to apply to any works constructed by the Undertakers
 under the authority of this Order and the exercise of the powers of this
 Order as if the said provisions were re-enacted in this Order Provided
 that the provisions of sections 14 and 15 of the said Order shall so far
 as regards any works constructed by the Undertakers under the authority 15
 of this Order and the exercise of the powers of this Order also enure for
 the protection and benefit of the London Chatham and Dover Railway
 Company as if that company had been expressly mentioned in the said
 sections.

Additional
 capital.

11. In addition to the capital already authorised to be raised by the 20
 Undertakers under the Act of 1898 and the Act of 1900 in this Order
 referred to as "the original capital") they may—

(1) Raise any further sums not exceeding in the whole forty thousand
 pounds by the issue of new ordinary shares or stock or new
 preference shares or stock or wholly or partly by any one or more 25
 of these modes respectively (in this Order referred to as "the
 new capital") but the Undertakers shall not issue any share
 under the authority of this Order of less nominal value than
 ten pounds nor shall any such share or stock issued under the
 authority of this Order vest in the person accepting the same 30
 unless and until the full nominal amount of such share or stock
 together with any premium obtained on the sale thereof as herein-
 after provided has been paid in respect thereof Provided that it
 shall not be lawful for the Undertakers to create and issue under
 the powers of this Order any greater nominal amount of capital 35
 than will be sufficient to produce including any premiums which
 may be obtained on the sale thereof the sum of forty thousand
 pounds :

(2) Borrow on mortgage in respect of the additional capital by this
 Order authorised to be raised any sum or sums not exceeding 40
 in the whole one-fourth part of the amount of the new capital
 actually issued by shares or stock including the premiums (if
 any) realised on the sale thereof but no part thereof shall
 be borrowed until the whole of the shares or stock in respect
 of which the power of borrowing is being exercised including 45
 the premiums (if any) realised on the sale thereof shall have
 been fully paid up and the Undertakers have proved to the

- justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares or stock including the premiums (if any) realised on the sale thereof have been fully paid up and upon production to such justice of the books of the Undertakers and such other evidence as he may think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.
- 5
12. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the issue of the debenture stock or any part thereof by the creation of shares or stock instead of borrowing or to convert into capital the amount borrowed under the provisions of this Order.
- 10
13. Except as by this Order otherwise provided the new capital created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that new capital were part of the existing capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital.
- 15
14. The provisions contained in sections 27 (New shares or stock to be offered by auction or tender) 28 (Purchase money of capital sold by auction to be paid within three months) 29 (Notice to be given as to sale &c. of shares or stock) 30 (Shares or stock not sold by auction or by tender to be offered to shareholders) and 31 (Application of premium arising on issue of shares or stock) of the Act of 1898 shall apply to the new capital as if the same had been expressly incorporated with this Order with reference thereto and in construing those provisions for the purposes of this Order the expression "the company" shall mean the Undertakers.
- 20
15. The Undertakers may create and raise debenture stock subject to the provisions of the Companies Clauses Act 1863 and of section 36 of the Act of 1898.
- 30
16. All mortgages granted by the Undertakers under the authority of the Act of 1898 or the Act of 1900 before the commencement of this Order and subsisting at the date of such commencement shall during the continuance of such mortgages and subject to the provisions of the Acts in pursuance of or in conformity with which the same were granted have priority over any mortgages granted under the authority of this Order but nothing in this section contained shall affect any priority of the interest of any debenture stock at any time created and issued by the Undertakers.
- 35
- 40
17. Section 39 (As to receiver) of the Act of 1900 is hereby repealed as from the commencement of this Order but without prejudice to any appointment which may have been made or to the continuance of any proceedings pending under any such provisions The mortgagees of the Undertakers may enforce payment of arrears of interest or principal or
- 45
- A.D. 1906.
Mid-Kent.
- As to conversion of borrowed money into capital.
- Except as otherwise provided new shares or stock to be subject to same incidents as other shares or stock.
- Incorporating provisions of Act of 1898 as to offering new capital by auction or tender.
- Power to create debenture stock.
- Existing mortgages to have priority.
- Appointment of receiver.

- A.D. 1906. principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than three thousand pounds in the whole. 5
- Mid-Kent.*
- Limits of dividend on new capital. 18. The Undertakers shall not in any one year make out of their profits any larger dividend on the new capital to be raised under the provisions of this Order than at the rate of seven pounds in respect of every one hundred pounds actually paid up of such capital as shall be issued as ordinary capital or six pounds in respect of every one hundred pounds actually paid up of such capital as may be raised as preference capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend on the ordinary share capital which shall have fallen short of the said sum of seven pounds per centum per annum. 10
- Preference shares or stock may be created subject to redemption. 19. Any preference shares or stock created and issued under the powers of this Order may be issued subject to the conditions that the same may be redeemed by the Undertakers at such times and on such terms and conditions as shall be expressed on the certificates of such shares or stock. 15
- Application of moneys. 20. All moneys raised under this Order shall be applied to the purposes of the undertaking authorised by the Act of 1898 the Act of 1900 the Orders of 1901 1902 and 1903 and this Order to which capital is properly applicable. 20
- Power to apply funds. 21. The Undertakers may apply to any of the purposes of this Order or of the Orders of 1901 1902 and 1903 to which capital is properly applicable any sums of money which they have already raised or are authorised to raise under the Acts of 1898 or the Act of 1900 or this Order or which may be under their control and which are not required for the purposes to which they are by the said Act or Order made specially applicable. 25
- Further powers to acquire lands by agreement. 22. In addition to any other lands which the Undertakers are under the Act of 1898 or the Act of 1900 authorised to take or purchase the Undertakers may by agreement take purchase and hold for the purposes of this Order and for the general purposes of their undertaking any lands within their limits of supply not exceeding in the whole ten acres in extent and any easement (not being an easement of water in which any persons other than the grantors have an interest) in over or under any such lands Provided that the Undertakers shall not upon any such lands create or permit any nuisance and that no buildings shall be erected on such lands except such as are required for or are connected with the purposes of the undertaking. 30 35
- Costs of Order. 23. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers. 40
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RICKMANSWORTH AND UXBRIDGE VALLEY
WATER.

A.D. 1906.

*Rickmans-
worth and
Uxbridge
Valley.*

*Order empowering the Rickmansworth and Uxbridge Valley Water
Company to lay down an Additional Main.*

- 5 1. This Order may be cited as the Rickmansworth and Uxbridge Valley Water Order 1906. Short title.
2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order." Commence-
ment of Order.
- 10 3. The Rickmansworth and Uxbridge Valley Water Acts 1884 to 1900 (in this Order referred to as "the Acts 1884 to 1900") and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order and may be cited together as the Rickmansworth and Uxbridge Valley Water Acts and Order 1884 to 1906. Construction
of Order.
- 15 4. The Lands Clauses Acts (except the provisions of those Acts with respect to the purchase and taking of lands otherwise than by agreement and with respect to the entry on lands by the Promoters) and the Waterworks Clauses Acts 1847 and 1863 are (except where expressly varied by this Order) incorporated with and form part of this Order. Incorporation
of Acts.
- 20 5. The several words terms and expressions to which by the Acts in whole or in part incorporated with this Order and by the Gas and Water Works Facilities Act 1870 meanings are assigned have in this Order the same respective meanings. Interpretation.
- 25 In this Order the expression "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order.
- 30 6. The Rickmansworth and Uxbridge Valley Water Company shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers." Undertakers.
7. The Undertakers may make and maintain in the lines and according to the levels shown on the deposited plans and deposited sections the work herein-after described. Power to
construct
work.

The work authorised by this Order will be wholly situate in the county of Buckingham and is as follows:—

A main or line of pipes in and under Alderbourne Lane commencing at the boundary of the parishes of Denham and Gerrard's Cross by a junction with the existing main of the Undertakers at a point three hundred and twenty yards or thereabouts south-west of the

(65.)

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A.D. 1906.

*Rickmans-
worth and
Uxbridge
Valley.*

commencement of the said lane at Tatling End and passing thence for a distance of nine hundred and seventy-five yards or thereabouts in a south-westerly direction along the said lane through the parishes of Gerrard's Cross and Langley Marish and terminating at the boundary of the parishes of Langley Marish and Fulmer at or 5 near the southern end of the road to Gerrard's Cross.

Limits of deviation.

8. In constructing the work authorised by this Order the Undertakers may deviate laterally to any extent within the limits of deviation shown on the deposited plans but in no case beyond the width of any road shown on the deposited plans and the Undertakers may deviate 10 vertically from the level shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards Provided that the Undertakers shall not raise the said work or any part thereof above the surface of the ground unless so shown in the sections and then only to the extent shown. 15

Period for completion of work.

9. The work authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act 1870.

For protection of Bucks County Council.

10. For the protection of the Bucks County Council (in this section referred to as "the council") the following provisions shall unless otherwise agreed in writing between the council and the Undertakers have effect (that is to say):— 20

- (1) The Undertakers shall not draw water from any well within the county of Buckingham or collect or appropriate any water in that county for supplying and will not supply or sell 25 any water so drawn collected or appropriated for consumption elsewhere than in the said county in any period of six months ending on the thirtieth day of June or the thirty-first day of December to an amount greater than the amount during that period brought by the Undertakers into the said county of 30 Buckingham for supply in that county :
- (2) The Undertakers shall keep full and accurate records of the quantity of water pumped from each of their wells or collected or appropriated or obtained from any other source and such records shall at all times be open to the inspection of the 35 council who shall be entitled to demand from time to time and receive a return of the total number of supplies for the time being afforded by the Undertakers and a statement of the several quantities of water supplied through meters according to the last recorded quarterly return distinguishing in such 40 returns and statements the number of supplies and the quantities supplied through meters in the said county of Buckingham :
- (3) The Undertakers shall proceed forthwith to lay down the main or line of pipes by this Order authorised and shall connect 45 the same with their existing main so as to place them in a position to furnish an adequate supply of water in the parish of Fulmer and if they shall fail to fulfil the obligations imposed

[6 EDW. 7.]

Water Orders Confirmation.

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by this subsection they shall forfeit and pay to the council
 by way of liquidated damages the sum of five pounds for
 every day on which such failure shall continue after the
 expiration of a period of one month from the commencement
 of this Order and any sum recovered by the council under
 this subsection shall be paid to the county fund but no penalty
 shall accrue under this subsection in respect of any time during
 which the Undertakers are prevented from laying down the
 said main or line of pipes by unforeseen accident or circumstances
 beyond their control.

A.D. 1906.

*Rickmans-
worth and
Uxbridge
Valley.*

11. The restrictions contained in section 6 (Repeal of sections 37
 and 38 of Act of 1844) of the Rickmansworth and Uxbridge Valley
 Water Act 1900 shall apply to all works to be constructed under the
 powers of this Order and no opening shall be made in any part of any
 pipe or main constructed under the powers of this Order except for the
 purpose of the repair thereof.

For protection
of Hertford-
shire County
Council.

12. All the costs charges and expenses of and incidental to the
 applying for preparing obtaining and confirming this Order and otherwise
 in relation thereto shall be paid by the Undertakers.

Costs of Order.

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SLEAFORD AND DISTRICT WATER.

*Order empowering the Sleaford Water Company to construct and
 maintain a new Reservoir to raise Additional Capital and for
 other purposes.*

*Sleaford and
District.**Preliminary.*

1. This Order may be cited as the Sleaford and District Water
 Order 1906.

Short title.

2. This Order shall come into force and have effect from the day when
 the Act confirming this Order is passed which date is in this Order referred
 to as "the commencement of this Order."

Commence-
ment of Order.

3. The Sleaford Water Act 1879 (herein-after called "the Act of
 1879") as by this Order amended and this Order shall be construed together
 except so far as such construction would be inconsistent with or repugnant
 to the provisions of this Order.

Construction
of Order.

4. The Lands Clauses Acts (except the provisions of the Lands Clauses
 Consolidation Act 1845 with respect to the purchase and taking of lands
 otherwise than by agreement and with respect to the entry upon lands by
 the promoters of the undertaking) and the provisions of the Companies
 (65.)

Incorporation
of Acts.

A.D. 1906. Clauses Consolidation Acts 1845 to 1889 with respect to the following matters (that is to say):—

Sleaford and District.

- The distribution of the capital of the company into shares;
- The transfer or transmission of shares;
- The payment of subscriptions and means of enforcing the payment of calls; 5
- The forfeiture of shares for non-payment of calls;
- The remedies of the creditors of the company against the shareholders;
- The borrowing of money by the company on mortgage or bond;
- The consolidation of shares into stock; 10
- The general meetings of the company and the exercise of the right of voting by the shareholders;
- The making of dividends;
- The giving of notices; and
- The provision to be made for affording access to the special Act by 15 all parties interested;

and Part I. (relating to cancellation and surrender of shares) Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 the Companies Clauses Act 1869 and the Waterworks Clauses Acts 1847 and 1863 are (except where expressly 20 varied by this Order) incorporated with and form part of this Order:

Provided that section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words “with the consent “in writing of the owner or reputed owner of any such house or of the “agent of such owner” were omitted therefrom. 25

For the purpose of such incorporation the term “special Act” in the said Acts shall be construed to mean this Order and the term “company” shall mean the Undertakers.

Interpretation, 5. The several words and expressions to which by any Act in whole or in part incorporated with this Order and by the Gas and Water Works 30 Facilities Act 1870 meanings are assigned have in this Order the same respective meanings:—

In this Order the expressions “deposited plans” and “deposited sections” shall mean respectively the plans and sections deposited for the purposes of this Order. 35

Undertakers and under-taking, 6. The Sleaford Water Company shall be the Undertakers for the purposes of this Order and are in this Order referred to “as the Undertakers” and the works authorised by this Order shall for all purposes be deemed to be part of the undertaking authorised by the Act of 1879.

Where Undertakers not furnishing sufficient supply local authority or company may supply. 7. If at any time after the expiration of three years from the 40 commencement of this Order the Undertakers are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of the Act of 1879 and this Order in any part of the district of any local authority within the limits of supply such local authority may provide a supply of water in the whole or any part of their district within 45

the limits of supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Undertakers as if in either case there were no company authorised by this Order to supply water therein.

A.D. 1906.
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Seaforth and District.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

Works.

8. The Undertakers may in the lines and according to the levels shown on the deposited plans and sections make and maintain the work herein-after described with all necessary mains pipes meters valves pumps tanks dams and other works and conveniences (that is to say):—

Construction of works.

A reservoir situate on the west side of the existing reservoir of the Undertakers in the parish of Quarrington in the parts of Kesteven in the county of Lincoln on land belonging to and in the occupation of the Undertakers being part of a field numbered 155 on the 25-inch Ordnance Survey map of the said parish 1899 edition.

9. In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent within the limits of lateral deviation shown on the deposited plans but in no case beyond the width of any road (including the footpath on either side thereof) shown on the deposited plans and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or ten feet downwards and the Undertakers shall not raise any aqueduct or line of pipes above the surface of the ground unless the same be so shown on the deposited sections and then only to the extent so shown.

Lateral and vertical deviation.

10. The works authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act 1870 Provided that subject to the restrictions and provisions of this Order the Undertakers may alter enlarge deepen and extend their tanks wells pipes filters filter beds machinery and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply.

Limit of time for construction of work

11. If any difference arises between the Undertakers and any road authority railway or other company whose lands or works the Undertakers have power to cross under the authority of this Order as to the mode of laying down repairing altering or enlarging their mains pipes or other work in over or upon such lands or works or the facilities to be afforded for the same such difference shall be settled by an engineer or other fit person to be appointed by the Board of Trade at the request of either party.

Differences with road authorities or railway or other companies.

A.D. 1906.

Sleaford and
District.
Additional
capital.

Capital.

12. In addition to the capital already authorised to be raised by the Undertakers (in this Order referred to as "the existing capital") they may—

- (1) Raise any further sums not exceeding in the whole five thousand 5 pounds by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively (in this Order referred to as "the additional capital") but the Undertakers shall not issue any share under the authority of this Order of less nominal 10 value than ten pounds nor shall any such share or stock issued under the authority of this Order vest in the person accepting the same unless and until the full price of such share or stock including any premium obtained on the sale thereof as herein- after provided shall have been paid in respect thereof Provided 15 that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of five thousand pounds; and 20
- (2) Borrow on mortgage in respect of the existing and additional capital any sum or sums not exceeding in the whole one-third part of the amount of the existing and additional capital at the time actually issued by shares or stock including the premiums (if any) realised on the sale thereof but no part 25 thereof shall be borrowed until the whole of the shares or stock in respect of which the power of borrowing is being exercised including the premiums (if any) realised on the sale thereof shall have been fully paid up and the Undertakers have proved to the justice who is to certify under the fortieth section of the 30 Companies Clauses Consolidation Act 1845 before he so certifies that such shares and stock including the premiums (if any) realised on the sale thereof have been fully paid up and upon production to such justice of the books of the Undertakers and of such other evidence as he may think sufficient he shall 35 grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.

New shares or
stock to be
offered by
auction or
tender.

13. The Undertakers shall when any shares or stock forming part of the additional capital are to be issued and before offering the same to the holder of any other shares or stock of the Undertakers and whether the 40 ordinary shares or stock of the Undertakers are at a premium or not offer the same for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the Undertakers may determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock and that the reserved 45 price put upon such shares or stock shall not be less than the nominal value thereof and notice of the amount of such reserved price shall be sent

- by the Undertakers in a sealed letter to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner
- 5 And provided that no priority of tender shall be allowed to any holder of shares or stock of the Undertakers except that if any bidding or offer by tender of any holder of shares or stock be the same in amount as any bidding or offer of any other person the bidding or offer of such holder of shares or stock shall be accepted in preference.
- 10 14. It shall be one of the conditions of any sale of shares or stock under the provisions of this Order that the full price thereof including any premium given by any purchaser at such sale shall be paid to the Undertakers within three months after such sale.
- 15 15. The intention to sell any shares or stock by auction or tender under the provisions of this Order shall be communicated by the Undertakers in writing to the clerk of every local authority having jurisdiction within the limits of supply and to the secretary of the committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may be and
- 20 notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.
- 25 16. When any shares or stock have been offered for sale by auction or tender under the provisions of this Order and not sold the same may be disposed of by the directors at a price not less than the reserved price put upon the same respectively for the purpose of sale by auction or tender or may be offered at such reserved price to the holders of the ordinary shares or stock in the capital of the Undertakers in manner provided by the Companies Clauses Act 1863 Provided that any shares or stock not
- 30 so disposed of or so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or tender in the manner and subject to the provisions of this Order with respect to the sale of shares or stock forming part of the additional capital except that the reserved price put upon such shares or stock may upon such second
- 35 or any subsequent auction or tender if the directors of the Undertakers think fit be less than the nominal value thereof and any shares or stock not then sold may be disposed of by the directors or offered to the holders of ordinary shares or stock at not less than the last-mentioned reserved price and so on until the whole of such shares or stock are sold.
- 40 17. Any sum of money which may arise by way of premium from the issue of any shares or stock under the provisions of this Order after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Undertakers but shall be expended in extending or improving the undertaking or in paying off money borrowed
- 45 or owing on mortgage by the Undertakers in respect of the undertaking and shall not be considered as part of the capital of the Undertakers entitled to dividend.

A.D. 1906.

Steauford and District.

Purchase money to be paid within three months.

Notice to be given as to sale of shares or stock.

Shares or stock not sold by auction or by tender to be offered to shareholders.

Application of premium arising on sale of shares or stock.

A.D. 1906.

Steafor and District.

As to conversion of borrowed money into capital.

Except as otherwise provided additional shares or stock to be subject to same incidents as other shares or stock.

Power to create debenture stock.

Priority of money raised on mortgage or debenture stock over certain other claims.

Appointment of receiver.

Limits of dividend on additional capital.

18. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the creation and issue of debenture stock or any part thereof respectively by the creation of shares or stock instead of by borrowing or to convert into capital any money borrowed under the provisions of this Order. 5

19. Except as by this Order otherwise provided the additional capital created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if the additional capital were part of the existing capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital Provided that except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned. 10 15

20. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 and of Section 13 of the Act of 1879.

21. All money to be raised by the Undertakers on mortgage or debenture stock under the provisions of this Order shall have priority against the Undertakers and the property from time to time of the Undertakers over all other claims on account of any debts incurred or engagements entered into by them after the commencement of this Order Provided always that this priority shall not affect any claim against the Undertakers or their property in respect of any rentcharge granted or to be granted by them in pursuance of the Lands Clauses Acts or in respect of any rent or sum reserved by or payable under any lease granted or made to the Undertakers which is entitled to rank in priority to or pari passu with the interest on their mortgages or debenture stock nor shall anything in this section contained affect any claim for land taken used or occupied by the Undertakers for the purposes of their undertaking and works or injuriously affected by the construction thereof or by the exercise of any powers conferred on the Undertakers. 20 25 30

22. Section 12 (For appointment of receiver) of the Act of 1879 is hereby repealed as from the commencement of this Order but without prejudice to any appointment heretofore made or to the continuance of any proceedings then pending The mortgagees of the Undertakers may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver and in order to authorise the appointment of a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one thousand pounds in the whole. 35 40

23. The Undertakers shall not in any year declare or make out of their profits any larger dividend on the additional capital than five pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as ordinary capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend 45

[6 EDW. 7.]

Water Orders Confirmation.

25

which shall have fallen short of the said sum of five pounds per centum per annum or than five pounds in respect of every one hundred pounds actually paid up of so much of such capital as may be issued as preference capital.

A.D. 1906.
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Steuford and District.

- 5 24. The Undertakers shall not without the consent of the Board of Trade pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order. Limit of interest on money borrowed.
- 10 25. All moneys raised under this Order shall be applied to the purposes of this Order or of the Act of 1879 to which capital is properly applicable. Application of moneys.
26. All the costs charges and expenses of and incidental to the application for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers. Costs of Order.

15

SLOUGH WATER.

Order empowering the Slough Waterworks Company to raise additional Capital to extend their limits of Supply and for other purposes. *Slough*

Preliminary.

- 20 1. This Order may be cited as the Slough Water Order 1906. Short title.
2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order." Commencement of Order.
- 25 3. The Slough Waterworks Act 1875 as amended by this Order (in this Order referred to as "the Act of 1875") the Slough Water Order 1901 (in this Order referred to as "the Order of 1901") and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order. Construction.
- 30 4. So far as the same relate to the powers conferred by this Order the provisions of the Companies Clauses Consolidation Acts 1845 to 1889 with respect to the several matters following (that is to say):— Incorporation of Acts.
- 35 The distribution of the capital of the company into shares ;
The transfer or transmission of shares ;
The payment of subscriptions and the means of enforcing the payment of calls ;
The forfeiture of shares for non-payment of calls ;
The remedies of creditors of the company against the shareholders ;
The borrowing of money by the company on mortgage or bond ;
The consolidation of the shares into stock ;

(65.)

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A.D. 1906. The general meetings of the company and the exercise of the right
of voting by the shareholders ;
Slough. The making of dividends ;
The giving of notices ; and
The provision to be made for affording access to the special Act by 5
all parties interested ;
And Part I. (relating to cancellation and surrender of shares) Part II.
(relating to additional capital) and Part III. (relating to debenture stock)
of the Companies Clauses Act 1863 and the Companies Clauses Act 1869
and the Waterworks Clauses Act 1847 and 1863 are except where 10
expressly varied by this Order incorporated with and form part of this
Order.

For the purpose of such incorporation the term "special Act" in the
said Acts shall be construed to mean this Order and the term "company"
shall mean the Undertakers. 15

Interpretation. 5. The several words terms and expressions to which by any Act in
whole or in part incorporated with this Order and by the Gas and Water
Works Facilities Act 1870 meanings are assigned have in this Order the
same respective meanings.

Undertakers.

20

Undertakers. 6. The Slough Waterworks Company shall be the Undertakers for
the purposes of this Order and are in this Order referred to as "the
Undertakers."

Extension of Limits of Supply.

Extension of limits of supply. 7. The Undertakers shall have and may exercise within the following 25
new limits namely such portion of the parish of Horton as lies south
of and within a distance of a quarter of a mile from the Bath Road and
so much of the parish of Burnham as lies south of the Great Western
Railway which parishes are in the county of Buckingham (in this Order
referred to as "the new limits") all the same powers privileges and 30
authorities for and in relation to the supply of water and shall be subject
to all the same duties liabilities and obligations in respect thereof as they
now have and are subject to within the limits of supply as defined by
the Act of 1875 and as extended by the Order of 1901 The Undertakers
shall have and may exercise the powers with respect to the breaking up 35
of streets and be subject to the liabilities and obligations contained in
sections 28 to 34 of the Waterworks Clauses Act 1847 in and over so
much of the Bath Road as adjoins or abuts upon the limits of supply
Provided that nothing herein contained shall entitle the Undertakers to
sink any well or pump water from any well in the parish of Burnham. 40

Where Under-
takers not
furnishing
sufficient
supply local
authority or
company may
supply. 8. If at any time after the expiration of five years from the com-
mencement of this Order the Undertakers are not furnishing or prepared
on demand to furnish a sufficient supply of water in accordance with the
provisions of this Order in any part of the district of any local authority
within the new limits the local authority of such district may provide a 45

supply in the whole or any part of their district within the new limits in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied by the Undertakers as if in either case there were no company authorised by this Order to supply water therein.

A.D. 1906.

Slough.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

Additional Capital.

9. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1875 or the Order of 1901 (in this Order referred to as "the existing capital") they may—

- 15 (1) Raise any further sums not exceeding in the whole twenty thousand pounds by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively (in this Order referred to as "the additional capital") but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any share or stock issued under the authority of this Order vest in the person accepting the same unless and until the full price of such share or stock including any premium obtained on the sale thereof as hereinafter provided has been paid in respect thereof. Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of twenty thousand pounds: and
- 20
- 25
- 30 (2) Borrow on mortgage in respect of the additional capital by this Order authorised to be raised any sums not exceeding in the whole one-third part of the amount of the additional capital at the time actually raised by the issue of shares or stock but no part thereof shall be borrowed until the whole of the shares or stock at the time issued together with the premiums (if any) realised on the sale thereof shall have been fully paid up and the Undertakers have proved to the justice who is to certify under the fortieth section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares and stock and premiums (if any) have been issued and fully paid up and upon production to such justice of the books of the Undertakers and of such other evidence as he may think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.
- 35
- 40
- 45

Additional capital.

10. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the issue of debenture

As to conversion of borrowed money into capital.

A.D. 1906. stock or any part thereof by the creation of shares or stock instead of
 borrowing or to convert into capital the amount borrowed under the
 provisions of this Order.
Slough.

New shares or
 stock to be
 offered by auc-
 tion or tender.

11. The Undertakers shall when any shares or stock created under
 the powers of this Order are to be issued and before offering the same to 5
 the holder of any other shares or stock of the Undertakers and whether
 the ordinary shares or ordinary stock of the Undertakers are or is at a
 premium or not offer the same for sale by public auction or tender in such
 manner at such times and subject to such conditions of sale as the Under-
 takers shall determine Provided that at any such sale no single lot shall 10
 comprise more than one hundred pounds nominal value of shares or stock
 and that the reserved price put upon such shares or stock shall not be less
 than the nominal value thereof and notice of the amount of such reserved
 price shall be sent by the Undertakers in a sealed letter to the Board of
 Trade not less than twenty-four hours before the day of auction or the 15
 last day for the reception of tenders as the case may be and such letter
 may be opened after such day of auction or last day for the reception of
 tenders and not sooner and provided that no priority of tender shall be
 allowed to any holder of shares or stock of the Undertakers except that
 if the bidding or offer by tender of any holder of shares or stock shall be 20
 the same in amount as the bidding or offer by tender of any other person
 for the same lot the bidding or offer by tender of such holder shall be
 accepted in preference.

Purchase
 money to be
 paid within
 three months.

12. It shall be one of the conditions of any sale of shares or stock
 under the provisions of this Order that the full price thereof including 25
 any premium given by any purchaser at such sale shall be paid to the
 Undertakers within three months after such sale.

Notice to be
 given as to
 sale of shares
 or stock.

13. The intention to sell any shares or stock by auction or tender
 under the provisions of this Order shall be communicated by the Under-
 takers in writing to the clerk of every local authority having jurisdiction 30
 within the limits of supply of the Undertakers and to the secretary of the
 committee of the London Stock Exchange at least twenty-eight days
 before the day of auction or the last day for the reception of tenders as
 the case may be and notice of such intention shall be duly advertised by
 the Undertakers once in each of two consecutive weeks in one or more 35
 newspapers circulating within such limits of supply.

Shares or stock
 not sold by
 auction or
 tender to be
 offered to
 shareholders.

14. When any shares or stock have been offered for sale by auction
 or by tender under the provisions of this Order and not sold the same
 may be disposed of by the directors at a price not less than the reserved
 price put upon the same for the purposes of sale by auction or tender or 40
 offered at such reserved price to the holders of the ordinary shares or
 ordinary stock of the Undertakers in the manner provided by the Companies
 Clauses Act 1863 Provided that any shares or stock not so disposed of
 or so offered and not accepted within the time prescribed by the said Act
 shall again be offered for sale by public auction or tender in the manner 45
 and subject to the provisions of this Order with respect to the sale of
 shares or stock forming part of the additional capital except that the
 reserve put upon such shares or stock may upon such second or any

subsequent auction or tender if the directors of the Undertakers think fit be less than the nominal value thereof and any shares or stock not then sold may be disposed of by the directors or offered to the holders of ordinary shares or ordinary stock at not less than the last-mentioned reserved price and so until the whole amount of such shares or stock is sold.

A.D. 1906.

Slough.

15. Any sum of money which may arise from the issue of any shares or stock under the provisions of this Order by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Undertakers but shall be expended in extending or improving the works of the Undertakers or in paying off money borrowed or owing on mortgage by the Undertakers and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Application of premium arising on issue of shares or stock.

16. The Undertakers shall not in any year declare or make out of their profits any larger dividend on the additional capital than seven pounds in respect of every one hundred pounds actually paid up of so much of the additional capital as may be issued as ordinary capital unless a larger dividend be at any time necessary to make up the deficiency of any previous dividend which shall have fallen short of the said sum of seven pounds per centum per annum or five pounds in respect of every one hundred pounds actually paid up of so much of the additional capital as may be issued as preference capital.

Limit of dividend on new capital.

17. In case in any year or in any half year if the Undertakers declare a dividend half-yearly the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed rates of dividend on each class of ordinary shares or stock of the Undertakers a proportionate reduction shall be made in the dividends payable on each class.

Prescribed rates to be paid proportionately.

18. Except as is by this Order otherwise provided the additional capital created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that capital were part of the existing capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital The capital in new shares or stock so created shall form part of the capital of the Undertakers.

Except as otherwise provided new shares or stock to be subject to same incidents as ordinary shares or stock.

19. Every person who becomes entitled to new shares or stock shall in respect of the same be a holder of shares or stock in the capital of the Undertakers and shall be entitled to a dividend with the other holders of shares or stock of the same class or description proportioned to the whole amount from time to time called and paid on such new shares or to the whole amount of such stock as the case may be.

Dividends on new shares or stock.

20. Except as otherwise expressly provided by the resolution creating the same no person shall be entitled to vote in respect of any new shares or stock to which a preferential dividend shall be assigned.

Restrictions as to votes in respect of preferential shares or stock.

21. If any money is payable to a shareholder stockholder mortgagee or debenture stockholder being a minor idiot or lunatic the receipt of the

Receipt in case of persons not sui juris.

A.D. 1906. guardian or committee of his estate shall be a sufficient discharge to the Undertakers.

Slough.

Debenture stock.

22. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein or in any Act previous to this Order 5 contained the interest of all debenture stock and of all mortgages at any time after the commencement of this Order created and issued or granted by the Undertakers under any previous Act or this Order or any subsequent Act or Order shall (subject to the provisions of any subsequent Act or Order) rank *pari passu* (without respect to the dates of the securities or 10 of the Acts of Parliament Orders or resolutions by which the stock and mortgages were authorised) and shall have priority over all principal moneys secured by such mortgages Notice of the effect of this enactment shall be endorsed on all mortgages and certificates of debenture stock.

Existing mortgages to have priority.

23. All mortgages granted by the Undertakers under the authority of 15 the Act of 1875 or the Order of 1901 before the commencement of this Order and subsisting at the date of such commencement shall during the continuance of such mortgages and subject to the provisions of the said Act and Order have priority over all mortgages granted under the authority of this Order but nothing in this section contained shall affect any priority 20 of the interest of any debenture stock at any time created and issued by the Undertakers and notwithstanding anything in the said Act contained all debenture stock at any time created and issued by the Undertakers after the commencement of this Order whether under the said Act or Order or this Order shall rank *pari passu*. 25

Limit of interest on moneys borrowed.

24. The Undertakers shall not without the consent of the Board of Trade pay interest at a higher rate than five pounds per centum per annum in respect of any moneys borrowed on mortgage or raised by the creation and issue of debenture stock under the authority of this Order.

Appointment of a receiver.

25. Section 23 of the Order of 1901 (For appointment of a receiver) 30 is hereby repealed but without prejudice to any appointment made or any proceedings pending and after the commencement of this Order the mortgagees of the Undertakers may enforce payment of arrears of interest or principal or principal and interest due on their mortgages by the appointment of a receiver In order to authorise the appointment of 35 a receiver in respect of arrears of principal the amount owing to the mortgagees by whom the application for a receiver is made shall not be less than one-tenth part of the total amount for the time being owing by the Undertakers on mortgage.

Application of moneys raised under this Order.

26. All moneys raised under this Order shall be applied only to the 40 purposes of the Act of 1875 the Order of 1901 and this Order to which capital is properly applicable.

Number of directors.

27. Section 33 of the Act of 1875 is hereby repealed and in lieu thereof the number of directors shall not be more than five nor less 45 than three.

28. As from the first day of January one thousand nine hundred and nine section 25 of the Order of 1901 shall be repealed and section 40 of the Act of 1875 shall be read and construed for all purposes as if the words "rateable value according to the valuation list for the time being in force" had been inserted therein instead of the words "annual rack rent or value" and all rents or rates for the supply of water for domestic purposes by the Undertakers shall on and after the said first day of January be demanded and payable accordingly.

A.D. 1906.

Slough.

Water rates to be calculated upon rateable value after 1st January 1909.

29.—(1) The Eton Rural District Council (in this section referred to as "the council") shall for the purposes of sections 35 and 36 of the Waterworks Clauses Act 1847 be deemed to be owners or occupiers of houses within the limits of supply of the Undertakers and shall accordingly be entitled to require or join in requiring the Undertakers to cause pipes to be laid down and water to be brought to any part of the district of the council comprised within the said limits upon and subject to the terms and conditions prescribed by the said sections as varied by this section and forthwith after making any such requisition they shall enter into an agreement with the Undertakers binding themselves to pay to the Undertakers annually such a sum (if any) as together with the aggregate amount (if any) of the water rates from time to time payable by the owners and occupiers of houses in the part of the limits of supply to which such requisition relates shall be required to make up a sum of not less than one-tenth part of the expenses of providing and laying down the necessary pipes Provided always that the amount of such expense shall be based upon the shortest available route between the nearest main of the Undertakers existing at the date of such requisition and the required point of supply and that notwithstanding anything contained in the said Waterworks Clauses Act the liability of the said council shall not terminate until the rates payable in each of any three successive years by such owners and occupiers as last aforesaid shall have amounted to not less than one-tenth part of such expense when all liability of the council under this section in respect of the expense of providing such supply shall finally cease and determine.

For protection of Eton Rural District Council.

(2) In applying the sections of the Waterworks Clauses Act 1847 relating to fire plugs to this Order the rural district council shall be substituted for the town commissioners and the concluding paragraph of section 38 of the said Act shall be taken to include the pattern and price of the fire plugs as well as their position and number.

30. All the costs charges and expenses of and incidental to the applying for preparing obtaining and confirming this Order and otherwise in relation thereto shall be paid by the Undertakers.

Costs of Order.

**Water Orders
Confirmation. [H.L.]**

A

B I L L

INTITLED

An Act to confirm certain Provisional Orders made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Herne Bay Water Maidstone Water Mid-Kent Water Rickmansworth and Uxbridge Valley Water Sleaford and District Water and Slough Water.

The Lord Granard (E. Granard).

Ordered to be printed 3rd May 1906.

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Water Orders Confirmation Bill [H.L.]

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E

B Y

T H E L O R D G R A N A R D (*E. Granard*).

Clause 2, page 1, line 18, after (“ as ”) insert (“ amended
“ and ”)

HERNE BAY WATER ORDER.

After clause 18, page 6, insert as a new clause :

18A. The Undertakers shall out of the first moneys to be raised under the powers of this Order erect a water tower or construct such works as may be necessary to enable the Undertakers to give a continuous supply of water from all the mains of the Undertakers within the district of the Herne Bay Urban District Council.

Constant
supply
within the
Urban Dis-
trict of
Herne Bay.

MAIDSTONE WATER ORDER.

Clause 9, page 9, line 19, after the second (“ of ”) insert
 (“ such ”)

line 20, leave out (“ in the company ”)

MID KENT WATER ORDER.

Clause 11, page 14, line 39, leave out (“ additional ”) and
insert (“ new ”)

line 41, after (“ capital ”) insert (“ at
“ the time ”)

(65 a.)

RICKMANSWORTH AND UXBRIDGE VALLEY WATER ORDER.

Clause 3, page 17, line 11, leave out (“(in this Order referred to as ‘the Acts 1884 to 1900’)”)

After clause 11, page 19, insert as a new clause :

For the protection of the Eton Rural District Council.

11A. For the protection of the Eton Rural District Council (in this section referred to as “the Eton Council”) the following provisions shall unless otherwise agreed in writing between the Eton Council and the Undertakers have effect (that is to say) :—

- (1) The provisions of subsections (1) and (2) of the section of this Order of which the marginal note is “for the protection of the Bucks County Council” shall apply and have effect for the protection of the Eton Council as if those subsections had been re-enacted in this section with the name of the Eton Council substituted for that of the Bucks County Council.
 - (2) In applying the sections of the Waterworks Clauses Act 1847 relating to fireplugs to the Eton Council and the Undertakers the Eton Council shall be substituted for the Town Commissioners and the concluding paragraph of section 38 of the said Act shall be taken to include the pattern and price of the fireplugs or hydrants as well as their position and number Provided that if the pattern of any fireplug or hydrant which may be decided upon and fixed as the result of an enquiry held under the provisions of the said section 38 shall cause or allow a waste of water or the access of air to the Undertakers mains then the Undertakers shall be at liberty to have the same removed and the expense thereof shall be borne by the Council and the Undertakers in equal shares.
-

A

B I L L

INTITULED

An Act to confirm a Provisional Order made by the Board of Trade under the Gas and Water Works Facilities Act 1870 relating to Poole Water. A.D. 1906.

WHEREAS under the authority of the Gas and Water Works Facilities Act 1870 the Board of Trade have made the Provisional Order set out in the schedule to this Act annexed : 33 & 34 Vict.
c. 70.

5 And whereas a Provisional Order made by the Board of Trade under the authority of the said Act is not of any validity or force whatever until the confirmation thereof by Act of Parliament :

10 And whereas it is expedient that the said Provisional Order be confirmed :

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 as follows :—

15 **1.** This Act may be cited as the Water Provisional Order Act 1906. Short title.

20 **2.** The Order as amended and set out in the schedule to this Act shall be and the same is hereby confirmed and all the provisions thereof in manner and form as they are set out in the said schedule shall from and after the passing of this Act have full validity and effect. Confirmation
of Order in
schedule.

A.D. 1906.

SCHEDULE.

POOLE WATER.

Poole. Order empowering the Poole Waterworks Company to raise additional Capital to construct additional Works and to extend their limits of supply and for other purposes. 5

- Short title. 1. This Order may be cited as the Poole Water Order 1906.
- Commencement of Order. 2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed which date is in this Order referred to as "the commencement of this Order."
- Construction of Order. 3. The Poole Waterworks Act 1859 the Poole Water Order 1881 the Poole Water Order 1887 the Poole Water Order 1893 (in this Order referred to as "the Act of 1859" "the Order of 1881" "the Order of 1887" and "the Order of 1893" respectively) and this Order shall be construed together except so far as such construction would be inconsistent with or repugnant to the provisions of this Order. 10 15
- Incorporation of Acts. 4. So far as the same relate to the powers conferred by this Order the provisions of the Companies Clauses Consolidation Acts 1845 to 1889 with respect to the several matters following (that is to say):—
- The distribution of the capital of the Company into shares ;
 - The transfer or transmission of shares ; 20
 - The borrowing of money by the Company on mortgage or bond ;
 - The consolidation of the shares into stock ;
 - The general meetings of the Company and the exercise of the right of voting by the shareholders ;
 - The making of dividends ; 25
 - The giving of notices ; and
 - The provision to be made for affording access to the special Act by all parties interested ;
 - And Part I. (relating to cancellation and surrender of shares) and Part II. (relating to additional capital) and Part III. (relating to debenture stock) of the Companies Clauses Act 1863 and the Companies Clauses Acts 1869 and the provisions of the Waterworks Clauses Acts 1847 and 1863 and of the Lands Clauses Acts (except with respect to the purchase and taking of land otherwise than by agreement and with respect to the entry upon lands by the Promoters of the undertaking) ; 30 35
- are except where expressly varied by this Order incorporated with and form part of this Order.
- For the purpose of such incorporation the term "special Act" in the said Acts shall be construed to mean this Order. 40

5. In this Order the expression "deposited plans" and "deposited sections" shall mean respectively the plans and sections deposited for the purposes of this Order and the several words terms and expressions to which by any Act in whole or in part incorporated with this Order and 5 by the Gas and Water Works Facilities Act 1870 meanings are assigned have the same respective meanings. Provided that the expression "superior court" or "court of competent jurisdiction" in any Act in whole or in part incorporated with this Order shall be read and have effect as if the debt or demand in respect of which the expression is used were an ordinary 10 simple contract debt and not a debt or demand created by statute.

A.D. 1906.
Poole.
 Interpretation.

6. The Undertakers shall have and may exercise subject to the provisions of this Order within the following new limits (herein-after referred to as "the new limits") all the like powers privileges and authorities for or in relation to the supply of water and be subject to all and the like 15 duties liabilities and obligations in respect thereof as they now have and are subject to within the limits of the Act of 1859 and the Order of 1893 as defined by that Act and Order respectively and the expression "limits of supply" in the said Act and in the Order of 1893 shall from and after the commencement of this Order be deemed to include the new limits 20 The new limits are as follows:—

Extension
 of limits of
 supply.

(1) So much of the parish of Corfe Mullen in the county of Dorset as is included within a line commencing at a point distant 10 chains to the east of the junction of the Poole and Blandford main road with the old Roman road proceeding thence in a north-westerly direction in a straight line to a cattle road passing beneath the line of the Somerset and Dorset Railway Company situate at a point distant two chains or thereabouts to the east of the eastern boundary of the parcel of land No. 60 on the $\frac{1}{2500}$ Ordnance Survey map of the said parish of Corfe Mullen second edition 1901 where the said parcel of land abuts on the said railway thence in a northerly direction along the said cattle road to and beneath the Wimborne branch of the said railway where the said last-mentioned railway crosses the said cattle road by means of a bridge and continuing thence in a straight line in a northerly direction for a distance of two chains or thereabouts crossing the Wimborne and Blandford main road to the northern bank of a stream running at that point nearly parallel with the said Wimborne and Blandford main road and distant therefrom 80 links or thereabouts continuing thence in a westerly northerly and westerly direction following the northern bank of the said stream until it enters the parcel of land No. 94 on the said ordnance map continuing thence in a westerly direction in a straight line through the said parcel of land No. 94 and also through the parcel of land No. 29 on the said ordnance map to the western bank of the River Stour thence following the northern bank of the said river in a westerly direction to the northern end of the weir situate at the southern extremity of the parcel of land No. 10

A.D. 1906.

Pool.

on the said ordnance map proceeding thence in a southerly direction in a straight line to the point where the said Somerset and Dorset Railway crosses the said Blandford and Wimborne main road at the Bailey Gate crossing thence crossing the said railway and continuing in a south-easterly direction in a straight line to an occupation road at the western end of the parcel of land No. 475 on the said ordnance map thence in a straight line in a north-easterly direction to the point of junction of the said Poole and Blandford main road with the old Roman road :

- (2) So much of the parishes of Corfe Mullen and Lytchett Minster in the said county of Dorset as lies within a line commencing at a point distant 10 chains or thereabouts in a northerly direction from the Poole and Wareham main road at the point where the present boundary of the limits of supply of the Undertakers crosses the said road near Wyatt's timber yard at Upton proceeding thence in a westerly direction in a straight line to a point on the said Poole and Wareham main road distant seven chains or thereabouts east of the Wesleyan Methodist chapel continuing thence in a straight line in a southerly direction to a point where the said line cuts the municipal boundary of Poole in Lytchett Bay thence following the said municipal boundary in an easterly and northerly direction to the point where the said municipal boundary leaves the boundary of the parish of Corfe Mullen at a distance of five chains or thereabouts in a south-westerly direction from Upton Farm proceeding thence in an easterly and northerly direction following the said parish boundary of Corfe Mullen to the aforesaid point distant 10 chains or thereabouts in a northerly direction from the said Poole and Wareham main road :
- (3) The parish of Hamworthy as it existed prior to the commencement of the Poole (Extension) Order 1905.

Where Undertakers not furnishing sufficient supply local authority or company may supply.

7. If at any time after the expiration of five years from the commencement of this Order the Undertakers are not furnishing or prepared on demand to furnish a sufficient supply of water in accordance with the provisions of the Act of 1859 the Order of 1893 and this Order in any part of the district of any local authority within the new limits of supply the local authority of such district may provide a supply in accordance with the provisions of the Public Health Act 1875 or any company body or person may apply for an Act of Parliament or Provisional Order for the purpose of supplying water in any part of such district not sufficiently supplied as if in either case there were no company authorised by this Order to supply water therein.

If any difference shall arise between the Undertakers and any such local authority company body or person as to the sufficiency of the supply of water in any part of such district such difference shall be settled on the application of either party by the Board of Trade.

Undertakers.

A.D. 1906.

8. The Poole Waterworks Company incorporated by the Act of 1859 shall be the Undertakers for the purposes of this Order and are in this Order referred to as "the Undertakers."

Poole.

Undertakers.

5

Additional Capital.

9. In addition to the capital already authorised to be raised by the Undertakers under the Act of 1859 and the Orders of 1881 1887 and 1893 they may from time to time :—

Additional capital.

- 10 (1) Raise any further sums not exceeding in the whole forty-four thousand pounds by the issue of new ordinary shares or stock or new preference shares or stock or wholly or partly by any one or more of those modes respectively (in this Order referred to as "the further capital") but the Undertakers shall not issue any share under the authority of this Order of less nominal value than ten pounds nor shall any such share or stock issued under the authority of this Order vest in the person accepting the same unless and until the full nominal amount of such share or stock together with any premium obtained upon the sale thereof as hereinafter provided has been paid in respect thereof Provided that it shall not be lawful for the Undertakers to create and issue under the powers of this Order any greater nominal amount of capital than will be sufficient to produce including any premiums which may be obtained on the sale thereof the sum of forty-four thousand pounds :
- 15
- 20
- 25 (2) Borrow on mortgage in respect of the further capital of forty-four thousand pounds by this Order authorised to be raised by the issue of ordinary or preference shares or stock any sum or sums not exceeding in the whole one-fourth part of the amount payable in respect of such further capital at the time actually issued including the premiums (if any) realised on the sale thereof but no part thereof shall be borrowed until shares or stock for so much of the further capital in respect of which such borrowing powers are sought to be exercised together with the premiums (if any) realised on the sale thereof have been fully paid up and the Undertakers have proved to the justice who is to certify under the 40th section of the Companies Clauses Consolidation Act 1845 before he so certifies that such shares or stock and premiums (if any) have been fully paid up and upon production to such justice of the books of the Undertakers and such other evidence as he may think sufficient he shall grant a certificate that the proof aforesaid has been given which certificate shall be sufficient evidence thereof.
- 30
- 35
- 40

10. The Undertakers shall not have power to raise the money by this Order authorised to be borrowed on mortgage or by the issue of debenture stock or any part thereof by the creation of shares or stock instead of

As to conversion of borrowed money into capital

A.D. 1906. borrowing or to convert into capital the amount borrowed under the provisions of this Order.

Pool.

Except as otherwise provided new shares or stock to be subject to the same incidents as other shares or stock.

11. Except as by this Order otherwise provided the further capital created by the Undertakers under this Order and the new shares or stock therein and the holders thereof respectively shall be subject and entitled 5 to the same powers provisions liabilities rights privileges and incidents whatsoever in all respects as if that further capital were part of the original capital of the Undertakers of the same class or description and the new shares or stock were shares or stock in that capital.

New shares or stock to be offered by auction or tender.

12. The Undertakers shall when any shares or stock created under 10 the powers of this Order are to be issued and before offering the same to the holder of any other share or stock of the Undertakers and whether the ordinary shares or ordinary stock of the Undertakers are or is at a premium or not offer the same for sale by public auction or tender in such manner at such times and subject to such conditions of sale as the 15 Undertakers may determine Provided that at any such sale no single lot shall comprise more than one hundred pounds nominal value of shares or stock and that the reserved price put upon such shares or stock shall not be less than the nominal amount thereof and notice of the amount of such reserved price shall be sent by the Undertakers in a sealed letter 20 to the Board of Trade not less than twenty-four hours before the day of auction or the last day for the reception of tenders as the case may be and such letter may be opened after such day of auction or last day for the reception of tenders and not sooner and provided that no priority of tender shall be allowed to any holder of shares or stock of the Under- 25 takers except that if the bidding or offer by tender of any holder of shares or stock of the Undertakers be the same in amount as the bidding or offer of any other person the bidding or offer of such holder shall be accepted in preference.

When proprietor tenders same amount as any other person proprietor to be declared purchaser.

13. When the amount bidden or tendered by the proprietor of any 30 share or stock of the Undertakers for any share or stock offered for sale by auction or tender under the provisions of this Order is equal to the highest amount bidden or tendered for such last-mentioned share or stock by any person not being a proprietor then and in every such case such proprietor shall be declared to be the purchaser of and to be entitled to 35 such share or stock.

Purchase money of capital sold by auction to be paid within three months.

14. It shall be one of the conditions of any sale of shares or stock under the provisions of this Order that the whole nominal amount thereof together with any premium given by any purchaser at such sale in respect thereof shall be paid to the Undertakers within three months after such 40 sale.

As to notice to be given as to sale of shares or stock.

15. The intention to sell any shares or stock by auction or tender under the provisions of this Order shall be communicated by the Under- 45 takers in writing to the clerk of every local authority having jurisdiction within the limits of supply and to the Secretary of the Committee of the London Stock Exchange at least twenty-eight days before the day of auction or the last day for the reception of tenders as the case may

[6 EDW. 7.]

Water Provisional Order.

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be and notice of such intention shall be duly advertised by the Undertakers once in each of two consecutive weeks in one or more newspapers circulating within the limits of supply.

A.D. 1906.

Pool.

16. When any shares or stock have been offered for sale by auction or tender under the provisions of this Order and not sold the same may be disposed of by the directors at a price not less than the reserved price put upon the same for the purpose of sale by auction or tender or offered at such reserved price to the holders of the ordinary shares or ordinary stock of the Undertakers in the manner provided by the Companies Clauses Act 1863 Provided that any shares or stock not so disposed of or so offered and not accepted within the time prescribed by the said Act shall again be offered for sale by public auction or tender in the manner and subject to the provisions of this Order with respect to the sale of shares and stock created under the powers of this Order except that the reserved price may upon any second or subsequent sale by auction or tender if the directors of the Undertakers think fit be less than the nominal value thereof and any shares or stock not then sold may be disposed of by the directors or offered to the holders of ordinary shares or stock at not less than the last-mentioned reserved price and so from time to time until the whole of such shares or stock is sold.

Shares or stock not sold by auction or by tender to be offered to shareholders.

17. Any sum of money which may arise from the issue of any shares or stock under the provisions of this Order by way of premium after deducting therefrom the expenses of and incident to such issue shall not be considered as profits of the Undertakers but shall be expended in extending or improving the works of the Undertakers or in paying off money borrowed or owing on mortgage by the Undertakers and shall not be considered as part of the capital of the Undertakers entitled to dividend.

Application of premium arising on issue of shares or stock.

18. The Undertakers shall not in any year make out of their profits any larger dividends on the further capital than seven pounds in respect of every one hundred pounds actually paid up of so much of capital as may be issued as ordinary capital or five pounds in respect of every one hundred pounds actually paid up of as much of such capital as may be issued as preference capital.

Limits of dividend on further capital.

19. In case in any year or in any half year (if the Undertakers declare a dividend half yearly) the net revenues of the Undertakers applicable to dividend are insufficient to pay the full amount of the prescribed maximum rate of dividend on each class of ordinary shares or stock in the capital of the Undertakers a proportionate reduction shall be made in the dividends payable on each class.

Dividend on different classes of ordinary shares to be paid proportionately.

20. The Undertakers may create and issue debenture stock subject to the provisions of Part III. of the Companies Clauses Act 1863 but notwithstanding anything therein or in any Act or Order previous to this Order contained the interest of all debenture stock and of all mortgages at any time after the commencement of this Order created and issued or granted by the Undertakers under any previous Act or this Order or any subsequent Act or Order shall subject to the provisions of any subsequent Act or Order rank *pari passu* without respect to the dates of the securities or of the Acts

Powers to create debenture stock.

A.D. 1906. of Parliament orders or resolutions by which the stock and mortgages were
Pooler. authorised and shall have priority over all principal moneys secured by such
 mortgages Notice of the effect of this enactment shall be endorsed on all
 mortgages and certificates of debenture stock.

Existing mort-
 gages to have
 priority.

21. All mortgages granted by the Undertakers under the authority of the 5
 Act of 1859 or the Order of 1881 or the Order of 1887 or the Order of 1893
 before the commencement of this Order and subsisting at the date of such
 commencement shall during the continuance of such mortgages and subject
 to the provisions of the said Act and Orders have priority over all mortgages
 granted under the authority of this Order but nothing in this section con- 10
 tained shall affect any priority of the interest of any debenture stock at any
 time created and issued by the Undertakers and notwithstanding anything in
 the said Act or Orders contained all debenture stock at any time created and
 issued by the Undertakers after the commencement of this Order whether
 under the said Act or either of the said Orders or this Order shall rank 15
 pari passu.

Limit of
 interest on
 moneys bor-
 rowed.

22. The Undertakers shall not without the consent of the Board of Trade
 pay interest at a higher rate than five pounds per centum per annum in respect
 of any moneys borrowed on mortgage or raised by the creation and issue of
 debenture stock under the authority of this Order. 20

Application of
 moneys.

23. All moneys raised under this Order shall be applied to the purposes
 of the water undertaking authorised by the Act of 1859 the Orders of 1881
 1887 and 1893 and this Order to which capital is properly applicable.

Lands.

Undertakers
 may purchase
 lands by agree-
 ment.

24. Notwithstanding anything in the Act of 1859 and the Order of 1893 25
 contained the Undertakers may by agreement purchase take on lease acquire
 and use such of the lands shown on the deposited plans and described in the
 schedule to this Order annexed as they may require for the purposes of the
 water undertaking and they may by agreement purchase or take on lease
 acquire and use any easements rights or privileges (not being an easement 30
 right or privilege to take water in which persons other than the grantors have
 an interest) in over or affecting any lands which they may require for such
 purposes Provided always that the Undertakers shall not sink drive construct
 or use any well drift or adit upon any lands to be acquired by them under
 the powers of this Order other than the lands shown upon the deposited plans 35
 and provided that they shall not create or permit a nuisance on any such
 lands and that they shall not at any time hold for such purposes more than
 twenty acres of land in the whole in addition to the lands shown on the
 deposited plans and described in the schedule to this Order annexed and the
 lands held by them at the commencement of this Order. 40

Persons under
 disability may
 grant ease-
 ments &c.

25. Persons empowered by the Lands Clauses Acts to sell and convey or
 release lands may if they think fit subject to the provisions of the said Acts
 grant to the Undertakers any easement right or privilege (not being an
 easement of water) in over or affecting any such lands and the provisions of

the said Acts with respect to lands and rentcharges so far as the same are applicable in this behalf shall extend and apply to such grants or to such easements rights or privileges as aforesaid. A.D. 1906.
Poole.

Construction of Additional Works.

5 26. The Undertakers may on the lands shown on the deposited plans when they have acquired and while they are possessed of the same make and maintain in the lines and according to the levels shown on the deposited plans the additional works herein-after described with all needful pipes culverts cuts conduits drains sluices goits channels dams weirs pens stand-
10 pipes tanks valves air valves hydrants walls fences engines pumps meters and other works connected therewith. Power to
construct
additional
works.

The said works will be situate wholly in the county of Dorset and are as follows :—

- 15 (1) An engine house boiler house chimney shaft coal stores pumping station and well in the parish of Corfe Mullen on premises known as Corfe Mullen Mill :
- (2) Filter beds reservoirs and tanks at Broadstone in the parish of Canford Magna near the road leading from Poole to Blandford :
- 20 (3) A line of cast-iron water mains or conduit pipes leading from the before-mentioned engine house along and under the main road leading from Poole to Blandford the main road leading from Poole to Wimborne the main road leading from Poole to Wareham Hamworthy Road leading from Upton to Poole
25 Breakheart Road Fernside Road in the borough of Poole the main road from Poole to Bournemouth Mansfield Hill and Ashley Road in the said borough of Poole Provided always that in constructing the well by this Order authorised the Undertakers shall cause the same throughout from the surface downwards to a depth of one hundred and two feet to be lined with efficient water-tight tubing and to be thoroughly grouted with cement
30 so as to prevent as far as possible the passage of water behind such tubing and shall so maintain the same.

27. The Undertakers in addition to the foregoing works may upon any lands for the time being belonging to them make and maintain all such tunnels
35 adits pipes conduits culverts drains sluices byewashes water towers overflows waste-water channels gauges filter beds tanks banks walls bridges embankments piers approaches engines machinery and appliances as may be necessary or convenient in connection with or subsidiary to the before-mentioned works or any or either of them but nothing in this section shall exonerate the
40 Undertakers from any action indictment or other proceeding for nuisance in the event of any nuisance being caused or permitted by them Provided that notwithstanding anything in this section contained the Undertakers shall not by means of any adit tunnel pipe drain or other work made under the powers of this section directly or indirectly abstract take or use any
45 of the waters of the River Stour or its tributaries. Power to make
subsidiary
works.

- A.D. 1906. **28.** The Undertakers may but only with the consent in writing of the owner of the soil of such road or street on the application of the owner or occupier of any premises within the limits of the Act of 1859 or the Order of 1893 or this Order abutting on or being erected in any street laid out but not dedicated to public use supply such premises with water and may lay down take up alter relay or renew in across or along such street such pipes and apparatus as may be requisite or proper for the furnishing such supply. 5
- Poolc.*
Power to lay pipes in streets not dedicated to public use.
- Limits of deviation. **29.** In constructing the works authorised by this Order the Undertakers may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans but in no case beyond the width of any road shown on the deposited plans and the Undertakers may deviate vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards or seven feet downwards Provided that no conduit or line of pipes shall be raised above the surface of the ground unless so shown on the deposited sections and then only to the extent so shown. 10 15
- Power to hold lands for protection of waterworks. **30.** The Undertakers may hold any lands acquired by them under the powers of this Order which they may deem necessary for the purpose of protecting their waterworks against pollution fouling and contamination and so long as such necessity shall continue such lands shall not be deemed to be superfluous lands within the meaning of the Lands Clauses Acts respectively but the Undertakers shall not create or permit a nuisance on any such lands and shall not erect any buildings thereon other than offices and dwellings for persons in their employ and such buildings as may be incident to or connected with their water undertaking. 20
- Period for completion of works. **31.** The works authorised by this Order shall be commenced constructed and completed within the time and subject to the conditions prescribed by section 11 of the Gas and Water Works Facilities Act 1870 Provided that subject to the restrictions and provisions of this Order the Undertakers may alter enlarge and extend their engines machinery tanks wells pipes and other works in such way and manner as may be requisite or advisable for supplying water within the limits of supply. 25 30
- For the protection of John William Townsend Fyler and George Henry William Hervey. **32.** The following provisions shall have effect for the benefit and protection of John William Townsend Fyler and George Henry William Hervey the trustees of the Kingston Lacy and Corfe Castle Settled Estates in the county of Dorset their heirs and successors in estate and assigns (all or any of whom are in this section included in the expression "the owner") (that is to say):— 35
- (1) If the supply of water from any existing well pond pool stream or watering place situate in or upon the lands of the owner within a radius of one mile from the well at Corfe Mullen authorised by this Order is at any time diminished in consequence of the exercise by the Undertakers of the powers conferred on them by this Order the Undertakers shall make good the deficiency and for that purpose shall afford to any lands houses or premises of the owner within the said radius a supply of water free of all costs to the owner and such supply shall be of such quantity and shall be given at such time and place and in such manner as may 40 45

be agreed or as may be determined by arbitration Provided A.D. 1906.
 always that it shall not be obligatory on the owner to show Pooler.
 that such diminution has been caused by the exercise by the
 Undertakers of the powers conferred on them by this Order
 5 but on the other hand it shall be competent for the Undertakers
 to show that any such diminution has not been caused by the
 exercise of such powers :

- (2) If the supply of water in or obtainable from the wells or bore holes
 at Barford Dairy of the owner is at any time diminished in
 10 consequence of the exercise by the Undertakers of the powers
 conferred upon them by this Order the Undertakers shall supply
 free of all cost to the owner such quantity of water to make
 good such deficiency not exceeding five hundred gallons in any
 15 one day of twenty-four hours and the provisions of the preceding
 subsection shall mutatis mutandis apply to such supply Provided
 that such supply shall be delivered into a tank at a sufficient
 elevation to give the necessary pressure so as to afford an efficient
 supply to the said Barford Dairy :
- (3) All mains pipes meters tanks and fittings required for the purpose
 20 of supplying water to the owner in pursuance of this section
 shall be provided laid down and fixed and all such mains pipes
 meters and tanks shall be maintained by and at the expense
 of the Undertakers and the owner shall afford to the Undertakers
 25 all reasonable or necessary facilities for those purposes but all
 such fittings shall be maintained and repaired and (when neces-
 sary) renewed and made good by the owner to the satisfaction
 of the Undertakers :
- (4) At all reasonable times after the passing of this Order the Under-
 30 takers may upon giving not less than twenty-four hours' previous
 notice in writing to the owner or his agent inspect and test
 any well pond pool stream or watering place within the radius
 aforesaid and for that purpose may enter upon the land and
 premises upon which any such well pond pool stream or watering
 35 place is situate making good any damage caused by such
 inspection or entry :
- (5) Any question which may arise between the Undertakers and the
 owner as to the quantity time place or manner of the supply
 to be given by the Undertakers in pursuance of this section
 40 and any other dispute question or difference which may arise
 between the Undertakers and the owner under the foregoing
 provisions of this section shall be referred to the arbitration
 of an engineer appointed unless otherwise agreed by the President
 of the Institution of Civil Engineers and the provisions of the
 Arbitration Act 1889 shall apply to any such arbitration :
- (6) If the Undertakers neglect or refuse to give a supply of water
 45 to the owner in accordance with the provisions of this section

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they shall be liable to a penalty not exceeding ten pounds and to a further penalty not exceeding forty shillings for every day on which the neglect or refusal shall continue after conviction :

- (7) The Undertakers and the owner may enter into and fulfil agreements with reference to the supply of water by the Undertakers 5 to the owner or with reference to any matter referred to in this section and may by any such agreement alter or modify any of the provisions of this section.

For protection of London and South Western Railway Company and London and South Western Railway Company and Midland Railway Company as joint lessees of Somerset and Dorset Railway.

33. For the protection of the London and South Western Railway Company (herein-after referred to as "the South Western Company") and 10 of the London and South Western Railway Company and the Midland Railway Company as joint lessees of the Somerset and Dorset Railway (hereinafter referred to as "the lessee companies") the following provisions shall unless otherwise agreed between the Undertakers and the South Western Company or the lessee companies as the case may be apply and 15 have effect (that is to say) :—

- (A) In laying down repairing or removing any mains pipes or conduits or executing any other works in the exercise of the powers contained in this Order upon across over under or in any way affecting the railway of the South Western Company or of the 20 lessee companies as the case may be or any bridge over or under such railway or any approaches to any such bridge liable to be maintained by the South Western Company or the lessee companies as the case may be or within the boundary of the South Western Company or the lessee companies the same 25 shall be done under the superintendence and to the reasonable satisfaction of the chief engineer of the South Western Company or of the lessee companies as the case may be and according to such plans sections and specifications and except in case of urgent necessity at such times as shall be previously submitted 30 to and as shall be reasonably approved in writing by him and shall be executed by and at the expense in all things of the Undertakers and so as not to cause any injury to the said railway or to any such bridge or the approaches thereto liable to be maintained as aforesaid or within the boundary of the South 35 Western Company or the lessee companies and shall within such boundary so execute any works as having regard to the existing level of the roadway shall interfere with or impede as little as possible any improvement or widening of such railway or bridge or the introduction of side openings to such bridge Provided 40 that if the said engineer does not express his approval or disapproval of the said plans sections and specifications within fourteen days after the same have been submitted to him he shall be deemed to have approved thereof and if the said engineer shall refuse or neglect to superintend any operation 45 the Undertakers may execute the work without his superintendence :

(B) If any injury or damage to the railway works or property of the South Western Company or the lessee companies as the case may be or any interruption of the traffic of the South Western Company or the lessee companies shall be in any way occasioned by the Undertakers or by their contractors agents or workmen or arise from bursting or want of repair of any mains or pipes of the Undertakers the Undertakers shall forthwith make full compensation to the South Western Company or the lessee companies as the case may be in respect thereof:

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(c) All mains pipes conduits and other works of the Undertakers upon across over under or in any way affecting the said railway or any bridge over or under the same or the approaches thereto liable to be maintained as aforesaid or within the boundary of the South Western Company or the lessee companies shall be at all times maintained in good repair by the Undertakers and in default of their being so maintained the South Western Company or the lessee companies as the case may be may from time to time by notice in writing signed by their said engineer and delivered at the principal office for the time being of the Undertakers require the Undertakers to forthwith put into good repair any such main pipe conduit or other work as aforesaid as may be in want of repair and if the Undertakers for seven days after the receipt of such notice refuse or neglect to proceed with the repair of the same and do not dispute the necessity thereof the South Western Company or the lessee companies as the case may be may without any further notice to the Undertakers repair the same and all expenses properly incurred by them in or about such repair shall be repaid to them by the Undertakers Provided that in case of accidents happening or immediate danger being apprehended to the said railway or any bridge over or under such railway or the approaches thereto by reason of any such main pipe conduit or other work as aforesaid being in want of repairs the South Western Company or the lessee companies as the case may be may without giving such notice as aforesaid make such repairs as may be necessary and the expenses of the same shall be repaid to them by the Undertakers:

(D) The Undertakers shall bear and on demand pay to the South Western Company or the lessee companies as the case may be all costs of the superintendence by them of the construction of the works and repairs thereof and all proper costs of watching lighting and protection of the said railway with reference to and during such construction and repairs so far as such costs may be in case of difference determined by the arbitrator to have been necessary but such superintendence by the South Western Company or the lessee companies as the case may be shall not relieve the Undertakers from liability for any accident which may be occasioned by or through the operations of the Undertakers or their contractors agents or workmen:

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(E) If the South Western Company or the lessee companies as the case may be require to widen or alter their railway or to widen lengthen strengthen reconstruct alter repair lift or support any bridge over or under their railway or the approaches to such bridge the Undertakers shall afford to the South Western Company or the lessee companies as the case may be all reasonable facilities for the purpose and the Undertakers shall pay to the South Western Company or the lessee companies as the case may be any additional expense which the South Western Company or the lessee companies may incur in effecting such widening lengthening strengthening reconstructing altering repairing lifting or supporting or in the maintenance of any bridge approach or other work of the South Western Company or the lessee companies as the case may be by reason of the existence or user of the mains pipes or other works constructed under the powers of this Order :

(F) Any difference which may arise between the South Western Company or the lessee companies and the Undertakers touching any of the matters referred to in this section shall be decided by a single arbitrator to be appointed on the application of either party by the President for the time being of the Institution of Civil Engineers and the costs of such arbitration and of the parties thereto shall be in the discretion of the arbitrator.

For protection of owners and lessees of Poole and District Light Railways.

34. Notwithstanding anything contained in this Order the following provisions for the protection and benefit of the mayor aldermen and burgesses of the borough of Poole or other the owners for the time being of the light railways authorised by the Poole and District Light Railway Order 1899 (in this section called "the owners") and of the mayor aldermen and burgesses of the borough of Bournemouth or other the lessees for the time being of the said light railways (in this section called "the lessees") shall except so far as may be otherwise agreed between the owners and the lessees and the Undertakers apply and have effect (that is to say) :—

(1) Before executing any works (including repairs) under the powers of this Order in any road in which any of the said light railways is situate the Undertakers shall give to the owners and the lessees not less than twenty-one days' notice of their intention to execute the same except in cases of emergency when the Undertakers shall give the longest notice practicable and such notice shall (except in cases of repairs) be accompanied by plans sections and specifications showing the intended position of and the mode of executing such works and such works shall be executed only in accordance with plans sections and specifications reasonably approved by the owners and lessees and (if such works including repairs cause any interference with the said light railways) under the superintendence and to the reasonable satisfaction of the owners and lessees :

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- 5 (2) The Undertakers shall execute such works including repairs so as to cause no avoidable injury to or interference with the said light railways or interruption to the passage or conduct of traffic over the same and if any injury to or interference with such railways or interruption to the passage or conduct of such traffic shall arise from or in any way be owing to the execution of such works or repairs or the failure of such works the Undertakers shall make full compensation to the owners and lessees in respect thereof the amount of such compensation unless agreed to be determined by arbitration in manner hereinafter provided :
- 10 (3) If in the execution of any such works including repairs it shall be necessary to interfere with the said railways such interference shall if the owners or the lessees (whichever shall for the time being have the obligation of maintaining and repairing the said railways) so desire be effected by such owners or lessees as the case may be at the reasonable expense of the Undertakers.
- 15 (4) The Undertakers shall not interfere with the said light railways or interrupt the passage or conduct of traffic over the same (except for the purposes of urgent repairs of the said works and of laying and connecting with the main pipes new service supply pipes where such laying or connecting does not interrupt the passage or conduct of such traffic) during the period of any year commencing on the twentieth day of July and terminating on the twentieth day of September :
- 20 (5) Nothing contained in this Order shall prejudice or affect the rights powers and privileges of the owners and lessees in respect of the said light railways or shall render them liable to pay compensation to the Undertakers in respect of the exercise of such rights powers or privileges.
- 25 (6) Any dispute or difference which may arise between the Undertakers and the owners or lessees or between the owners and the lessees with reference to the provisions of this section or in any way arising thereout shall be determined by arbitration the arbitrator being appointed unless otherwise agreed by the Board of Trade and the provisions of the Arbitration Act 1889 shall apply to any such arbitration.
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Supply.

35. The Undertakers may by agreement supply any urban or rural sanitary authority or any company authorised to supply water without the limits of supply with water in bulk for such remuneration and upon such terms and conditions as shall be agreed upon between the Undertakers and such authority or company but notwithstanding any such agreement no such authority or company shall be entitled to a supply of water under any such agreement whenever and as long as the Undertakers are of opinion that the same would interfere with the proper supply of water for domestic purposes under the provisions of the Act of 1859 the Order of 1893 and this Order
- Water supplied
by agreement.
- 40
- 45

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Poole.

and every such agreement shall be by virtue of this Order determinable by the Undertakers on one month's notice in writing. Provided that nothing herein contained shall be construed as conferring any powers on the Undertakers in relation to the laying down or placing of any pipe or conduit or the breaking up of any road or street or the execution of any work beyond the limits of supply or as empowering the Undertakers to supply water in any district beyond the limits of supply without the consent of any company or person supplying water under parliamentary authority within the district to be supplied and of the local authority of that district. 5

Supply of
water by
meter.

36. The Undertakers may if they think fit enter into agreements for the supply of water by measure within the limits of supply to any person and may charge a rent for each meter or other instrument for measuring water provided by them at a rate per annum not exceeding fifteen per centum of the cost of such meter or instrument such rent to be paid quarterly in advance and to be recoverable in all respects with and as the water rate. 10 15

Undertakers to
keep meters
&c. in repair.

37. The Undertakers shall at all times at their own expense keep all meters and other instruments for measuring water let by them for hire to any person in proper order for correctly registering the supply of water and in default of their so doing such person shall not be liable to pay rent for the same during such time as such default continues. The Undertakers shall for the purposes aforesaid have access to and be at liberty to remove test inspect and replace any such meter or other instrument at all reasonable times. 20

Registers
meters &c.
to be evidence.

38. Where water is supplied by measure the register of the meter or other instrument for measuring water shall be primâ facie evidence of the quantity of water consumed and in respect of which any water rate is charged and sought to be recovered by the Undertakers. Provided that if the Undertakers and the person to whom the water is supplied differ as to the quantity consumed such difference shall be determined upon the application of either party by a court of summary jurisdiction who may also order by which of the parties any costs of the proceedings before them shall be paid and the decision of such court shall be final and binding on all parties. 25 30

Notice to
Undertakers of
connecting or
disconnecting
meters.

39. Before any person connects or disconnects any meter by means of which any of the water of the Undertakers is intended to be or has been registered he shall give not less than twenty-four hours' notice in writing to the Undertakers of his intention to do so and all alterations or repairs and the connecting and disconnecting of meters shall be done at his cost and under due superintendence of any officer of or person authorised by the Undertakers and any person offending against this enactment shall for every such offence be liable to a penalty not exceeding forty shillings. 35

For supply of
vessels.

40. The Undertakers may by agreement supply with water ships or vessels resorting to the port of Poole and for the purpose of supplying such ships or vessels with water may lay down and erect such pipes and other works as they may think necessary in convenient stations upon or near to any of the piers quays or wharves within the limits of supply and may also for the like purpose vary and alter such pipes and other works and the Undertakers may charge such remuneration or rate of payment for the water supplied to any ships or vessels as they may think reasonable 40 45

Provided that no pipes or other works shall be laid or erected upon any such piers quays or wharves unless with the previous consent of the owner or owners thereof and of the persons having the control and management of the same. A.D. 1906.
Poolé.

- 5 41. The Undertakers may supply water for other than domestic purposes on such terms and conditions as the Undertakers think fit and may supply water by measure either for domestic or other purposes and the moneys payable for the supply of water under this section shall be recoverable in the same manner as water rates. Provided always that no person shall be
- 10 entitled to a supply of water for other than domestic purposes if such supply would interfere with the sufficiency of the supply of water for domestic purposes. Supply by
measure.
- 15 42. The Undertakers shall not be bound to supply with water otherwise than by measure any building used by an occupier as a dwelling-house whereof any part is used by the same occupier for any trade or manufacturing purpose for which water is required. Supply to*
houses partly
used for trade
&c.
- 20 43. Section 44 of the Waterworks Clauses Act 1847 shall for the purposes of this Order have effect as if the words "with the consent in writing of the owner or reputed owner of any such house or of the agent of such owner" were omitted therefrom. Provided that any rent paid by any occupier in pursuance of the provisions of the said section may be deducted by such occupier from any rent from time to time due by him to such owner. Amendment of
10 & 11 Vict.
c. 17 s. 44.
- 25 44. Where a house supplied with water is let to monthly or weekly tenants or tenants holding for any other period less than a quarter of a year the owner instead of the occupier shall if the Undertakers so determine pay the rate for the supply but the rate may be recovered from the occupier and may be deducted by him from the rent from time to time due from him to the owner. Provided that no greater sum shall be recovered at any one
- 30 time from any such occupier than the amount of rent owing by him or which shall have accrued due from him subsequent to the service upon him of a notice to pay the rate. Rates payable
by owners of
small houses.
- 35 45. The Undertakers shall not be bound to supply more than one house by means of the same communication pipe and they may if they think fit require that a separate pipe be laid from the main pipe into each house supplied by them with water. Undertakers
not bound to
supply several
houses by one
pipe.
- 40 46. The following provisions for preventing waste misuse undue consumption or contamination of the water of the Undertakers shall be in force and have effect within the limits of supply authorised by this Order but only within the district in which the Undertakers do in fact afford or are prepared on demand to afford a constant supply. The said provisions are as follows:— Regulations
for preventing
waste of water.
- 45 (1) The Undertakers may from time to time make regulations for the purpose of preventing the waste undue consumption or misuse or contamination of water and may by such regulations prescribe the size make nature materials workmanship and strength and

A.D. 1906.

Poolle.

the mode of arrangement connection disconnection alteration and repair of the pipes meters cocks ferrules valves soil pans water-closets baths tanks cisterns and other apparatus fittings means contrivances receptacles or appliances whats oever to be used and forbid any arrangements and the use of the several things before 5 mentioned or any or either of them which may allow or tend to waste or undue consumption misuse erroneous measurement or contamination :

- (2) No such regulations shall be of any force or effect unless and until the same shall have been submitted to and confirmed by the 10 Local Government Board who are hereby empowered to confirm the same :
- (3) No such regulations shall be confirmed until after the expiration of one month after notice in writing to submit the same for confirmation together with a copy of the proposed regulations shall 15 have been given by or on behalf of the Undertakers to the local authorities within the limits of supply who may within the said period of one month make such representations to the Local Government Board as they see fit :
- (4) A copy of all such regulations in force for the time being shall be 20 kept at the office of the Undertakers and all persons may at all reasonable times inspect such copy without payment and the Undertakers shall cause to be delivered a printed copy of all regulations for the time being in force to every person applying for the same on payment of a sum not exceeding twopence for 25 each copy :
- (5) A printed copy of any such regulations dated and purporting to have been made as aforesaid and to be sealed with the seal of the Undertakers and to have been confirmed by the Local Government Board shall be evidence until the contrary be proved in all 30 legal proceedings of the due making confirmation publication and existence of such regulations without further or other proof :
- (6) In case of failure of any person to observe such regulations as are for the time being in force the Undertakers may if they think fit after twenty-four hours' notice in writing enter and by and under 35 the direction of their duly authorised officer repair replace or alter any pipe meter valve cock ferrule tank cistern bath soil pan water-closet or other apparatus means contrivance or receptacle fittings or appliances belonging to or used by such person and not being in accordance with the requirements of such regulations and the 40 expense of every such repair replacement or alteration shall be repaid to the Undertakers by the person on whose credit the water is supplied and may be recovered by them as water rates are recoverable :
- (7) Any person who shall offend against any such regulations shall 45 (without prejudice to any other right or remedy for the protection of the Undertakers or punishment of the offender) be liable

to a penalty not exceeding five pounds for each offence and to a further daily penalty not exceeding forty shillings for each day or part of a day whereon such offence shall occur after conviction thereof and the Undertakers may in addition thereto recover the amount of any damages sustained by them.

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Penalties.

47. Every person who wilfully fraudulently or by culpable negligence injures or suffers to be injured any pipe meter or other instrument for measuring water or any fittings belonging to the Undertakers or who fraudulently alters the index to any meter or other instrument for measuring water or prevents any meter or other instrument for measuring water from duly registering the quantity of water supplied or fraudulently abstracts consumes or uses water of the Undertakers shall (without prejudice to any other right or remedy for the protection of the Undertakers or the punishment of the offender) for every such offence forfeit and pay to the Undertakers a sum not exceeding five pounds and the Undertakers may in addition thereto recover the amount of any damage by them sustained And in any case in which any person has wilfully fraudulently or by culpable negligence injured or suffered to be injured any pipe meter instrument or fittings belonging to the Undertakers or has fraudulently altered the index to any meter or other instrument for measuring water or prevented the same from duly registering the quantity of water supplied or has fraudulently abstracted consumed or used water of the Undertakers the Undertakers may enter upon the premises occupied by the offender and repair such injury and do all such works matters and things as may be necessary for insuring the proper registering by such meter of the quantity of water supplied by means thereof and the expense of such repair and of all such works matters and things shall be repaid to the Undertakers by the person so offending and may be recovered by them as water rates are recoverable and the existence of artificial means for causing such injury alteration or prevention or for abstracting consuming or using water of the Undertakers when such pipe meter instrument or fittings is or are under the custody or control of the consumer shall be primâ facie evidence that such injury alteration prevention abstraction consumption or use as the case may be has been fraudulently knowingly and wilfully caused by the consumer using such pipe meter instrument or fittings.

Injuring
meters &c.*Miscellaneous.*

48. The Undertakers may purchase or hire and supply water meters fittings valves cocks cisterns baths soil pans waterclosets and other apparatus and may also purchase let or deal in and contract for doing work in connection with but shall not manufacture water meters fittings tubes pipes valves cocks cisterns baths soil pans waterclosets stoves ranges and apparatus and all articles and things in any way connected with waterworks or with the supply of water and may take charges and remunerations in respect thereof.

Power to make
water meters
&c.

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(134.)

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A.D. 1906. 49. All the costs charges and expenses of and incidental to the applying
 for preparing obtaining and confirming this Order and otherwise in relation

 Costs of Order. thereto shall be paid by the Undertakers.

S C H E D U L E.

1. All those pieces or parcels of land numbered 27 28 113 114 120 5
 and 121 (part) upon the $\frac{1}{2500}$ Ordnance Survey map of the parish of Corfe
 Mullen second edition 1901 adjoining the main road leading from Wimborne
 to Blandford with the several buildings erected thereon together with the
 mill and meadow land adjoining situate in the parish of Corfe Mullen
 containing in the whole about six acres or thereabouts and known as 10
 Corfe Mullen Mill as the same was lately in the occupation of Mr. John
 Raymond.

2. All that piece or parcel of land part of the land numbered 419
 upon the $\frac{1}{2500}$ Ordnance Survey map of the parish of Canford Magna second
 edition 1901 situate at Corfe Hills in the parish of Canford Magna on 15
 the eastern side of the road leading from Poole to Corfe Mullen con-
 taining one acre or thereabouts in the occupation of James Hoare.

3. All that piece or parcel of land part of the land numbered 429
 upon the $\frac{1}{2500}$ Ordnance Survey map of the parish of Canford Magna 20
 second edition 1901 situate at Corfe Hills in the parish of Canford Magna
 on the western side of the road leading from Poole to Corfe Mullen
 containing nine acres or thereabouts in the occupation of James Hoare.

[6 EDW. 7.]

Wireless Telegraphy.

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B I L L

[AS AMENDED IN COMMITTEE]

INTITULED

An Act to continue the Wireless Telegraphy Act, 1904. A.D. 1906.

BE it 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, as follows :—

5 **1.** The Wireless Telegraphy Act, 1904, shall continue in force until the thirty-first day of December one thousand nine hundred and nine, and section six of that Act is hereby repealed. Continuance of the Wireless Telegraphy Act, 1904. 4 Edw. 7. c. 24.

10 **2.** This Act may be cited as the Wireless Telegraphy Act, 1906, and may be cited with the Telegraph Acts, 1863 to 1904. Short title.

Workmen's Compensation Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Liability of employers to workmen for injuries.
2. Time for taking proceedings.
3. Contracting out.
4. Sub-contracting.
5. Provision as to cases of bankruptcy of employer.
6. Remedies both against employer and stranger.
7. Application of Act to seamen.
8. Application of Act to industrial diseases.
9. Application to workmen in employment of Crown.
10. Appointment and remuneration of medical referees and arbitrators.
11. Detention of ships.
12. Returns as to compensation.
13. Definitions.
14. Special provisions as to Scotland.
15. Provisions as to existing contracts.
16. Commencement and repeal.
17. Short title.

SCHEDULES.

A

B I L L

INTITULED

An Act to consolidate and amend the Law with respect to Compensation to Workmen for Injuries suffered in the course of their Employment. A.D. 1906.

BE it 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, as follows:—

5 **1.**—(1) If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as herein-after mentioned, be liable to pay compensation in accordance with the First Schedule to this Act. Liability of employers to workmen for injuries.

10 (2) Provided that—

(a) The employer shall not be liable under this Act in respect of any injury which does not disable the workman for a period of at least one week from earning full wages at the work at which he was employed:

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(b) When the injury was caused by the personal negligence or wilful act of the employer or of some person for whose act or default the employer is responsible, nothing in this Act shall affect any civil liability of the employer, but in that case the workman may, at his option, either claim compensation under this Act or take proceedings independently of this Act; but the employer shall not be liable to pay compensation for injury to a workman by accident arising out of and in the course of the employment both independently of and also under

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A.D. 1906.

this Act, and shall not be liable to any proceedings independently of this Act, except in case of such personal negligence or wilful act as aforesaid :

(c) If it is proved that the injury to a workman is attributable to the serious and wilful misconduct of that workman, any compensation claimed in respect of that injury shall, unless the injury results in death or serious and permanent disablement, be disallowed.

(3) If any question arises in any proceedings under this Act as to the liability to pay compensation under this Act (including any question as to whether the person injured is a workman to whom this Act applies), or as to the amount or duration of compensation under this Act, the question, if not settled by agreement, shall, subject to the provisions of the First Schedule to this Act, be settled by arbitration, in accordance with the Second Schedule to this Act.

(4) If within the time herein-after in this Act limited for taking proceedings, an action is brought to recover damages independently of this Act for injury caused by any accident, and it is determined in such action that the injury is one for which the employer is not liable in such action, but that he would have been liable to pay compensation under the provisions of this Act, the action shall be dismissed ; but the court in which the action is tried shall, if the plaintiff so choose, proceed to assess such compensation, but may deduct from such compensation all or part of the costs which, in its judgment, have been caused by the plaintiff bringing the action instead of proceeding under this Act. In any proceeding under this subsection, when the court assesses the compensation it shall give a certificate of the compensation it has awarded and the directions it has given as to the deduction for costs, and such certificate shall have the force and effect of an award under this Act.

(5) Nothing in this Act shall affect any proceeding for a fine under the enactments relating to mines, factories, or workshops, or the application of any such fine.

Time for
taking pro-
ceedings.

2.—(1) Proceedings for the recovery under this Act of compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable after the happening thereof and before the workman has voluntarily left the employment in which he was injured, and

unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing the injury, or, in case of death, within six months from the time of death: A.D. 1906.

5 Provided always that—

(a) the want of or any defect or inaccuracy in such notice shall not be a bar to the maintenance of such proceedings if it is found in the proceedings for settling the claim that the employer is not, or would not, if a notice or an amended notice were then given and the hearing postponed, be prejudiced in his defence by the want, defect, or inaccuracy, or that such want, defect, or inaccuracy was occasioned by mistake or other reasonable cause; and

15 (b) the failure to make a claim within the period above specified shall not be a bar to the maintenance of such proceedings if it is found that the failure was occasioned by mistake, employment abroad, or other reasonable cause.

20 (2) Notice in respect of an injury under this Act shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury and the date at which it was sustained, and shall be served on the employer, or if there is more than one employer, upon one of such employers.

25 (3) The notice may be served by delivering the same at, or sending it by post in a registered letter addressed to, the residence or place of business of the person on whom it is to be served.

30 (4) Where the employer is a body of persons, corporate or unincorporate, the notice may also be served by delivering the same at, or by sending it by post in a registered letter addressed to, the employer at the office, or, if there be more than one office, any one of the offices of such body.

35 **3.**—(1) If the Registrar of Friendly Societies, after taking steps to ascertain the views of the employer and workmen, certifies that any scheme of compensation, benefit, or insurance for the workmen of an employer in any employment, whether or not such scheme includes other employers and their workmen, provides scales of compensation not less favourable to the workmen and their dependants than the corresponding scales contained in this Act, and is on the whole not less favourable to the general Contracting out.

A.D. 1906. — body of workmen and their dependants than the provisions of this Act, and that a majority (to be ascertained by ballot) of the workmen to whom the scheme is applicable are in favour of such scheme, the employer may, whilst the certificate is in force, contract with any of those workmen that the provisions of the scheme shall be substituted for the provisions of this Act, and thereupon the employer shall be liable only in accordance with the scheme, but, save as aforesaid, this Act shall apply notwithstanding any contract to the contrary made after the commencement of this Act. 5 10

(2) The Registrar may give a certificate to expire at the end of a limited period not less than five years, and may from time to time renew with or without modifications such a certificate to expire at the end of the period for which it is renewed.

(3) No scheme shall be so certified which contains an obligation upon the workmen to join the scheme as a condition of their hiring, or which does not contain provisions enabling a workman to withdraw from the scheme. 15

(4) If complaint is made to the Registrar of Friendly Societies by or on behalf of the workmen of any employer that the provisions of any scheme are no longer on the whole so favourable to the general body of workmen of such employer and their dependants as the provisions of this Act, or that the provisions of such scheme are being violated, or that the scheme is not being fairly administered, or that satisfactory reasons exist for revoking the certificate, the Registrar shall examine into the complaint, and if satisfied that good cause exist for such complaint, shall, unless the cause of complaint is removed, revoke the certificate. 20 25

(5) When a certificate is revoked or expires, any moneys or securities held for the purpose of the scheme shall, after due provision has been made to discharge the liabilities already accrued, be distributed as may be arranged between the employer and workmen, or as may be determined by the Registrar of Friendly Societies in the event of a difference of opinion. 30

(6) Whenever a scheme has been certified as aforesaid, it shall be the duty of the employer to answer all such inquiries and to furnish all such accounts in regard to the scheme as may be made or required by the Registrar of Friendly Societies. 35

(7) The Chief Registrar of Friendly Societies shall include in his annual report the particulars of the proceedings of the Registrar under this Act. 40

(8) The Chief Registrar of Friendly Societies may make regulations for the purpose of carrying this section into effect. A.D. 1906.

4.—(1) Where any person (in this section referred to as the principal), in the course of or for the purposes of his trade or business, contracts with any other person (in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work undertaken by the principal, the principal shall be liable to pay to any workman employed in the execution of the work any compensation under this Act which he would have been liable to pay if that workman had been immediately employed by him; and where compensation is claimed from or proceedings are taken against the principal, then, in the application of this Act, references to the principal shall be substituted for references to the employer, except that the amount of compensation shall be calculated with reference to the earnings of the workman under the employer by whom he is immediately employed:

Provided that where the contract relates to threshing, ploughing, or other agricultural work, and the contractor provides and uses machinery driven by mechanical power for the purpose of such work, he and he alone shall be liable under this Act to pay compensation to any workman employed by him on such work.

(2) When the principal is liable to pay compensation under this section, he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the workman independently of this section, and all questions as to the right to and amount of any such indemnity shall in default of agreement be settled by arbitration under this Act.

(3) Nothing in this section shall be construed as preventing a workman recovering compensation under this Act from the contractor, instead of the principal.

(4) This section shall not apply in any case where the accident occurred elsewhere than on, or in, or about, premises on which the principal has undertaken to execute the work or which are otherwise under his control or management.

5.—(1) Where any employer has entered into a contract with any insurers in respect of any liability under this Act to any workman, then in the event of the employer becoming bankrupt, or making a composition or arrangement with his creditors, or if the employer is a company in the event of the company having

Sub-contracting.

Provision as to cases of bankruptcy of employer.

A.D. 1906. commenced to be wound up, the rights of the employer against the insurers as respects that liability shall, notwithstanding anything in the enactments relating to bankruptcy and the winding up of companies, be transferred to and vest in the workman, and all questions as to the liability of the insurers and 5 the amount of their liability shall, in default of agreement, be settled by arbitration under this Act.

(2) If the liability of the insurers to the workman is less than the liability of the employer to the workman, the workman may prove for the balance in the bankruptcy or liquidation. 10

(3) There shall be included among the debts which under section one of the Preferential Payments in Bankruptcy Act, 1888, and section four of the Preferential Payments in Bankruptcy (Ireland) Act, 1889, are in the distribution of the property of a bankrupt and in the distribution of the assets of a company being 15 wound up to be paid in priority to all other debts, the amount not exceeding one hundred pounds, due in respect of any compensation the liability wherefor accrued before the date of the receiving order or the date of the commencement of the winding up, or in the case of a weekly payment the capitalised value thereof, such 20 value in case of difference being determined by arbitration under this Act, and regard being had to the probable duration of the incapacity, and the Preferential Payments in Bankruptcy Amendment Act, 1897, shall have effect accordingly.

50 & 51 Vict. c. 43. (4) In the case of the winding up of a company within the 25 meaning of the Stannaries Act, 1887, such an amount as aforesaid, if the compensation is payable to a miner or the dependants of a miner, shall have the like priority as is conferred on wages of miners by section nine of that Act, and that section shall have effect accordingly. 30

(5) The provisions of this section with respect to preferences and priorities shall not apply where the bankrupt or the company being wound up has entered into such a contract with insurers as aforesaid.

(6) This section shall not apply where a company is wound 35 up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

Remedies both against employer and stranger.

6. Where the injury for which compensation is payable under this Act was caused under circumstances creating a legal liability

in some person other than the employer to pay damages in respect thereof— A.D. 1906.

- 5 (1) The workman may take proceedings both against that person to recover damages and against any person liable to pay compensation under this Act for such compensation, but shall not be entitled to recover both damages and compensation ; and
- 10 (2) If the workman has recovered compensation under this Act, the person by whom the compensation was paid, and any person who has been called on to pay an indemnity under the section of this Act relating to sub-contracting shall be entitled to be indemnified by the person so liable to pay damages as aforesaid, and all questions as to the right to and amount of
- 15 any such indemnity shall, in default of agreement, be settled by action, or, by consent of the parties, by arbitration under this Act.

7. This Act shall apply to masters, seamen, and apprentices to the sea service and apprentices in the sea-fishing service provided that such persons are workmen within the meaning of this Act, and are members of the crew of any ship registered in the United Kingdom, or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner or manager resides or has his principal place of business in the United Kingdom subject to the following modifications:—

Application
of Act to
seamen.

- 20 (a) The notice of accident and the claim for compensation may be served on the master of the ship as if he were the employer, but where the accident happened and the incapacity commenced on board the ship it shall not be necessary to give any notice of the
- 30 accident :
- (b) In the case of the death of the seaman or apprentice, the claim for compensation may be made within six months after news of the death has been received by
- 35 the claimant :
- (c) Where an injured seaman or apprentice is discharged or left behind in a British possession or in a foreign country, depositions respecting the circumstances and nature of the injury may be taken by any judge or
- 40 magistrate in the British possession, and by any British consular officer in the foreign country, and if so taken

A.D. 1906.

shall be transmitted by the person by whom they are taken to the Board of Trade, and such depositions or certified copies thereof shall in any proceedings for enforcing the claim be admissible in evidence as provided by sections six hundred and ninety-one and six hundred and ninety-five of the Merchant Shipping Act, 1894, and those sections shall apply accordingly :

- (d) In the case of the death of a seaman or apprentice leaving no dependants, no compensation shall be payable, if the owner of the ship is under the Merchant Shipping Act, 1894, liable to pay the expenses of burial :
- (e) The weekly payment shall not be payable in respect of the period during which the owner of the ship is, under the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or otherwise, liable to defray the expenses of maintenance of the injured seaman or apprentice :
- (f) Any sum payable by way of compensation by the owner of a ship under this Act shall be paid in full notwithstanding anything in section five hundred and three of the Merchant Shipping Act, 1894 (which relates to the limitation of a shipowner's liability in certain cases of loss of life, injury, or damage), but the limitation on the owner's liability imposed by that section shall apply to the amount recoverable by way of indemnity under the section of this Act relating to remedies both against employer and stranger as if the indemnity were damages for loss of life or personal injury :
- (g) Subsections (2) and (3) of section one hundred and seventy-four of the Merchant Shipping Act, 1894 (which relates to the recovery of wages of seamen lost with their ship), shall apply as respects proceedings for the recovery of compensation by dependants of seamen and apprentices lost with their ship as they apply with respect to proceedings for the recovery of wages due to such seamen and apprentices ; and proceedings for the recovery of compensation shall in such a case be maintainable if the claim is made within eighteen months of the date at which the ship is deemed to have been lost with all hands :

(h) Where any matter under this Act is to be done in a county court, or by, to, or before the judge or registrar of a county court, it shall be done in, or by to or before the judge or registrar of, such county court as may be prescribed by rules of court: A.D. 1906,

(i) This Act shall not apply to such members of the crew of a fishing vessel as are remunerated by shares in the profits or the gross earnings of the working of such vessel.

8.—(1) Where—

(i) the certifying surgeon appointed under the Factory and Workshop Act, 1901, for the district in which a workman is employed, certifies that the workman is suffering from a disease mentioned in the Third Schedule to this Act and is thereby disabled from earning full wages at the work at which he was employed; or

(ii) a workman is, in pursuance of any special rules or regulations made under the Factory and Workshop Act, 1901, suspended from his usual employment on account of having contracted any such disease; or

(iii) the death of a workman is caused by any such disease;

and the disease is due to the nature of any employment in which the workman was employed at any time within the twelve months previous to the date of the disablement or suspension, whether under one or more employers, he or his dependants shall be entitled to compensation under this Act as if the disease or such suspension as aforesaid, were a personal injury by accident arising out of and in the course of that employment, subject to the following modifications:—

(a) The disablement or suspension shall be treated as the happening of the accident;

(b) If it is proved that the workman has at the time of entering the employment wilfully and falsely represented himself in writing as not having previously suffered from the disease, compensation shall not be payable;

(c) The compensation shall be recoverable from the employer who last employed the workman during the said twelve months in the employment to the nature of which the disease was due:

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Application
of Act to
industrial
diseases.

A.D. 1906.

Provided that—

(i) the workman or his dependants if so required shall furnish that employer with such information as to the names and addresses of all the other employers who employed him in 5 the employment during the said twelve months as he or they may possess, and if such information is not furnished, that employer upon proving that the disease was not contracted whilst the workman was in his employment 10 shall not be liable to pay compensation; and

(ii) if that employer alleges that the disease was in fact contracted whilst the workman was in the employment of some other employer, and not whilst in his employment, 15 he may join such other employer as a party to the arbitration, and if the allegation is proved that other employer shall be the employer from whom the compensation is to be recoverable; and 20

(iii) if the disease is of such a nature as to be contracted by a gradual process, any other employers who during the said twelve months employed the workman in the employment to the nature of which the disease was due shall 25 be liable to make to the employer from whom compensation is recoverable such contributions as, in default of agreement, may be determined in the arbitration under this Act for settling the amount of the compensation; 30

- (d) The amount of the compensation shall be calculated with reference to the earnings of the workman under the employer from whom the compensation is recoverable;
- (e) The employer to whom notice of the death, disablement, or suspension is to be given shall be the employer 35 who last employed the workman during the said twelve months in the employment to the nature of which the disease was due, and the notice may be given notwithstanding that the workman has voluntarily left his employment. 40

(f) If an employer or a workman is aggrieved by the action of a certifying or other surgeon in giving or refusing to give a certificate of disablement or in suspending or refusing to suspend a workman for the purposes of this section, the matter shall in accordance with regulations made by the Secretary of State be referred to a medical referee, whose decision shall be final. A.D. 1906.

(2) If the workman at or immediately before the date of the disablement or suspension was employed in any process mentioned in the second column of the Third Schedule to this Act, and the disease contracted is the disease in the first column of that Schedule set opposite the description of the process, the disease, except where the certifying surgeon certifies that in his opinion the disease was not due to the nature of the employment, shall be deemed to have been due to the nature of that employment, unless the employer proves the contrary.

(3) The Secretary of State may make rules regulating the duties and fees of certifying and other surgeons including dentists under this section.

(4) For the purposes of this section the date of disablement shall be such date as the certifying surgeon certifies as the date on which the disablement commenced, or if he is unable to certify such a date, the date on which the certificate is given. Provided that—

- (a) Where the medical referee allows an appeal against a refusal by a certifying surgeon to give a certificate of disablement, the date of disablement shall be such date as the medical referee may determine :
- (b) Where a workman dies without having obtained a certificate of disablement, or is at the time of death not in receipt of a weekly payment on account of disablement, it shall be the date of death.

(5) In such cases, and subject to such conditions as the Secretary of State may direct, a medical practitioner appointed by the Secretary of State for the purpose shall have the powers and duties of a certifying surgeon under this section, and this section shall be construed accordingly.

(6) The Secretary of State may make orders for extending the provisions of this section to other diseases and other processes, and to injuries due to the nature of any employment specified in

A.D. 1906. — the order not being injuries by accident either without modification or subject to such modifications as may be contained in the order.

(7) Where, after inquiry held on the application of any employers or workmen engaged in any industry to which this section applies, it appears that one or more mutual trade insurance schemes for insuring against the risks under this section have been established for the industry, and that a majority of the employers engaged in that industry are insured against such risks in the scheme or in one or other of such schemes, and that the managers of the scheme consent, the Secretary of State may, by Provisional Order, require all employers in that industry to insure in the scheme, or in one or other of such schemes, upon such terms and under such conditions and subject to such exceptions as may be set forth in the Order.

(8) A Provisional Order made under this section shall be of no force whatever unless and until it is confirmed by Parliament, and if, while the Bill confirming any such Order is pending in either House of Parliament, a petition is presented against the Order, the Bill may be referred to a Select Committee, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills, and any Act confirming any Provisional Order under this Act may be repealed, altered, or amended by a Provisional Order made and confirmed in like manner.

Any expenses incurred by the Secretary of State in respect of any such Order or confirming Bill shall be defrayed out of moneys provided by Parliament.

(9) Nothing in this section shall affect the rights of a workman to recover compensation in respect of a disease to which this section does not apply, if the disease is a personal injury by accident within the meaning of this Act.

Application to workmen in employment of Crown. 9.—(1) This Act shall not apply to persons in the naval or military service of the Crown, but otherwise shall apply to workmen employed by or under the Crown to whom this Act would apply if the employer were a private person :

Provided that in the case of a person employed in the private service of the Crown, the head of that department of the Royal Household in which he was employed at the time of the accident shall be deemed to be his employer.

(2) The Treasury may, by warrant laid before Parliament, modify for the purposes of this Act their warrant made under

section one of the Superannuation Act, 1887, and notwithstanding anything in that Act, or any such warrant, may frame schemes with a view to their being certified by the Registrar of Friendly Societies under this Act.

A.D. 1906.
50 & 51 Vict.
c. 67.

5 **10.**—(1) The Secretary of State may appoint such legally qualified medical practitioners to be medical referees for the purposes of this Act as he may, with the sanction of the Treasury, determine, and the remuneration of, and other expenses incurred by, medical referees under this Act shall, subject to regulations
10 made by the Treasury, be paid out of moneys provided by Parliament. Where a medical referee has been employed as a medical practitioner in connection with any case by or on behalf of either party or by any insurers interested, he shall not act as medical referee in that case.

Appoint-
ment and
remuneration
of medical
referees and
arbitrators.

15 (2) The remuneration of an arbitrator appointed by a judge of county courts under the Second Schedule to this Act shall be paid out of moneys provided by Parliament in accordance with regulations made by the Treasury.

20 **11.**—(1) If it is alleged that the owners of any ship are liable as such owners to pay compensation under this Act, and at any time that ship is found in any port or river of England or Ireland, or within three miles of the coast thereof, a judge of any court of record in England or Ireland may, upon its being shown to
25 that the owners are probably liable as such to pay such compensation, and that none of the owners reside in the United Kingdom, issue an order directed to any officer of customs or other officer named by the judge requiring him to detain the ship
30 have paid such compensation, or have given security, to be approved by the judge, to abide the event of any proceedings that may be instituted to recover such compensation and to pay such compensation and costs as may be awarded thereon; and any officer of customs or other officer to whom the order is
35 directed shall detain the ship accordingly.

Detention of
ships.

(2) In any legal proceeding to recover such compensation, the person giving security shall be made defendant, and the production of the order of the judge, made in relation to the security, shall be conclusive evidence of the liability of the
40 defendant to the proceeding.

A.D. 1906.
57 & 58 Vict.
c. 60.

(3) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall apply to the detention of a ship under this Act as it applies to the detention of a ship under that Act, and, if the owner of a ship is a corporation, it shall for the purposes of this section be deemed to reside in the United Kingdom if it has an office in the United Kingdom at which service of writs can be effected. 5

Returns as
to compensa-
tion.

12.—(1) Every employer in any industry to which the Secretary of State may direct that this section shall apply shall, on or before such day in every year as the Secretary of State may direct, send to the Secretary of State a correct return specifying the number of injuries in respect of which compensation has been paid by him under this Act during the previous year, and the amount of such compensation, together with such other particulars as to the compensation as the Secretary of State may direct, and in default of complying with this section shall be liable on summary conviction to a fine not exceeding five pounds. 10 15

(2) Any regulations made by the Secretary of State containing such directions as aforesaid shall be laid before both Houses of Parliament as soon as may be after they are made. 20

Definitions.

13. In this Act, unless the context otherwise requires,—

“Employer” includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer, and where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Act, be deemed to continue to be the employer of the workman whilst he is working for that other person; 25 30

“Workman” does not include any person employed otherwise than by way of manual labour whose remuneration exceeds two hundred and fifty pounds a year, or a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer’s trade or business, or a member of a police force, or an out worker, or a member of the employer’s family dwelling in his house, but, save as aforesaid, means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, 35 40

clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing; A.D. 1906.

5 Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable;

10 "Dependants" means such of the members of the workman's family as were wholly or in part dependent upon the earnings of the workman at the time of his death or would but for the incapacity due to the accident have been so dependent, and where the workman, being the parent or grand-parent of an illegitimate child, leaves such a child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or
15 grand-parent so dependent upon his earnings, shall include such an illegitimate child and parent or grand-parent respectively;

20 "Member of a family" means wife or husband, father, mother, grandfather, grandmother, step-father, step-mother, son, daughter, grandson, granddaughter, step-son, step-daughter, brother, sister, half-brother, half-sister;

25 "Ship," "vessel," "seaman," and "port" have the same meaning as in the Merchant Shipping Act, 1894, except that "seaman" includes a pilot to whom Part X. of that Act applies;

30 "Manager," in relation to a ship means the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner.

35 "Police force" means a police force to which the Police Act, 1890, or the Police (Scotland) Act, 1890, applies, the City of London Police Force, the Royal Irish Constabulary, and the Dublin Metropolitan Police Force;

40 "Outworker" means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale, in his own home or on other premises not under the control or management of the person who gave out the materials or articles;

A.D. 1906.

The exercise and performance of the powers and duties of a local or other public authority shall, for the purposes of this Act, be treated as the trade or business of the authority;

“County court,” “judge of the county court,” “registrar of the county court,” “plaintiff,” and “rules of court,” as respects Scotland, mean respectively sheriff court, sheriff, sheriff clerk, pursuer, and act of sederunt.

Special provisions as to Scotland.

14. In Scotland where a workman raises an action against his employer independently of this Act in respect of any injury caused by accident arising out of and in the course of the employment, the action, if raised in the sheriff court and concluding for damages under the Employers' Liability Act, 1880, or alternatively at common law or under the Employers' Liability Act, 1880, shall, notwithstanding anything contained in that Act, not be removed under that Act or otherwise to the Court of Session, nor shall it be appealed to that court otherwise than by appeal on a question of law; and for the purposes of such appeal the provisions of the Second Schedule to this Act in regard to an appeal from the decision of the sheriff on any question of law determined by him as arbitrator under this Act shall apply.

Provisions as to existing contracts.

15.—(1) Any contract (other than a contract substituting the provisions of a scheme certified under the Workmen's Compensation Act, 1897, for the provisions of that Act) existing at the commencement of this Act, whereby a workman relinquishes any right to compensation from the employer for personal injury arising out of and in the course of his employment, shall not, for the purposes of this Act, be deemed to continue after the time at which the workman's contract of service would determine if notice of the determination thereof were given at the commencement of this Act.

(2) Every scheme under the Workmen's Compensation Act, 1897, in force at the commencement of this Act shall, if re-certified by the Registrar of Friendly Societies, have effect as if it were a scheme under this Act.

(3) The Registrar shall re-certify any such scheme if it is proved to his satisfaction that the scheme conforms, or has been so modified as to conform, with the provisions of this Act as to schemes.

(4) If any such scheme has not been so re-certified before the expiration of six months from the commencement of this Act, the certificate thereof shall be revoked.

[6 EDW. 7.]

Workmen's Compensation.

17

16.—(1) This Act shall come into operation on the first day of July nineteen hundred and seven, but, except so far as it relates to references to medical referees, and proceedings consequential thereon, shall not apply in any case where the accident happened before the commencement of this Act.

A.D. 1906.
Commence-
ment and
repeal.

(2) The Workmen's Compensation Acts, 1897 and 1900, are hereby repealed, but shall continue to apply to cases where the accident happened before the commencement of this Act, except to the extent to which this Act applies to those cases.

10 **17.** This Act may be cited as the Workmen's Compensation Act, 1906. Short title.

A.D. 1906.

SCHEDULES.**FIRST SCHEDULE.****SCALE AND CONDITIONS OF COMPENSATION.**

- (1) The amount of compensation under this Act shall be—
- (a) where death results from the injury— 5
- (i) if the workman leaves any dependants wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of one hundred and fifty pounds, whichever of those sums is the larger, but not exceeding in any case three hundred pounds, provided that the amount of any weekly payments made under this Act, and any lump sum paid in redemption thereof, shall be deducted from such sum, and if the period of the workman's employment by the said employer has been less than the said three years, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment under the said employer; 10
- (ii) if the workman does not leave any such dependants, but leaves any dependants in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration under this Act, to be reasonable and proportionate to the injury to the said dependants; and 15
- (iii) if he leaves no dependants, the reasonable expenses of his medical attendance and burial, not exceeding ten pounds;
- (b) where total or partial incapacity for work results from the injury, a weekly payment during the incapacity not exceeding fifty per cent. of his average weekly earnings during the previous twelve months, if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed one pound. 30
- 35

A.D. 1906.

Provided that—

- (a) if the incapacity lasts less than two weeks no compensation shall be payable in respect of the first week, and
- 5 (b) as respects the weekly payments during total incapacity of a workman who is under twenty-one years of age at the date of the injury, and whose average weekly earnings are less than twenty shillings one hundred per cent. shall be substituted for fifty per cent. of his average weekly earnings but the weekly payment shall in no case exceed ten shillings.
- 10 (2) In computing "earnings" and "average weekly earnings" for the purposes of this schedule the following rules shall be observed—
- (a) where the workman was employed exclusively by one employer at a fixed weekly or other periodical rate of earnings, the amount per week of that rate shall be his average weekly
- 15 earnings ;
- (b) where the workman was not employed at such a fixed rate of earnings, his average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which he was being remunerated Provided that where by
- 20 reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly
- 25 amount which, during the twelve months previous to the accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district ;
- 30 (c) where the workman was engaged under contracts of service with two or more employers his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the accident ;
- 35 (d) Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the workman was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause ;
- 40 (e) where the employer has been accustomed to pay to the workman a sum to cover any special expenses entailed on him by the nature of his employment, the sum so paid shall not be reckoned as part of the earnings.
- 45 (3) In fixing the amount of the weekly payment, regard shall be had to any payment allowance or benefit which the workman may receive from

A.D 1906. — the employer during the period of his incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the workman before the accident and the average weekly amount which he is earning or is able to earn in some suitable employment or business after the accident, but shall bear such relation to the amount of that difference as under the circumstances of the case may appear proper. 5

(4) Where a workman has given notice of an accident, he shall, if so required by the employer, submit himself for examination by a duly qualified medical practitioner provided and paid by the employer, and if he refuses to submit himself to such examination, or in any way obstructs the same, his right to compensation, and any proceeding under this Act in relation to compensation, shall be suspended until such examination has taken place. 10

(5) The payment in the case of death shall, unless otherwise ordered as hereinafter provided, be paid into the county court, and any sum so paid into court shall, subject to rules of court and the provisions of this schedule, be invested, applied, or otherwise dealt with by the court in such manner as the court in its discretion thinks fit for the benefit of the persons entitled thereto under this Act, and the receipt of the registrar of the court shall be a sufficient discharge in respect of the amount paid in : 15 20

Provided that if so agreed, the payment in case of death shall, if the workman leaves no dependants, be made to his legal personal representative or if he has no such representative, to the person to whom the expenses of medical attendance and burial are due.

(6) Rules of court may provide for the transfer of money paid into court under this Act from one court to another, whether or not the court from which it is to be transferred is in the same part of the United Kingdom as the court to which it is to be transferred. 25

(7) Where a weekly payment is payable under this Act to a person under any legal disability, a county court may, on application being made in accordance with rules of court, order that the weekly payment be paid during the disability into court, and the provisions of this schedule with respect to sums required by this schedule to be paid into court shall apply to sums paid into court in pursuance of any such order. 30

(8) Any question as to who is a dependant shall, in default of agreement, be settled by arbitration under this Act, or, if not so settled before payment into court under this schedule, shall be settled by the county court and the amount payable to each dependant shall be settled by arbitration under this Act, or, if not so settled before payment into court under this schedule, by the county court. Where there are both total and partial dependants nothing in this schedule shall be construed as preventing the compensation being allotted partly to the total and partly to the partial dependants. 35 40

(9) Where, on application being made in accordance with rules of court, it appears to a county court that on account of neglect of children on the 45

part of a widow or on account of the variation of the circumstances of the various dependants, or for any other sufficient cause, an order of the court as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any
5 such dependant is to be invested, applied, or otherwise dealt with, ought to be varied, the court may make such further order for the variation of the former order, as in the circumstances of the case the court may think just.

(10) Any sum which under this schedule is ordered to be invested may
10 be invested in whole or in part in the Post Office Savings Bank by the registrar of the county court in his name as registrar.

(11) Any sum to be so invested may be invested in the purchase of an annuity from the National Debt Commissioners through the Post Office Savings Bank, or be accepted by the Postmaster-General as a deposit in the
15 name of the registrar as such, and the provisions of any statute or regulations respecting the limits of deposits in savings banks, and the declaration to be made by a depositor, shall not apply to such sums.

(12) No part of any money invested in the name of the registrar of any county court in the Post Office Savings Bank under this Act shall be paid
20 out, except upon authority addressed to the Postmaster-General by the Treasury or by the judge or registrar of the county court.

(13) Any person deriving any benefit from any moneys invested in a post office savings bank under the provisions of this Act may, nevertheless, open an account in a post office savings bank or in any other savings bank
25 in his own name without being liable to any penalties imposed by any statute or regulations in respect of the opening of accounts in two savings banks, or of two accounts in the same savings bank.

(14) Any workman receiving weekly payments under this Act shall, if so required by the employer, from time to time submit himself for
30 examination by a duly qualified medical practitioner provided and paid by the employer. If the workman refuses to submit himself to such examination, or in any way obstructs the same, his right to such weekly payments shall be suspended until such examination has taken place.

(15) A workman shall not be required to submit himself for examination
35 tion by a medical practitioner under paragraph (4) or paragraph (14) of this schedule otherwise than in accordance with regulations made by the Secretary of State, or at more frequent intervals than may be prescribed by those regulations.

Where a workman has so submitted himself for examination by a
40 medical practitioner, or has been examined by a medical practitioner selected by himself, and the employer or the workman, as the case may be, has within six days after such examination furnished the other with a copy of the report of that practitioner as to the workman's condition, then in the event of no agreement being come to between the employer

A.D. 1906. — and the workman as to the workman's condition or fitness for employment, the registrar of a county court, on application being made to the court by both parties may, on payment by the applicants of such fee not exceeding one pound as may be prescribed, refer the matter to a medical referee. 5

The medical referee to whom the matter is so referred shall, in accordance with regulations made by the Secretary of State, give a certificate as to the condition of the workman and his fitness for employment, specifying, where necessary, the kind of employment for which he is fit, and that certificate shall be conclusive evidence as to the matters so certified. Where no agreement can be come to between the employer and the workman as to whether or to what extent the incapacity of the workman is due to the accident, the provisions of this paragraph shall, subject to any regulations made by the Secretary of State, apply as if the question were a question as to the condition of the workman. 10 15

If a workman, on being required so to do, refuses to submit himself for examination by a medical referee to whom the matter has been so referred as aforesaid, or in any way obstructs the same, his right to compensation and any proceeding under this Act in relation to compensation, or in the case of a workman in receipt of a weekly payment, his right to that weekly payment shall be suspended until such examination has taken place. 20

Rules of court may be made for prescribing the manner in which documents are to be furnished or served and applications made under this paragraph, and the forms to be used for those purposes and, subject to the consent of the Treasury, as to the fee to be paid under this paragraph. 25

(16) Any weekly payment may be reviewed at the request either of the employer or of the workman, and on such review may be ended, diminished, or increased, subject to the maximum above provided, and the amount of payment shall, in default of agreement, be settled by arbitration under this Act. 30

Provided that where the workman was at the date of the accident under twenty-one years of age and the review takes place more than twelve months after the accident, the amount of the weekly payment may be increased to any amount not exceeding fifty per cent. of the weekly sum which the workman would probably have been earning at the date of the review if he had remained uninjured, but not in any case exceeding one pound. 35

(17) Where any weekly payment has been continued for not less than six months, the liability therefor may, on application by or on behalf of the employer, be redeemed by the payment of a lump sum of such an amount as, where the incapacity is permanent, would, if invested in the purchase of an immediate life annuity from the National Debt Commissioners through the Post Office Savings Bank, purchase an annuity for the workman equal to seventy-five per cent. of the annual value of the weekly payment, and as in any other case may be settled by arbitration 40

under this Act, and such lump sum may be ordered by the committee or arbitrator or judge of the county court to be invested or otherwise applied for the benefit of the person entitled thereto. A.D. 1906.

(18) If a workman receiving a weekly payment ceases to reside in the United Kingdom he shall thereupon cease to be entitled to receive any weekly payment, unless the medical referee certifies that the incapacity resulting from the injury is likely to be of a permanent nature. If the medical referee so certifies, the workman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as may be prescribed by rules of court, his identity and the continuance of the incapacity in respect of which the weekly payment is payable.

(19) A weekly payment, or a sum paid by way of redemption thereof, shall not be capable of being assigned, charged, or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against the same.

(20) Where under this schedule a right to compensation is suspended no compensation shall be payable in respect of the period of suspension.

(21) Where a scheme certified under this Act provides for payment of compensation by a friendly society, the provisions of the proviso to the first subsection of section eight, section sixteen, and section forty-one of the Friendly Societies Act, 1896, shall not apply to such society in respect of such scheme.

(22) In the application of this Act to Ireland the provisions of the County Officers and Courts (Ireland) Act, 1877, with respect to money deposited in the Post Office Savings Bank under that Act shall apply to money invested in the Post Office Savings Bank under this Act.

SECOND SCHEDULE.

30 ARBITRATION.

The following provisions shall apply for settling any matter which under this Act is to be settled by arbitration:—

(1) If any committee, representative of an employer and his workmen exists with power to settle matters under this Act in the case of the employer and workmen, the matter shall, unless either party objects, by notice in writing sent to the other party before the committee meet to consider the matter, be settled by the arbitration of such committee, or be referred by them in their discretion to arbitration as herein-after provided.

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A.D. 1906.

(2) If either party so objects, or there is no such committee, or the committee so refers the matter or fails to settle the matter within six months from the date of the claim, the matter shall be settled by a single arbitrator agreed on by the parties, or in the absence of agreement by the judge of the county court, according to the procedure prescribed by rules of court. 5

(3) In England the matter, instead of being settled by the judge of the county court, may, if the Lord Chancellor so authorises, be settled according to the like procedure, by a single arbitrator appointed by that judge, and the arbitrator so appointed shall, for the purposes of this Act, have all the powers of that judge. 10

(4) The Arbitration Act, 1889, shall not apply to any arbitration under this Act; but a committee or an arbitrator may, if they or he think fit, submit any question of law for the decision of the judge of the county court, and the decision of the judge on any question of law, either on such submission, or in any case where he himself settles the matter under this Act, or when he gives any decision or makes any order under this Act, shall be final, unless within the time and in accordance with the conditions prescribed by rules of the Supreme Court either party appeals to the Court of Appeal; and the judge of the county court, or the arbitrator appointed by him, shall, for the purpose of proceedings under this Act, have the same powers of procuring the attendance of witnesses and the production of documents as if the proceedings were an action in the county court. 15 20

(5) A judge of county courts may, if he thinks fit, summon a medical referee to sit with him as an assessor. 25

(6) Rules of court may make provision for the appearance in any arbitration under this Act of any party by some other person.

(7) The costs of and incidental to the arbitration and proceedings connected therewith shall be in the discretion of the committee or arbitrator. The costs, whether before a committee or an arbitrator or in the county court, shall not exceed the limit prescribed by rules of court, and shall be taxed in manner prescribed by those rules, and such taxation may be reviewed by the judge of the county court. 30

(8) In the case of the death or refusal or inability to act of an arbitrator, the judge of the county court may, on the application of any party, appoint a new arbitrator. 35

(9) Where the amount of compensation under this Act has been ascertained, or any weekly payment varied, or any other matter decided under this Act, either by a committee or by an arbitrator or by agreement a memorandum thereof shall be sent, in manner prescribed by rules of court, by the committee or arbitrator, or by any party interested, to the registrar of the county court for the district in which any person entitled to such compensation resides, who shall, subject to such rules, on being 40

satisfied as to its genuineness, record such memorandum in a special register without fee, and thereupon the memorandum shall for all purposes be enforceable as a county court judgment. A.D. 1906.

Provided that—

- 5 (a) no such memorandum shall be recorded before seven days after the despatch by the registrar of notice to the parties interested; and
- 10 (b) where a workman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation under the Act and the employer, in accordance with rules of court, proves that the workman has in fact returned to work and is earning the same wages as he did before the accident, and objects to the recording of such memorandum, the memorandum shall only be recorded, if at all, on such terms as the
- 15 judge of the county court, under the circumstances, may think just; and
- (c) the judge of the county court may at any time rectify such register; and
- 20 (d) where it appears to the registrar of the county court, on any information which he considers sufficient, that an agreement as to the redemption of a weekly payment by a lump sum, or an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, ought not to be registered by reason of the inadequacy of the sum, or
- 25 amount, or by reason of the agreement having been obtained by fraud or undue influence, or other improper means, he may refuse to record the memorandum of the agreement sent to him for registration, and refer the matter to the judge who shall, in accordance with rules of court, make such order
- 30 (including an order as to any sum already paid under the agreement) as under the circumstances he may think just; and
- (e) The judge may, within six months after a memorandum of an agreement as to the redemption of a weekly payment by a
- 35 lump sum, or of an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, has been recorded in the register, order that the record be removed from the register on proof to his satisfaction that the agreement was obtained by fraud or undue influence or other improper means, and may make such order
- 40 (including an order as to any sum already paid under the agreement) as under the circumstances he may think just.

(10) An agreement as to the redemption of a weekly payment by a lump sum if not registered in accordance with this Act shall not, nor shall the payment of the sum payable under the agreement, exempt the

A.D. 1906. person by whom the weekly payment is payable from liability to continue to make that weekly payment, and an agreement as to the amount of compensation to be paid to a person under a legal disability or to dependants, if not so registered, shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the compensation is payable from liability to pay compensation, unless he proves that the failure to register was not due to any neglect or default on his part. 5

(11) Where any matter under this Act is to be done in a county court, or by to or before the judge or registrar of a county court, then, unless the contrary intention appear, the same shall, subject to rules of court, be done in, or by to or before the judge or registrar of, the county court of the district in which all the parties concerned reside, or if they reside in different districts the district in which the accident out of which the said matter arose occurred, without prejudice to any transfer in manner provided by rules of court. 10 15

(12) The duty of a judge of county courts under this Act, or in England of an arbitrator appointed by him, shall, subject to rules of court, be part of the duties of the county court, and the officers of the court shall act accordingly, and rules of court may be made both for any purpose for which this Act authorises rules of court to be made, and also generally for carrying into effect this Act so far as it affects the county court, or an arbitrator appointed by the judge of the county court, and proceedings in the county court or before any such arbitrator, and such rules may, in England be made by the five judges of county courts appointed for the making of rules under section one hundred and sixty-four of the County Courts Act, 1888, and when allowed by the Lord Chancellor, as provided by that section, shall have full effect without any further consent. 20 25

(13) No court fee, except such as may be prescribed under paragraph (15) of the First Schedule to this Act, shall be payable by any party in respect of any proceedings by or against a workman under this Act in the court prior to the award. 30

(14) Any sum awarded as compensation shall unless paid into court under this Act be paid on the receipt of the person to whom it is payable under any agreement or award, and the solicitor or agent of a person claiming compensation under this Act shall not be entitled to recover from him any costs in respect of any proceedings in an arbitration under this Act, or to claim a lien in respect of such costs on, or deduct such costs from, the sum awarded or agreed as compensation, except such sum as may be awarded by the committee, the arbitrator, or the judge of the county court, on an application made either by the person claiming compensation or by his solicitor or agent, to determine the amount of costs to be paid to the solicitor or agent, such sum to be awarded subject to taxation and to the scale of costs prescribed by rules of court. 35 40

(15) Any committee, arbitrator, or judge may, subject to regulations made by the Secretary of State and the Treasury, appoint a medical referee to report on any matter which seems material to any question arising in the arbitration. A.D. 1906.

5 (16) The Secretary of State may, by order, either unconditionally or subject to such conditions or modifications as he may think fit, confer on any committee representative of an employer and his workmen, as respects
10 any matter in which the committee act as arbitrators, or which is settled by agreement submitted to and approved by the committee, all or any of the powers conferred by this Act exclusively on county courts or judges
15 of county courts, and may by the order provide how and to whom the compensation money is to be paid in cases where, but for the order, the money would be required to be paid into court, and the order may exclude from the operation of provisoes (b) and (c) of paragraph (9) of this Schedule agreements submitted to and approved by the committee, and may contain
such incidental, consequential, or supplemental provisions as may appear to the Secretary of State to be necessary or proper for the purposes of the order.

(17) In the application of this Schedule to Scotland—

20 (a) "County court judgment" as used in paragraph (9) of this Schedule means a recorded decree arbitral:

(b) Any application to the sheriff as arbitrator shall be heard, tried, and determined summarily in the manner provided by section fifty-two of the Sheriff Courts (Scotland) Act, 1876,
25 save only that parties may be represented by any person authorised in writing to appear for them and subject to the declaration that it shall be competent to either party within the time and in accordance with the conditions prescribed by act of sederunt to require the sheriff to state a case on
30 any question of law determined by him, and his decision thereon in such case may be submitted to either division of the Court of Session, who may hear and determine the same and remit to the sheriff with instruction as to the judgment to be pronounced, and an appeal shall lie from either of such
35 divisions to the House of Lords.

(c) Paragraphs (3) (4) and (8) shall not apply.

(18) In the application of this schedule to Ireland the expression "judge of the county court" shall include the recorder of any city or town, and an appeal shall lie from the Court of Appeal to the House of Lords.

A.D. 1906.

THIRD SCHEDULE.

Description of Disease.	Description of Process.
Anthrax - - -	Handling of wool, hair, bristles, hides, and skins.
Lead poisoning or its sequelæ -	Any process involving the use of lead or its preparations or compounds. 5
Mercury poisoning or its sequelæ	Any process involving the use of mercury or its preparations or compounds.
Phosphorus poisoning or its sequelæ.	Any process involving the use of phosphorus or its preparations or compounds.
Arsenic poisoning or its sequelæ	Any process involving the use of arsenic or its preparations or compounds. 10
Ankylostomiasis - -	Mining.

Where regulations or special rules made under any Act of Parliament for the protection of persons employed in any industry against the risk of contracting lead poisoning require some or all of the persons employed in certain processes specified in the regulations or special rules to be periodically examined by a certifying or other surgeon, then, in the application of this schedule to that industry, the expression "process" shall, unless the Secretary of State otherwise directs, include only the processes so specified. 15

Workmans' Compensation Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE.

BY THE EARL OF SHAFTESBURY.

Clause 1, page 2, line 9, after (" disallowed ") insert (" insobriety
" or the wilful breach of any rule printed and published by the
" employer for the safety and protection of his workmen shall be
" serious and wilful misconduct within the meaning of this Act ")

First Schedule, page 19, leave out lines 2 and 3.

BY THE LORD ZOUCHÉ OF HARYNGWORTH.

First Schedule, page 18, leave out lines 6 to 19 inclusive, and
insert :—

If the workman does not leave any such dependents, but leaves
any dependents in part dependent upon his earnings at the time of
his death, such sum as shall represent one hundred and fifty-six
times the amount of the average weekly contribution of the deceased
towards the maintenance of such dependents for a period of twelve
months prior to the date of the accident causing the death

Workmans' Compensation Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE EARL OF SHAFTESBURY

AND

THE LORD ZOUCHÉ OF
HARRYNGWORTH.

14th December 1906.

PRINTED BY RYNE AND SPOTTISWOOD
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[Price 3d.]

(241 a.)

Workmen's Compensation Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE.

BY THE LORD AMPHILL.

Clause 1, page 2, line 9, after ("disallowed") insert ("In-
sobriety or the wilful breach of any rule printed and published
by the employer for the safety and protection of his workmen
shall be serious and wilful misconduct within the meaning of this
Act.")

First schedule, page 18, line 20, leave out from the beginning
of paragraph (ii) to ("and") in line 26, and insert ("If the workman
does not leave any such dependants, but leaves any dependants in
part dependent upon his earnings at the time of his death, such
sum as shall represent one hundred and fifty-six times the amount
of the average weekly contribution of the deceased towards the
maintenance of such dependants for a period of twelve months
prior to the date of the accident causing the death")

page 20, line 2, after ("exceed") insert ("one-
half of")

page 22, line 3, leave out ("both parties") and
insert ("either party")

BY THE LORD BELPER.

Clause 2, page 3, line 18, leave out ("mistake")

First Schedule, page 19, line 9, after ("shillings") insert:

(c) in the case of a workman whom his employer has reason-
able cause to believe to be over sixty years of age and
who has entered into an agreement in writing with

(241 b.)

his employer as to the maximum amount of compensation to be payable to him under this Act in respect of accidents happening after the date of the agreement, the compensation shall not exceed that maximum, but the maximum shall not be less :

(i) where death results from the injury and the workman leaves any dependants, than twenty-five pounds ;

(ii) where total or partial incapacity for work results from the injury, then a weekly payment during the incapacity, after the first week, of ten shillings ;

(d) in the case of a workman who has, in accordance with regulations made by the Secretary of State, obtained from a medical referee a certificate to the effect that his age or any physical or mental infirmity and incapacity from which he is suffering is such as to render him specially liable to accident, or to render the result of an accident to him specially serious, and who has entered into an agreement in writing with his employer as to the maximum amount of compensation to be payable to him under this Act, the compensation shall not exceed that maximum, but the maximum shall not be less :

(i) where death results from the injury and the workman leaves any dependant, than twenty-five pounds, or a sum equivalent to thirty-nine times his average weekly earnings, whichever is the larger ;

(ii) where total or partial incapacity results from the injury, then a weekly payment during the incapacity after the second week of five shillings or one quarter of his average weekly earnings, whichever is the larger.

First Schedule, page 22, line 39, leave out the third (" of ") and insert (" not exceeding ")
line 44, after (" settled ") insert (" in
" default of agreement ")

(3)

BY THE LORD CLIFFORD OF CHUDLEIGH.

First Schedule, page 22, line 3, leave out (" both parties ") and insert (" either party ")

Workmen's Compensation Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD AMPHILL,

THE LORD BELPER,

AND

THE LORD CLIFFORD OF
CHUDLEIGH.

17th December 1906.

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E. PONSONBY, 116, Grafton Street, Dublin.

[Price 3d.]

(241 b.)

Workmen's Compensation Bill.

A M E N D M E N T S

TO BE MOVED IN COMMITTEE

BY

THE LORD INVERCLYDE.

Clause 3, page 4, line 2, after (" that ") insert (" except in the
" case of seamen ")

line 10, after (" Act ") insert the following
new subsection :

(2) The Registrar of Friendly Societies may, if required by the employer, grant a provisional certificate for any scheme before ascertaining the views of the workmen, but in such a case the employer shall not contract with any workman that the provisions of the scheme shall be substituted for the provisions of the Act until the Registrar of Friendly Societies has, after ascertaining the views of the workmen, further certified that the scheme satisfies all the requirements of this Act.

Leave out clause 7.

Clause 7, page 7, line 25, after (" modifications ") insert the following new paragraph :

(a) If it is proved that the injury to a seaman is attributable to any offence against discipline by that seaman, or to any Act or default of that seaman dangerous to the safety of the ship or of the cargo or lives of those on board the ship, or that it occurred while the seaman was under the influence of intoxicating liquor, any compensation claimed in respect of that injury shall be disallowed.

line 28, leave out from (" employer ") to the
end of paragraph (a).

line 33, leave out (" may ") and insert
(" shall "), and leave out (" six ") and insert (" twelve ")

(241 c.)

Clause 7, page 7, line 34, leave out ("news") and insert ("the date")

lines 34 and 35, leave out ("has been received by the claimant")

page 8, line 13, leave out paragraph (e) and insert the following new paragraph:

The weekly payment shall be payable as from the date when the injured seaman or apprentice is brought back to the United Kingdom.

line 18, after ("apprentice") insert the following new paragraph:

"No compensation shall be payable in respect of death or injury to a seaman or apprentice by accident arising out of and in the course of efforts to save life or property.")

Clause 13, page 14, lines 32 and 33, leave out ("remuneration exceeds") and insert ("earnings exceed")

page 15, line 9, after ("were") insert ("resident in the British Isles, and")

First Schedule, page 20, line 1, after ("incapacity") insert ("or which the employer may pay under statutory obligation in respect of the workman for hospital charges and surgical and medical advice and attendance, and medicine and maintenance")

Workmen's Compensation Bill.

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E .

BY THE LORD WEMYSS (*E. Wemyss*).

Clause 1, page 2, lines 7 and 8, leave out (" unless the injury
" results in death or serious and permanent disablement ")

Clause 3, page 3, line 39, leave out (" scales of compensation ")
and insert (" benefits ")

line 40, leave out (" corresponding scales ")
and insert (" benefits ")

line 41, after (" is ") insert (" upon an
" independent actuarial calculation ")

Clause 8, page 11, line 39, after (" make ") insert (" pro-
" visional ")

BY THE EARL BEAUCHAMP.

Clause 2, page 3, line 14, after (" mistake ") insert (" absence
" from the United Kingdom ")

line 18, leave out (" employment abroad ")
and insert (" absence from the United Kingdom ")

line 23, leave out (" it was sustained ") and
insert (" the accident happened ")

Clause 3, page 3, line 41, leave out from (" and ") to (" and ")
in page 4, line 2, and insert (" that, where the scheme provides
" for contributions by the workmen, the scheme confers benefits,
" at least equivalent to those contributions, in addition to the
" benefits to which the workmen would have been entitled under
" this Act ")

page 4, line 5, leave out (" those ") and insert (" his ")

(241 *d.*)

A

Clause 5, page 6, line 5, leave out from the first (" and ") to the end of line 7, and insert (" upon any such transfer the insurers shall " have the same rights and remedies and be subject to the same " liabilities as if they were the employer, so however that the " insurers shall not be under any greater liability to the workman " than they would have been under to the employer ")

line 17, after (" exceeding ") insert (" in any " individual case ")

line 19, leave out from (" up ") to (" and ") in line 23.

line 23, after (" and ") insert (" those Acts " and ")

line 24, after (" accordingly ") insert (" Where " the compensation is a weekly payment, the amount due in respect " thereof shall, for the purposes of this provision, be taken to be the " amount of the lump sum for which the weekly payment could, if " redeemable, be redeemed under the First Schedule to this Act ")

Clause 7, page 7, line 27, after (" may ") insert (" except where " the person injured is the master ")

line 32, after the third (" the ") insert (" master ")

line 36, after (" injured ") insert (" master ")

page 8, line 8, after (" a ") insert (" master ")

line 17, after (" injured ") insert (" master ")

line 35, after the second (" of ") insert (" masters ")

line 38, leave out (" such ")

page 9, lines 1 to 5, leave out paragraph (h).

line 9, at end insert as a new subsection :

(2) This section shall extend to pilots to whom Part X. of the Merchant Shipping Act, 1894, applies, as if a pilot when employed on any such ship as aforesaid were a seaman and a member of the crew.

Clause 8, page 10, line 7, leave out (" such ") and insert (" the " requisite ")

page 12, line 6, leave out (" one or more ") and insert (" a ")

line 7, leave out (" schemes ") and insert (" company or society "), and leave out (" have ") and insert (" has ")

line 10, leave out (" scheme or in one or " other of such schemes ") and insert (" company or society ")

lines 10 and 11, leave out (" managers of the " scheme consent ") and insert (" company or society consents ")

(3)

Clause 8, page 12, line 13, leave out ("scheme or in one or other
" of such schemes ") and insert ("company or society ")

line 15, at end insert ("Where such a com-
" pany or society has been established, but is confined to employers
" in any particular locality or of any particular class, the Secretary
" of State may for the purposes of this provision treat the industry
" as carried on by employers in that locality or of that class as a
" separate industry ")

line 26, after ("order ") insert ("Provisional
" Order ")

Clause 10, page 13, line 13, leave out ("either party ") and
insert ("an employer or workman ")

Clause 11, page 13, line 24, leave out ("rules of ") and insert
("the rules of the ")

Clause 12, page 14, lines 16 and 17, leave out ("summary
" conviction ") and insert ("conviction under the Summary Juris-
" diction Acts ")

Clause 13, page 15, line 25, leave out from ("1894 ") to the
end of line 27.

First Schedule, page 19, line 10, leave out ("In computing ")
and insert ("For the purposes of the provisions of this schedule
" relating to ")

lines 10 and 11, leave out ("for the
" purposes of this schedule ") and insert ("of a workman ")

lines 12 to 15, leave out paragraph (a).

lines 16 and 17, leave out ("where the
" workman was not employed at such a fixed rate of earnings, his ")
line 19, leave out ("he ") and insert
("the workman ")

line 30, leave out ("was engaged
" under ") and insert ("had entered into concurrent ")

line 31, after ("employers ") insert
("under which he worked at one time for one such employer
" and at another time for another such employer ").

page 20, line 12, after ("and ") insert ("to take
" or prosecute ")

page 21, line 2, after ("court ") insert ("or an
" award ")

line 6, leave out ("further ")

line 7, after ("order ") insert ("or the
" award ")

line 21, after the first ("or ") insert
" subject to regulations of the Treasury ")

(241 d.)

A 2

First Schedule, page 22, line 19, after (" and ") insert (" to take
" or prosecute ")

Second Schedule, page 23, leave out lines 31 and 32.

line 33, at beginning insert (" For
" the purpose of settling any matter which under this Act is to be
" settled by arbitration ")

page 24, line 30, leave out (" or "), and after
(" arbitrator ") insert (" or judge of the county court ")

lines 43 and 44, leave out (" for the
" district in which any person entitled to such compensation
" resides ")

page 26, line 6, after (" unless ") insert (" in
" either case ")

lines 13 and 14, leave out (" in which
" the accident out of which the said matter arose occurred ") and
insert (" prescribed by rules of court ")

page 27, lines 2 and 3, leave out (" appoint
" a medical referee to report on ") and insert (" submit to a medical
" referee for report ")

line 14, leave out (" (b) and (c) ") and
insert (" (d) and (e) ")

BY THE LORD BELPER.

Clause 2, page 3, line 17, leave out (" it is found ") and insert
(" the court is satisfied ")

line 19, after (" cause ") insert (" and that the
" employer is not prejudiced in his defence by the delay in making
" the claim ")

First Schedule, page 19, line 2, leave out (" two ") and insert
(" three ")

BY THE EARL OF LYTTON.

Clause 8, page 9, line 14, leave out (" mentioned in the Third
" Schedule to this Act ")

line 24, after (" employment ") insert (" other
" than shipping or agriculture ")

page 11, line 9, leave out from beginning of sub-
section to (" except ") in line 14.

(5)

Clause 8, pages 11 and 12, leave out subsections (5) and (6)

Clause 13, page 14, line 37, leave out (" or an outworker ")
page 15, leave out lines 36 to 41 inclusive.

Leave out the Third Schedule.

BY THE EARL OF CAMPERDOWN.

Clause 13, page 15, line 12, leave out from (" dependent ") to the end of the paragraph.

First Schedule, page 19, leave out lines 2 and 3, and insert :

- (a) unless the incapacity arises from a fracture of a limb, or dislocation of a limb, or loss of an eye or from any other personal injury which prevents the workman from earning full wages at the work at which he was employed for a period exceeding twenty-one days, no compensation shall be payable in respect of the first week ; and

BY THE LORD NEWTON.

First Schedule, page 20, line 2, after (" exceed ") insert (" one-
" half of ")

line 34, after (" order ") insert the following paragraph :

Where the employer has admitted his liability under this Act, and made payment into court of any sum in accordance therewith, he shall not be liable to pay any costs of and incident to any proceedings excepting the costs, if any, of paying the same into court.

page 22, line 3, leave out (" both parties ") and insert (" either parties ")

Workmen's Compensation Bill.

AMENDMENTS

TO BE MOVED IN COMMITTEE

BY

THE LORD WEMYSS (*E. Wemyss*),
THE EARL BEAUCHAMP,
THE LORD BELPER,
THE EARL OF LYTTON,
THE EARL OF CAMPERDOWN,
AND
THE LORD NEWTON.

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(241 *d.*)

Workmen's Compensation Bill.

A M E N D M E N T S

T O B E M O V E D I N C O M M I T T E E .

Clause 1.

B Y T H E L O R D W E M Y S S (*E. Wemyss*).

Page 2, lines 7 and 8, leave out (" unless the injury results in
" death or serious and permanent disablement ")

B Y T H E E A R L O F S H A F T E S B U R Y A N D
T H E L O R D A M P T H I L L .

Page 2, line 9, after (" disallowed ") insert (" Insobriety or
" the wilful breach of any rule printed and published by the
" employer for the safety and protection of his workmen shall be
" serious and wilful misconduct within the meaning of this Act ")

Clause 2.

B Y T H E E A R L B E A U C H A M P .

Page 3, line 14, after (" mistake ") insert (" absence from the
" United Kingdom ")

B Y T H E L O R D B E L P E R .

Page 3, line 17, leave out (" it is found ") and insert (" the court
" is satisfied ")

B Y T H E E A R L B E A U C H A M P .

Page 3, line 18, leave out (" employment abroad ") and insert
(" absence from the United Kingdom ")

(241 **.)

A

Clause 2—*continued*.

BY THE LORD BELPER.

Page 3, line 19, after (“ cause ”) insert (“ and that the employer
“ is not prejudiced in his defence by the delay in making the
“ claim ”)

BY THE EARL BEAUCHAMP.

Page 3, line 23, leave out (“ it was sustained ”) and insert
 (“ the accident happened ”)

BY THE LORD WEMYSS (*E. Wemyss*).

Page 3, line 39, leave out (“ scales of compensation ”) and insert
 (“ benefits ”)

line 40, leave out (“ corresponding scales ”) and insert
 (“ benefits ”)

BY THE EARL BEAUCHAMP.

Page 3, line 41, leave out from (“ and ”) to (“ and ”) in
page 4, line 2, and insert (“ that, where the scheme provides
“ for contributions by the workmen, the scheme confers benefits,
“ at least equivalent to those contributions, in addition to the
“ benefits to which the workmen would have been entitled under
“ this Act ”)

BY THE LORD WEMYSS (*E. Wemyss*).

Page 3, line 41, after (“ is ”) insert (“ upon an independent
“ actuarial calculation ”)

Clause 3.

BY THE LORD INVERCLYDE.

Page 4, line 2, after (“ that ”) insert (“ except in the case of
“ seamen ”)

BY THE EARL BEAUCHAMP.

Page 4, line 5, leave out (“ those ”) and insert (“ his ”)

(3)

Clause 4.

BY THE LORD INVERCLYDE.

Page 4, line 10, after ("Act") insert the following new subsection :

(2) The Registrar of Friendly Societies may, if required by the employer, grant a provisional certificate for any scheme before ascertaining the views of the workmen, but in such a case the employer shall not contract with any workman that the provisions of the scheme shall be substituted for the provisions of the Act until the Registrar of Friendly Societies has, after ascertaining the views of the workmen, further certified that the scheme satisfies all the requirements of this Act.

Clause 5.

BY THE EARL BEAUCHAMP.

Page 6, line 5, leave out from the first ("and") to the end of line 7, and insert ("upon any such transfer the insurers shall have the same rights and remedies and be subject to the same liabilities as if they were the employer, so however that the insurers shall not be under any greater liability to the workman than they would have been under to the employer")

line 17, after ("exceeding") insert ("in any individual case")

line 19, leave out from ("up") to ("and") in line 23.

line 23, after ("and") insert ("those Acts and")

line 24, after ("accordingly") insert ("Where the compensation is a weekly payment, the amount due in respect thereof shall, for the purposes of this provision, be taken to be the amount of the lump sum for which the weekly payment could, if redeemable, be redeemed under the First Schedule to this Act")

Clause 7.

BY THE LORD INVERCLYDE.

Page 7, line 25, after (" modifications ") insert the following new paragraph :

- (a) If it is proved that the injury to a seaman is attributable to any offence against discipline by that seaman, or to any Act or default of that seaman dangerous to the safety of the ship or of the cargo or lives of those on board the ship, or that it occurred while the seaman was under the influence of intoxicating liquor, any compensation claimed in respect of that injury shall be disallowed.

BY THE EARL BEAUCHAMP.

Page 7, line 27, after (" may ") insert (" except where the " person injured is the master ")

BY THE LORD INVERCLYDE.

Page 7, line 28, leave out from (" employer ") to the end of paragraph (a).

BY THE EARL BEAUCHAMP.

Page 7, line 32, after the third (" the ") insert (" master ")

BY THE LORD INVERCLYDE.

Page 7, line 33, leave out (" may ") and insert (" shall "), and leave out (" six ") and insert (" twelve ")

line 34, leave out (" news ") and insert (" the date ")

lines 34 and 35, leave out (" has been received by the " claimant ")

BY THE EARL BEAUCHAMP.

Page 7, line 36, after (" injured ") insert (" master ")

Page 8, line 8, after (" a ") insert (" master ")

BY THE LORD INVERCLYDE.

Page 8, line 13, leave out paragraph (e) and insert the following new paragraph :

The weekly payment shall be payable as from the date when the injured seaman or apprentice is brought back to the United Kingdom.

(5)

Clause 7—continued.

BY THE EARL BEAUCHAMP.

Page 8, line 17, after (“injured”) insert (“master”)

BY THE LORD INVERCLYDE.

Page 8, line 18, after (“apprentice”) insert the following new paragraph:

No compensation shall be payable in respect of death or injury to a seaman or apprentice by accident arising out of and in the course of efforts to save life or property.

BY THE EARL BEAUCHAMP.

Page 8, line 35, after the second (“of”) insert (“masters”)
line 38, leave out (“such”)Page 9, lines 1 to 5, leave out paragraph (*h*).

line 9, at end insert as a new subsection—

(2) This section shall extend to pilots to whom Part X. of the Merchant Shipping Act, 1894, applies, as if a pilot when employed on any such ship as aforesaid were a seaman and a member of the crew.

BY THE LORD INVERCLYDE.

Leave out clause 7.

Clause 8.

BY THE EARL OF LYTTON.

Page 9, lines 14 and 15, leave out (“mentioned in the Third Schedule to this Act”)

line 24, after (“employment”) insert (“other than shipping or agriculture”)

BY THE EARL OF BEAUCHAMP.

Page 10, line 7, leave out (“such”) and insert (“the requisite”)

A 3

Clause 8---*continued.*

BY THE EARL OF LYTTON.

Page 11, line 9, leave out from the beginning of the subsection to (“ except ”) in line 14.

Pages 11 and 12, leave out subsections (5) and (6)

BY THE LORD WEMYSS (*E. Wemyss*).

Page 11, line 39, after (“ make ”) insert (“ provisional ”)

BY THE EARL BEAUCHAMP.

Page 12, line 6, leave out (“ one or more ”) and insert (“ a ”)

line 7, leave out (“ schemes ”) and insert (“ company
“ or society ”), and leave out (“ have ”) and insert (“ has ”)

line 10, leave out (“ scheme or in one or other of
“ such schemes ”) and insert (“ company or society ”)

lines 10 and 11, leave out (“ managers of the scheme
“ consent ”) and insert (“ company or society consents ”)

line 13, leave out (“ scheme or in one or other of
“ such schemes ”) and insert (“ company or society ”)

line 15, at end insert (“ Where such a company or
“ society has been established, but is confined to employers in
“ any particular locality or of any particular class, the Secretary
“ of State may for the purposes of this provision treat the
“ industry, as carried on by employers in that locality or of that
“ class, as a separate industry ”)

line 26, after (“ order ”) and insert (“ Provisional
“ Order ”)

Clause 10.

BY THE EARL BEAUCHAMP.

Page 13, line 13, leave out (“ either party ”) and insert (“ an
“ employer or workman ”)

(7)

Clause 11.

BY THE EARL BEAUCHAMP.

Page 13, line 24, leave out (“ rules of ”) and insert (“ the rules
“ of the ”)

Clause 12.

BY THE EARL BEAUCHAMP.

Page 14, lines 16 and 17, leave out (“ summary conviction ”)
and insert (“ conviction under the Summary Jurisdiction Acts ”)

Clause 13.

BY THE LORD INVERCLYDE.

Page 14, lines 32 and 33, leave out (“ remuneration exceeds ”)
and insert (“ earnings exceed ”)

BY THE EARL OF LYTTON.

Page 14, line 37, leave out (“ or an outworker ”)

BY THE LORD INVERCLYDE.

Page 15, line 9, after (“ were ”) insert (“ resident in the British
“ Isles, and ”)

BY THE EARL OF CAMPERDOWN.

Page 15, line 12, leave out from (“ dependent ”) to the end of
the paragraph.

BY THE EARL BEAUCHAMP.

Page 15, line 25, leave out from (“ 1894 ”) to the end of line 27.

BY THE EARL OF LYTTON.

Page 15, leave out lines 36 to 41 inclusive.

First Schedule.

BY THE LORD ZOUCHE OF HARYNGWORTH AND
THE LORD AMPHILL.

Page 18, line 20, leave out from the beginning of paragraph (ii) to (“ and ”) in line 26, and insert (“ If the workman does not leave
“ any such dependants, but leaves any dependants in part dependent
“ upon his earnings at the time of his death, such sum as shall
“ represent one hundred and fifty-six times the amount of the
“ average weekly contribution of the deceased towards the main-
“ tenance of such dependants for a period of twelve months prior
“ to the date of the accident causing the death ”)

BY THE EARL OF SHAFTESBURY.

Page 19, leave out lines 2 and 3.

BY THE EARL OF CAMPERDOWN.

Page 19, leave out lines 2 and 3 and insert (“ (a) unless the
“ incapacity arises from a fracture of limb or dislocation of a limb,
“ or loss of an eye, or from any other personal injury which prevents
“ the workman from earning full wages at the work at which he was
“ employed for a period exceeding twenty-one days, no compensation
“ shall be payable in respect of the first week, and ”)

BY THE LORD BELPER.

Page 19, line 2, leave out (“ two ”) and insert (“ three ”)
line 9, after (“ shillings ”) insert :

(c) in the case of a workman whom his employer has reason-
able cause to believe to be over sixty years of age and
who has entered into an agreement in writing with
his employer as to the maximum amount of compen-
sation to be payable to him under this Act in respect
of accidents happening after the date of the agreement,
the compensation shall not exceed that maximum, but
the maximum shall not be less :

(i) where death results from the injury and the
workman leaves any dependants, than twenty-five
pounds ;

(9)

First Schedule—*continued.*

(ii) where total or partial incapacity for work results from the injury, then a weekly payment during the incapacity, after the first week, of five shillings;

(d) in the case of a workman who has, in accordance with regulations made by the Secretary of State, obtained from a medical referee a certificate to the effect that his age or any physical or mental infirmity and incapacity from which he is suffering is such as to render him specially liable to accident, or to render the result of an accident to him specially serious, and who has entered into an agreement in writing with his employer as to the maximum amount of compensation to be payable to him under this Act, the compensation shall not exceed that maximum, but the maximum shall not be less:

(i) where death results from the injury and the workman leaves any dependant, than twenty-five pounds, or a sum equivalent to thirty-nine times his average weekly earnings, whichever is the larger;

(ii) where total or partial incapacity results from the injury, then a weekly payment during the incapacity after the second week of five shillings or one quarter of his average weekly earnings, whichever is the larger.

BY THE EARL BEAUCHAMP.

Page 19, line 10, leave out ("In computing") and insert ("For the purposes of the provisions of this schedule relating to")

lines 10 and 11, leave out ("for the purposes of this schedule") and insert ("of a workman")

lines 12 to 15, leave out paragraph (a).

lines 16 and 17, leave out ("where the workman was not employed at such a fixed rate of earnings, his")

line 19, leave out ("he") and insert ("the workman")

line 30, leave out ("was engaged under") and insert ("had entered into concurrent")

line 31, after ("employers") insert ("under which he worked at one time for one such employer, and at another time for another such employer")

(241 **.)

B

First Schedule—*continued.*

BY THE LORD INVERCLYDE.

Page 20, line 1, after (“incapacity”) insert (“or which the employer may pay under statutory obligation in respect of the workman for hospital charges and surgical and medical advice and attendance, and medicine and maintenance”)

BY THE LORD AMPHILL AND
THE LORD NEWTON.

Page 20, line 2, after (“exceed”) insert (“one-half of”)

BY THE EARL BEAUCHAMP.

Page 20, line 12, after (“and”) insert (“to take or prosecute”)

BY THE LORD NEWTON.

Page 20, line 34, after (“order”) insert the following new paragraph :

Where the employer has admitted his liability under this Act, and made payment into court of any sum in accordance therewith, he shall not be liable to pay any costs of and incident to any proceedings, excepting the costs, if any, of paying the same into court.

BY THE EARL BEAUCHAMP.

Page 21, line 2, after (“court”) insert (“or an award”)
line 6, leave out (“further”)
line 7, after (“order”) insert (“or the award”)
line 21, after the first (“or”) insert (“subject to
“regulations of the Treasury”)

BY THE LORD CLIFFORD OF CHUDLEIGH,
THE LORD AMPHILL, AND THE LORD NEWTON.

Page 22, line 3, leave out (“both parties”) and insert (“either
“party”)

BY THE EARL BEAUCHAMP.

Page 22, line 19, after (“and”) insert (“to take or prosecute”)

(11)

First Schedule—*continued.*

BY THE LORD BELPER.

Page 22, line 39, leave out the third (“ of ”) and insert (“ not
“ exceeding ”)

line 44, after (“ settled ”) insert (“ in default of agree-
“ ment ”)

Second Schedule.

BY THE EARL BEAUCHAMP.

Page 23, leave out lines 31 and 32.

line 33, at the beginning of the line insert (“ For the
“ purpose of settling any matter which under this Act is to be
“ settled by arbitration ”)

Page 24, line 30, leave out (“ or ”) and after (“ arbitrator ”)
insert (“ or judge of the county court ”)

lines 43 and 44, leave out (“ for the district in which
“ any person entitled to such compensation resides ”)

Page 26, line 6, after (“ unless ”) insert (“ in either case ”)

lines 13 and 14, leave out (“ in which the accident out
“ of which the said matter arose occurred ”) and insert (“ prescribed
“ by rules of court ”)

Page 27, lines 2 and 3, leave out (“ appoint a medical referee to
“ report on ”) and insert (“ submit to a medical referee for report ”)

line 14, leave out (“ (b) and (c) ”) and insert (“ (d) and
“ (e) ”)

Third Schedule.

BY THE EARL OF LYTTON.

Leave out the Third Schedule.

Workmen's Compensation Bill.

MARSHALLED LIST OF
AMENDMENTS TO
BE MOVED IN COMMITTEE.

17th December 1906.

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(241 ***)

Workmen's Compensation Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Liability of employers to workmen for injuries.
 2. Time for taking proceedings.
 3. Contracting out.
 4. Sub-contracting.
 5. Provision as to cases of bankruptcy of employer.
 6. Remedies both against employer and stranger.
 7. Application of Act to seamen.
 8. Application of Act to industrial diseases.
 9. Application to workmen in employment of Crown.
 10. Appointment and remuneration of medical referees and arbitrators.
 11. Detention of ships.
 12. Returns as to compensation.
 13. Definitions.
 14. Special provisions as to Scotland.
 15. Provisions as to existing contracts and schemes.
 16. Commencement and repeal.
 17. Short title.
- SCHEDULES.
-

A

B I L L

[AS AMENDED IN COMMITTEE]

INTITLED

An Act to consolidate and amend the Law with respect to Compensation to Workmen for Injuries suffered in the course of their Employment. A.D. 1906.

BE it 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, as follows:—

5 1.—(1) If in any employment personal injury by accident arising out of and in the course of the employment is caused to a workman, his employer shall, subject as herein-after mentioned, be liable to pay compensation in accordance with the First Schedule to this Act. Liability of employers to workmen for injuries.

10 (2) Provided that—

(a) The employer shall not be liable under this Act in respect of any injury which does not disable the workman for a period of at least one week from earning full wages at the work at which he was employed:

15

(b) When the injury was caused by the personal negligence or wilful act of the employer or of some person for whose act or default the employer is responsible, nothing in this Act shall affect any civil liability of the employer, but in that case the workman may, at his option, either claim compensation under this Act or take proceedings independently of this Act; but the employer shall not be liable to pay compensation for injury to a workman by accident arising out of and in the course of the employment both independently of and also under

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(253.)

A 2

A.D. 1906.

this Act, and shall not be liable to any proceedings independently of this Act, except in case of such personal negligence or wilful act as aforesaid:

- (c) If it is proved that the injury to a workman is attributable to the serious and wilful misconduct of 5 that workman, any compensation claimed in respect of that injury shall, unless the injury results in death or serious and permanent disablement, be disallowed.

(3) If any question arises in any proceedings under this Act 10 as to the liability to pay compensation under this Act (including any question as to whether the person injured is a workman to whom this Act applies), or as to the amount or duration of compensation under this Act, the question, if not settled by agreement, shall, subject to the provisions of the First Schedule 15 to this Act, be settled by arbitration, in accordance with the Second Schedule to this Act.

(4) If within the time herein-after in this Act limited for taking proceedings, an action is brought to recover damages 20 independently of this Act for injury caused by any accident, and it is determined in such action that the injury is one for which the employer is not liable in such action, but that he would have been liable to pay compensation under the provisions of this Act, the action shall be dismissed; but the court in which the action is tried shall, if the plaintiff so choose, 25 proceed to assess such compensation, but may deduct from such compensation all or part of the costs which, in its judgment, have been caused by the plaintiff bringing the action instead of proceeding under this Act. In any proceeding under this sub- section, when the court assesses the compensation it shall give 30 a certificate of the compensation it has awarded and the directions it has given as to the deduction for costs, and such certificate shall have the force and effect of an award under this Act.

(5) Nothing in this Act shall affect any proceeding for a fine under the enactments relating to mines, factories, or workshops, 35 or the application of any such fine.

Time for
taking pro-
ceedings.

2.—(1) Proceedings for the recovery under this Act of compensation for an injury shall not be maintainable unless notice of the accident has been given as soon as practicable after the happening thereof and before the workman has 40 voluntarily left the employment in which he was injured, and

unless the claim for compensation with respect to such accident has been made within six months from the occurrence of the accident causing the injury, or, in case of death, within six months from the time of death: A.D. 1906.

5 Provided always that—

(a) the want of or any defect or inaccuracy in such notice shall not be a bar to the maintenance of such proceedings if it is found in the proceedings for settling the claim that the employer is not, or would not, if a notice or an amended notice were then given and the hearing postponed, be prejudiced in his defence by the want, defect, or inaccuracy, or that such want, defect, or inaccuracy was occasioned by mistake, absence from the United Kingdom or other reasonable cause; and

(b) the failure to make a claim within the period above specified shall not be a bar to the maintenance of such proceedings if it is found that the failure was occasioned by mistake, absence from the United Kingdom or other reasonable cause, or that the employer is not prejudiced in his defence by the delay in making the claim.

(2) Notice in respect of an injury under this Act shall give the name and address of the person injured, and shall state in ordinary language the cause of the injury and the date at which the accident happened, and shall be served on the employer, or if there is more than one employer, upon one of such employers.

(3) The notice may be served by delivering the same at, or sending it by post in a registered letter addressed to, the residence or place of business of the person on whom it is to be served.

(4) Where the employer is a body of persons, corporate or unincorporate, the notice may also be served by delivering the same at, or by sending it by post in a registered letter addressed to, the employer at the office, or, if there be more than one office, any one of the offices of such body.

3.—(1) If the Registrar of Friendly Societies, after taking steps to ascertain the views of the employer and workmen, certifies that any scheme of compensation, benefit, or insurance for the workmen of an employer in any employment, whether or not such scheme includes other employers and their workmen, Contracting out.

A.D. 1906. provides scales of compensation not less favourable to the workmen and their dependants than the corresponding scales contained in this Act, and that where the scheme provides for contributions by the workmen, the scheme confers benefits, at least equivalent to those contributions, in addition to the benefits to which the 5 workmen would have been entitled under this Act, and that a majority (to be ascertained by ballot) of the workmen to whom the scheme is applicable are in favour of such scheme, the employer may, whilst the certificate is in force, contract with any of his workmen that the provisions of the scheme shall be sub- 10 stituted for the provisions of this Act, and thereupon the employer shall be liable only in accordance with the scheme, but, save as aforesaid, this Act shall apply notwithstanding any contract to the contrary made after the commencement of this Act.

(2) The Registrar may give a certificate to expire at the end of 15 a limited period of not less than five years, and may from time to time renew with or without modifications such a certificate to expire at the end of the period for which it is renewed.

(3) No scheme shall be so certified which contains an obligation upon the workmen to join the scheme as a condition of 20 their hiring, or which does not contain provisions enabling a workman to withdraw from the scheme.

(4) If complaint is made to the Registrar of Friendly Societies by or on behalf of the workmen of any employer that the provisions of any scheme are no longer on the whole so favourable 25 to the general body of workmen of such employer and their dependants as the provisions of this Act, or that the provisions of such scheme are being violated, or that the scheme is not being fairly administered, or that satisfactory reasons exist for revoking the certificate, the Registrar shall examine into the complaint, and 30 if satisfied that good cause exist for such complaint, shall, unless the cause of complaint is removed, revoke the certificate.

(5) When a certificate is revoked or expires, any moneys or securities held for the purpose of the scheme shall, after due provision has been made to discharge the liabilities already 35 accrued, be distributed as may be arranged between the employer and workmen, or as may be determined by the Registrar of Friendly Societies in the event of a difference of opinion.

(6) Whenever a scheme has been certified as aforesaid, it shall be the duty of the employer to answer all such inquiries and to 40 furnish all such accounts in regard to the scheme as may be made or required by the Registrar of Friendly Societies.

(7) The Chief Registrar of Friendly Societies shall include in his annual report the particulars of the proceedings of the Registrar under this Act. A.D. 1906.

(8) The Chief Registrar of Friendly Societies may make 5 regulations for the purpose of carrying this section into effect.

4.—(1) Where any person (in this section referred to as the principal), in the course of or for the purposes of his trade or business, contracts with any other person (in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work undertaken by the principal, the principal shall be liable to pay to any workman employed in the execution of the work any compensation under this Act which he would have been liable to pay if that workman had been immediately employed by him; and where compensation is claimed from or proceedings are taken against the principal, then, in the application of this Act, references to the principal shall be substituted for references to the employer, except that the amount of compensation shall be calculated with reference to the earnings of the workman under the employer by whom he is immediately employed: Sub-contracting.

Provided that where the contract relates to threshing, ploughing, or other agricultural work, and the contractor provides and uses machinery driven by mechanical power for the purpose of such work, he and he alone shall be liable under this Act to pay compensation to any workman employed by him on such work.

(2) Where the principal is liable to pay compensation under this section, he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the workman independently of this section, and all questions as to the right to and amount of any such indemnity shall in default of agreement be settled by arbitration under this Act.

(3) Nothing in this section shall be construed as preventing a workman recovering compensation under this Act from the contractor, instead of the principal.

(4) This section shall not apply in any case where the accident occurred elsewhere than on, or in, or about, premises on which the principal has undertaken to execute the work or which are otherwise under his control or management.

5.—(1) Where any employer has entered into a contract with any insurers in respect of any liability under this Act to any workman, then in the event of the employer becoming bankrupt, Provision as to cases of bankruptcy of employer.

A.D. 1906. or making a composition or arrangement with his creditors, or if
the employer is a company in the event of the company having
commenced to be wound up, the rights of the employer against
the insurers as respects that liability shall, notwithstanding
anything in the enactments relating to bankruptcy and the 5
winding up of companies, be transferred to and vest in the
workman, and upon any such transfer the insurers shall have the
same rights and remedies and be subject to the same liabilities as if
they were the employer, so however that the insurers shall not be
under any greater liability to the workman than they would have 10
been under to the employer.

(2) If the liability of the insurers to the workman is less
than the liability of the employer to the workman, the workman
may prove for the balance in the bankruptcy or liquidation.

(3) There shall be included among the debts which under 15
section one of the Preferential Payments in Bankruptcy Act, 1888,
and section four of the Preferential Payments in Bankruptcy
(Ireland) Act, 1889, are in the distribution of the property of a
bankrupt and in the distribution of the assets of a company being
wound up to be paid in priority to all other debts, the amount, not 20
exceeding in any individual case one hundred pounds, due in
respect of any compensation the liability wherefor accrued before
the date of the receiving order or the date of the commencement of
the winding up, and those Acts and the Preferential Payments in
Bankruptcy Amendment Act, 1897, shall have effect accordingly. 25
Where the compensation is a weekly payment, the amount due in
respect thereof shall, for the purposes of this provision, be taken to
be the amount of the lump sum for which the weekly payment
could, if redeemable, be redeemed under the First Schedule to this
Act. 30

50 & 51 Vict. c. 43. (4) In the case of the winding up of a company within the
meaning of the Stannaries Act, 1887, such an amount as aforesaid,
if the compensation is payable to a miner or the dependants of a
miner, shall have the like priority as is conferred on wages of
miners by section nine of that Act, and that section shall have 35
effect accordingly.

(5) The provisions of this section with respect to preferences
and priorities shall not apply where the bankrupt or the company
being wound up has entered into such a contract with insurers as
aforesaid.

[6 EDW. 7.]

Workmen's Compensation.

7

(6) This section shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company. A.D. 1906. —

6. Where the injury for which compensation is payable under this Act was caused under circumstances creating a legal liability in some person other than the employer to pay damages in respect thereof— Remedies both against employer and stranger.

10 (1) The workman may take proceedings both against that person to recover damages and against any person liable to pay compensation under this Act for such compensation, but shall not be entitled to recover both damages and compensation ; and

15 (2) If the workman has recovered compensation under this Act, the person by whom the compensation was paid, and any person who has been called on to pay an indemnity under the section of this Act relating to sub-contracting shall be entitled to be indemnified by the person so liable to pay damages as aforesaid, and all questions as to the right to and amount of
20 any such indemnity shall, in default of agreement, be settled by action, or, by consent of the parties, by arbitration under this Act.

7.—(1) This Act shall apply to masters, seamen, and apprentices to the sea service and apprentices in the sea-fishing service provided that such persons are workmen within the meaning of this Act, and are members of the crew of any ship registered in the United Kingdom, or of any other British ship or vessel of which the owner, or (if there is more than one owner) the managing owner or manager resides or has his principal place of business
25 in the United Kingdom subject to the following modifications :— Application of Act to seamen.

35 (a) The notice of accident and the claim for compensation may, except where the person injured is the master, be served on the master of the ship as if he were the employer, but where the accident happened and the incapacity commenced on board the ship it shall not be necessary to give any notice of the accident :

40 (b) In the case of the death of the master, seaman, or apprentice, the claim for compensation shall be made within six months after news of the death has been received by the claimant :

(253.)

B

A.D. 1906.

- (c) Where an injured master, seaman, or apprentice is discharged or left behind in a British possession or in a foreign country, depositions respecting the circumstances and nature of the injury may be taken by any judge or magistrate in the British possession, and by any British consular officer in the foreign country, and if so taken shall be transmitted by the person by whom they are taken to the Board of Trade, and such depositions or certified copies thereof shall in any proceedings for enforcing the claim be admissible in evidence as provided by sections six hundred and ninety-one and six hundred and ninety-five of the Merchant Shipping Act, 1894, and those sections shall apply accordingly :
- (d) In the case of the death of a master, seaman, or apprentice leaving no dependants, no compensation shall be payable, if the owner of the ship is under the Merchant Shipping Act, 1894, liable to pay the expenses of burial :
- (e) The weekly payment shall not be payable in respect of the period during which the owner of the ship is, under the Merchant Shipping Act, 1894, as amended by any subsequent enactment, or otherwise, liable to defray the expenses of maintenance of the injured master, seaman, or apprentice :
- (f) Any sum payable by way of compensation by the owner of a ship under this Act shall be paid in full notwithstanding anything in section five hundred and three of the Merchant Shipping Act, 1894 (which relates to the limitation of a shipowner's liability in certain cases of loss of life, injury, or damage), but the limitation on the owner's liability imposed by that section shall apply to the amount recoverable by way of indemnity under the section of this Act relating to remedies both against employer and stranger as if the indemnity were damages for loss of life or personal injury :
- (g) Subsections (2) and (3) of section one hundred and seventy-four of the Merchant Shipping Act, 1894 (which relates to the recovery of wages of seamen lost with their ship), shall apply as respects proceedings for the recovery of compensation by dependants of masters, seamen, and apprentices lost with their ship as they

apply with respect to proceedings for the recovery of wages due to seamen and apprentices; and proceedings for the recovery of compensation shall in such a case be maintainable if the claim is made within eighteen months of the date at which the ship is deemed to have been lost with all hands:

A.D. 1906.

(2) This Act shall not apply to such members of the crew of a fishing vessel as are remunerated by shares in the profits or the gross earnings of the working of such vessel.

(3) This section shall extend to pilots to whom Part X. of the Merchant Shipping Act, 1894, applies, as if a pilot when employed on any such ship as aforesaid were a seaman and a member of the crew.

8.—(1) Where—

- (i) the certifying surgeon appointed under the Factory and Workshop Act, 1901, for the district in which a workman is employed, certifies that the workman is suffering from a disease mentioned in the Third Schedule to this Act and is thereby disabled from earning full wages at the work at which he was employed; or
- (ii) a workman is, in pursuance of any special rules or regulations made under the Factory and Workshop Act, 1901, suspended from his usual employment on account of having contracted any such disease; or
- (iii) the death of a workman is caused by any such disease;

Application of Act to industrial diseases.

and the disease is due to the nature of any employment in which the workman was employed at any time within the twelve months previous to the date of the disablement or suspension, whether under one or more employers, he or his dependants shall be entitled to compensation under this Act as if the disease or such suspension as aforesaid, were a personal injury by accident arising out of and in the course of that employment, subject to the following modifications:—

- (a) The disablement or suspension shall be treated as the happening of the accident;
- (b) If it is proved that the workman has at the time of entering the employment wilfully and falsely represented himself in writing as not having previously suffered from the disease, compensation shall not be payable;

A.D. 1906.

- (c) The compensation shall be recoverable from the employer who last employed the workman during the said twelve months in the employment to the nature of which the disease was due :

Provided that—

5

(i) the workman or his dependants if so required shall furnish that employer with such information as to the names and addresses of all the other employers who employed him in the employment during the said twelve months as he or they may possess, and if the requisite information is not furnished, that employer upon proving that the disease was not contracted whilst the workman was in his employment shall not be liable to pay compensation; and

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(ii) if that employer alleges that the disease was in fact contracted whilst the workman was in the employment of some other employer, and not whilst in his employment, he may join such other employer as a party to the arbitration, and if the allegation is proved that other employer shall be the employer from whom the compensation is to be recoverable; and

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(iii) if the disease is of such a nature as to be contracted by a gradual process, any other employers who during the said twelve months employed the workman in the employment to the nature of which the disease was due shall be liable to make to the employer from whom compensation is recoverable such contributions as, in default of agreement, may be determined in the arbitration under this Act for settling the amount of the compensation;

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- (d) The amount of the compensation shall be calculated with reference to the earnings of the workman under the employer from whom the compensation is recoverable;
- (e) The employer to whom notice of the death, disablement, or suspension is to be given shall be the employer who last employed the workman during the said twelve months in the employment to the nature

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of which the disease was due, and the notice may be given notwithstanding that the workman has voluntarily left his employment. A.D. 1906.

5 (f) If an employer or a workman is aggrieved by the action of a certifying or other surgeon in giving or refusing to give a certificate of disablement or in suspending or refusing to suspend a workman for the purposes of this section, the matter shall in accordance with regulations made by the Secretary of State be referred to a medical referee, whose decision shall be final.

10 (2) If the workman at or immediately before the date of the disablement or suspension was employed in any process mentioned in the second column of the Third Schedule to this Act, and the disease contracted is the disease in the first column of that Schedule set opposite the description of the process, the disease, except where the certifying surgeon certifies that in his opinion the disease was not due to the nature of the employment, shall be deemed to have been due to the nature of that employment, unless the employer proves the contrary.

(3) The Secretary of State may make rules regulating the duties and fees of certifying and other surgeons including dentists under this section.

25 (4) For the purposes of this section the date of disablement shall be such date as the certifying surgeon certifies as the date on which the disablement commenced, or if he is unable to certify such a date, the date on which the certificate is given. Provided that—

30 (a) Where the medical referee allows an appeal against a refusal by a certifying surgeon to give a certificate of disablement, the date of disablement shall be such date as the medical referee may determine :

35 (b) Where a workman dies without having obtained a certificate of disablement, or is at the time of death not in receipt of a weekly payment on account of disablement, it shall be the date of death.

(5) In such cases, and subject to such conditions as the Secretary of State may direct, a medical practitioner appointed by the Secretary of State for the purpose shall have the powers and duties of a certifying surgeon under this section, and this section shall be construed accordingly.

A.D. 1906.

(6) The Secretary of State may make orders for extending the provisions of this section to other diseases and other processes, and to injuries due to the nature of any employment specified in the order not being injuries by accident, either without modification or subject to such modifications as may be contained in 5 the order.

(7) Where, after inquiry held on the application of any employers or workmen engaged in any industry to which this section applies, it appears that a mutual trade insurance company or society for insuring against the risks under this section has been 10 established for the industry, and that a majority of the employers engaged in that industry are insured against such risks in the company or society and that the company or society consents, the Secretary of State may, by Provisional Order, require all employers in that industry to insure in the company or society 15 upon such terms and under such conditions and subject to such exceptions as may be set forth in the Order. Where such a company or society has been established, but is confined to employers in any particular locality or of any particular class, the Secretary of State may for the purposes of this provision treat 20 the industry, as carried on by employers in that locality or of that class, as a separate industry.

(8) A Provisional Order made under this section shall be of no force whatever unless and until it is confirmed by Parliament, and if, while the Bill confirming any such Order is pending in 25 either House of Parliament, a petition is presented against the Order, the Bill may be referred to a Select Committee, and the petitioner shall be allowed to appear and oppose as in the case of Private Bills, and any Act confirming any Provisional Order under this section may be repealed, altered, or amended by 30 a Provisional Order made and confirmed in like manner.

(9) Any expenses incurred by the Secretary of State in respect of any such Order, Provisional Order, or confirming Bill shall be defrayed out of moneys provided by Parliament.

(10) Nothing in this section shall affect the rights of a 35 workman to recover compensation in respect of a disease to which this section does not apply, if the disease is a personal injury by accident within the meaning of this Act.

Application
to workmen
in employ-
ment of
Crown.

9.—(1) This Act shall not apply to persons in the naval or military service of the Crown, but otherwise shall apply to 40 workmen employed by or under the Crown to whom this Act would apply if the employer were a private person :

Provided that in the case of a person employed in the private service of the Crown, the head of that department of the Royal Household in which he was employed at the time of the accident shall be deemed to be his employer. A.D. 1906.

- 5 (2) The Treasury may, by warrant laid before Parliament, modify for the purposes of this Act their warrant made under section one of the Superannuation Act, 1887, and notwithstanding anything in that Act, or any such warrant, may frame schemes with a view to their being certified by the Registrar of Friendly 50 & 51 Vict.
c. 67.
- 10 Societies under this Act.

10.—(1) The Secretary of State may appoint such legally qualified medical practitioners to be medical referees for the purposes of this Act as he may, with the sanction of the Treasury, determine, and the remuneration of, and other expenses incurred Appoint-
ment and
remuneration
of medical
referees and
arbitrators.

15 by, medical referees under this Act shall, subject to regulations made by the Treasury, be paid out of moneys provided by Parliament.

Where a medical referee has been employed as a medical practitioner in connection with any case by or on behalf of an employer or workman or by any insurers interested, he shall not 20

act as medical referee in that case.

(2) The remuneration of an arbitrator appointed by a judge of county courts under the Second Schedule to this Act shall be paid out of moneys provided by Parliament in accordance with 25

regulations made by the Treasury.

11.—(1) If it is alleged that the owners of any ship are liable as such owners to pay compensation under this Act, and at any time that ship is found in any port or river of England or Ireland, or within three miles of the coast thereof, a judge of any court 30

of record in England or Ireland may, upon its being shown to him by any person applying in accordance with the rules of the court that the owners are probably liable as such to pay such compensation, and that none of the owners reside in the United Kingdom, issue an order directed to any officer of customs or 35

other officer named by the judge requiring him to detain the ship until such time as the owners, agent, master, or consignee thereof have paid such compensation, or have given security, to be approved by the judge, to abide the event of any proceedings that may be instituted to recover such compensation and to pay 40

such compensation and costs as may be awarded thereon; and any officer of customs or other officer to whom the order is directed shall detain the ship accordingly.

*Detention of
ships.*

A.D. 1906.

(2) In any legal proceeding to recover such compensation, the person giving security shall be made defendant, and the production of the order of the judge, made in relation to the security, shall be conclusive evidence of the liability of the defendant to the proceeding. 5

57 & 58 Vict.
c. 60.

(3) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall apply to the detention of a ship under this Act as it applies to the detention of a ship under that Act, and, if the owner of a ship is a corporation, it shall for the purposes of this section be deemed to reside in the United Kingdom if it has an office in the United Kingdom at which service of writs can be effected. 10

Returns as
to compensa-
tion.

12.—(1) Every employer in any industry to which the Secretary of State may direct that this section shall apply shall, on or before such day in every year as the Secretary of State may direct, send to the Secretary of State a correct return specifying the number of injuries in respect of which compensation has been paid by him under this Act during the previous year, and the amount of such compensation, together with such other particulars as to the compensation as the Secretary of State may direct, and in default of complying with this section shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding five pounds. 15 20

(2) Any regulations made by the Secretary of State containing such directions as aforesaid shall be laid before both Houses of Parliament as soon as may be after they are made. 25

Definitions.

13. In this Act, unless the context otherwise requires,—

“Employer” includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer, and where the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Act, be deemed to continue to be the employer of the workman whilst he is working for that other person; 30 35

“Workman” does not include any person employed otherwise than by way of manual labour whose remuneration exceeds two hundred and fifty pounds a year, or a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the 40

A.D. 1906

- 5 employer's trade or business, or a member of a police force, or an out worker, or a member of the employer's family dwelling in his house, but, save as aforesaid, means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work, or otherwise, and whether the contract is expressed or implied, is oral or in writing ;
- 10 Any reference to a workman who has been injured shall, where the workman is dead, include a reference to his legal personal representative or to his dependants or other person to whom or for whose benefit compensation is payable ;
- 15 "Dependants" means such of the members of the workman's family as were wholly or in part dependent upon the earnings of the workman at the time of his death or would but for the incapacity due to the accident have been so dependent, and where the workman, being the parent or grand-parent of an illegitimate child, leaves such a child so dependent upon his earnings, or, being an illegitimate child, leaves a parent or grand-parent so dependent upon his earnings, shall include such an illegitimate child and parent or grand-parent respectively ;
- 20 "Member of a family" means wife or husband, father, mother, grandfather, grandmother, step-father, step-mother, son, daughter, grandson, granddaughter, step-son, step-daughter, brother, sister, half-brother, half-sister ;
- 25 "Ship," "vessel," "seaman," and "port" have the same meaning as in the Merchant Shipping Act, 1894 ;
- 30 "Manager," in relation to a ship means the ship's husband or other person to whom the management of the ship is entrusted by or on behalf of the owner.
- 35 "Police force" means a police force to which the Police Act, 1890, or the Police (Scotland) Act, 1890, applies, the City of London Police Force, the Royal Irish Constabulary, and the Dublin Metropolitan Police Force ;
- 40 "Outworker" means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, or repaired, or adapted for sale, in

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his own home or on other premises not under the control or management of the person who gave out the materials or articles;

The exercise and performance of the powers and duties of a local or other public authority shall, for the purposes of this Act, be treated as the trade or business of the authority;

“County court,” “judge of the county court,” “registrar of the county court,” “plaintiff,” and “rules of court,” as respects Scotland, mean respectively sheriff court, sheriff, sheriff clerk, pursuer, and act of sederunt.

Special provisions as to Scotland.

14. In Scotland where a workman raises an action against his employer independently of this Act in respect of any injury caused by accident arising out of and in the course of the employment, the action, if raised in the sheriff court and concluding for damages under the Employers' Liability Act, 1880, or alternatively at common law or under the Employers' Liability Act, 1880, shall, notwithstanding anything contained in that Act, not be removed under that Act or otherwise to the Court of Session, nor shall it be appealed to that court otherwise than by appeal on a question of law; and for the purposes of such appeal the provisions of the Second Schedule to this Act in regard to an appeal from the decision of the sheriff on any question of law determined by him as arbitrator under this Act shall apply.

Provisions as to existing contracts and schemes.

15.—(1) Any contract (other than a contract substituting the provisions of a scheme certified under the Workmen's Compensation Act, 1897, for the provisions of that Act) existing at the commencement of this Act, whereby a workman relinquishes any right to compensation from the employer for personal injury arising out of and in the course of his employment, shall not, for the purposes of this Act, be deemed to continue after the time at which the workman's contract of service would determine if notice of the determination thereof were given at the commencement of this Act.

(2) Every scheme under the Workmen's Compensation Act, 1897, in force at the commencement of this Act shall, if re-certified by the Registrar of Friendly Societies, have effect as if it were a scheme under this Act.

(3) The Registrar shall re-certify any such scheme if it is proved to his satisfaction that the scheme conforms, or has been so modified as to conform, with the provisions of this Act as to schemes.

[6 EDW. 7.]

Workmen's Compensation.

17

(4) If any such scheme has not been so re-certified before the expiration of six months from the commencement of this Act, the certificate thereof shall be revoked. A.D. 1906.

16.—(1) This Act shall come into operation on the first day of July nineteen hundred and seven, but, except so far as it relates to references to medical referees, and proceedings consequential thereon, shall not apply in any case where the accident happened before the commencement of this Act. Commence-
ment and
repeal.

(2) The Workmen's Compensation Acts, 1897 and 1900, are hereby repealed, but shall continue to apply to cases where the accident happened before the commencement of this Act, except to the extent to which this Act applies to those cases.

17. This Act may be cited as the Workmen's Compensation Act, 1906. Short title.

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SCHEDULES.FIRST SCHEDULE.

SCALE AND CONDITIONS OF COMPENSATION.

(1) The amount of compensation under this Act shall be—

(a) where death results from the injury—

5

(i) if the workman leaves any dependants wholly dependent upon his earnings, a sum equal to his earnings in the employment of the same employer during the three years next preceding the injury, or the sum of one hundred and fifty pounds, whichever of those sums is the larger, but not exceeding in any case three hundred pounds, provided that the amount of any weekly payments made under this Act, and any lump sum paid in redemption thereof, shall be deducted from such sum, and if the period of the workman's employment by the said employer has been less than the said three years, then the amount of his earnings during the said three years shall be deemed to be one hundred and fifty-six times his average weekly earnings during the period of his actual employment under the said employer; 15

(ii) if the workman does not leave any such dependants, but leaves any dependants in part dependent upon his earnings, such sum, not exceeding in any case the amount payable under the foregoing provisions, as may be agreed upon, or, in default of agreement, may be determined, on arbitration under this Act, to be reasonable and proportionate to the injury to the said dependants; and 25

(iii) if he leaves no dependants, the reasonable expenses of his medical attendance and burial, not exceeding ten pounds;

(b) where total or partial incapacity for work results from the injury, a weekly payment during the incapacity not exceeding fifty per cent. of his average weekly earnings during the previous twelve months, if he has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, such weekly payment not to exceed one pound. 30 35

Provided that—

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- (a) if the incapacity lasts less than two weeks no compensation shall be payable in respect of the first week, and
- 5 (b) as respects the weekly payments during total incapacity of a workman who is under twenty-one years of age at the date of the injury, and whose average weekly earnings are less than twenty shillings one hundred per cent. shall be substituted for fifty per cent. of his average weekly earnings, but the weekly payment shall in no case exceed ten shillings.
- 10 (c) in the case of a workman who has in accordance with regulations made by the Secretary of State obtained from a certifying surgeon a certificate to the effect that on account of old age or the loss of an eye, or a limb, or of any other serious physical infirmity or incapacity specified in the regulations, he is specially
- 15 liable to serious accident if employed in any employment of any class specified in the certificate, and who has entered into an agreement in writing with his employer as to the maximum amount of compensation to be payable to him under this Act, the compensation if payable in respect of an accident happening
- 20 to the workman whilst employed in an employment of any such class shall not exceed that maximum, but the maximum shall not be less—
- (i) where death results from the injury and the workman leaves any dependants, than fifty pounds ;
- 25 (ii) where total or partial incapacity for work results from the injury than a weekly payment during the incapacity, of ten shillings ; and
- (2) For the purposes of the provisions of this schedule relating to "earnings" and "average weekly earnings" of a workman, the following
- 30 rules shall be observed—
- (a) average weekly earnings shall be computed in such manner as is best calculated to give the rate per week at which the workman was being remunerated. Provided that where by
- 35 reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the accident to compute the rate of remuneration, regard may be had to the average weekly amount which, during the twelve months previous to the
- 40 accident, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district ;
- (b) where the workman had entered into concurrent contracts of
- 45 service with two or more employers under which he worked at one time for one such employer, and at another time for

A.D. 1906.

another such employer, his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the accident;

(c) employment by the same employer shall be taken to mean 5
employment by the same employer in the grade in which the workman was employed at the time of the accident, uninterrupted by absence from work due to illness or any other unavoidable cause;

(d) where the employer has been accustomed to pay to the workman a 10
sum to cover any special expenses entailed on him by the nature of his employment, the sum so paid shall not be reckoned as part of the earnings.

(3) In fixing the amount of the weekly payment, regard shall be had 15
to any payment allowance or benefit which the workman may receive from the employer during the period of his incapacity, and in the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the workman before the accident and the average weekly amount which he is earning or is able 20
to earn in some suitable employment or business after the accident, but shall bear such relation to the amount of that difference as under the circumstances of the case may appear proper.

(4) Where a workman has given notice of an accident, he shall, if so 25
required by the employer, submit himself for examination by a duly qualified medical practitioner provided and paid by the employer, and if he refuses to submit himself to such examination, or in any way obstructs the same, his right to compensation, and to take or prosecute any proceeding under this Act in relation to compensation, shall be suspended until such examination has taken place.

(5) The payment in the case of death shall, unless otherwise ordered 30
as hereinafter provided, be paid into the county court, and any sum so paid into court shall, subject to rules of court and the provisions of this schedule, be invested, applied, or otherwise dealt with by the court in such manner as the court in its discretion thinks fit for the benefit of the persons entitled thereto under this Act, and the receipt of the registrar of the court 35
shall be a sufficient discharge in respect of the amount paid in :

Provided that if so agreed, the payment in case of death shall, if the 40
workman leaves no dependants, be made to his legal personal representative or if he has no such representative, to the person to whom the expenses of medical attendance and burial are due.

(6) Rules of court may provide for the transfer of money paid into 45
court under this Act from one court to another, whether or not the court from which it is to be transferred is in the same part of the United Kingdom as the court to which it is to be transferred.

(7) Where a weekly payment is payable under this Act to a person 45
under any legal disability, a county court may, on application being made in accordance with rules of court, order that the weekly payment be paid

during the disability into court, and the provisions of this schedule with respect to sums required by this schedule to be paid into court shall apply to sums paid into court in pursuance of any such order. A.D. 1906.

(8) Any question as to who is a dependant shall, in default of agreement, be settled by arbitration under this Act, or, if not so settled before payment into court under this schedule, shall be settled by the county court, and the amount payable to each dependant shall be settled by arbitration under this Act, or, if not so settled before payment into court under this schedule, by the county court. Where there are both total and partial dependants nothing in this schedule shall be construed as preventing the compensation being allotted partly to the total and partly to the partial dependants.

(9) Where, on application being made in accordance with rules of court, it appears to a county court that on account of neglect of children on the part of a widow, or on account of the variation of the circumstances of the various dependants, or for any other sufficient cause, an order of the court or an award as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any such dependant is to be invested, applied, or otherwise dealt with, ought to be varied, the court may make such order for the variation of the former order or the award, as in the circumstances of the case the court may think just.

(10) Any sum which under this schedule is ordered to be invested may be invested in whole or in part in the Post Office Savings Bank by the registrar of the county court in his name as registrar.

(11) Any sum to be so invested may be invested in the purchase of an annuity from the National Debt Commissioners through the Post Office Savings Bank, or be accepted by the Postmaster-General as a deposit in the name of the registrar as such, and the provisions of any statute or regulations respecting the limits of deposits in savings banks, and the declaration to be made by a depositor, shall not apply to such sums.

(12) No part of any money invested in the name of the registrar of any county court in the Post Office Savings Bank under this Act shall be paid out, except upon authority addressed to the Postmaster-General by the Treasury or subject to regulations of the Treasury by the judge or registrar of the county court.

(13) Any person deriving any benefit from any moneys invested in a post office savings bank under the provisions of this Act may, nevertheless, open an account in a post office savings bank or in any other savings bank in his own name without being liable to any penalties imposed by any statute or regulations in respect of the opening of accounts in two savings banks, or of two accounts in the same savings bank.

(14) Any workman receiving weekly payments under this Act shall, if so required by the employer, from time to time submit himself for examination by a duly qualified medical practitioner provided and paid by the employer. If the workman refuses to submit himself to such

A.D. 1906. examination, or in any way obstructs the same, his right to such weekly payments shall be suspended until such examination has taken place.

(15) A workman shall not be required to submit himself for examination by a medical practitioner under paragraph (4) or paragraph (14) of this schedule otherwise than in accordance with regulations made by the Secretary of State, or at more frequent intervals than may be prescribed by those regulations. 5

Where a workman has so submitted himself for examination by a medical practitioner, or has been examined by a medical practitioner selected by himself, and the employer or the workman, as the case may be, has within six days after such examination furnished the other with a copy of the report of that practitioner as to the workman's condition then in the event of no agreement being come to between the employer and the workman as to the workman's condition or fitness for employment, the registrar of a county court, on application being made to the court by either party may, on payment by the applicants of such fee not exceeding one pound as may be prescribed, refer the matter to a medical referee. 10 15

The medical referee to whom the matter is so referred shall, in accordance with regulations made by the Secretary of State, give a certificate as to the condition of the workman and his fitness for employment, specifying, where necessary, the kind of employment for which he is fit, and that certificate shall be conclusive evidence as to the matters so certified. 20

Where no agreement can be come to between the employer and the workman as to whether or to what extent the incapacity of the workman is due to the accident, the provisions of this paragraph shall, subject to any regulations made by the Secretary of State, apply as if the question were a question as to the condition of the workman. 25

If a workman, on being required so to do, refuses to submit himself for examination by a medical referee to whom the matter has been so referred as aforesaid, or in any way obstructs the same, his right to compensation and to take or prosecute any proceeding under this Act in relation to compensation, or in the case of a workman in receipt of a weekly payment, his right to that weekly payment shall be suspended until such examination has taken place. 30 35

Rules of court may be made for prescribing the manner in which documents are to be furnished or served and applications made under this paragraph, and the forms to be used for those purposes and, subject to the consent of the Treasury, as to the fee to be paid under this paragraph.

(16) Any weekly payment may be reviewed at the request either of the employer or of the workman, and on such review may be ended, diminished, or increased, subject to the maximum above provided, and the amount of payment shall, in default of agreement, be settled by arbitration under this Act. 40

Provided that where the workman was at the date of the accident under twenty-one years of age and the review takes place more than twelve months 45

after the accident, the amount of the weekly payment may be increased to any amount not exceeding fifty per cent. of the weekly sum which the workman would probably have been earning at the date of the review if he had remained uninjured, but not in any case exceeding one pound. A.D. 1906.

- 5 (17) Where any weekly payment has been continued for not less than six months, the liability therefor may, on application by or on behalf of the employer, be redeemed by the payment of a lump sum not exceeding such an amount as, where the incapacity is permanent, would, if invested in the purchase of an immediate life annuity from the National
10 Debt Commissioners through the Post Office Savings Bank, purchase an annuity for the workman equal to seventy-five per cent. of the annual value of the weekly payment, and as in any other case may be settled in default of agreement by arbitration under this Act, and such lump sum may
15 be invested or otherwise applied for the benefit of the person entitled thereto.

- (18) If a workman receiving a weekly payment ceases to reside in the United Kingdom he shall thereupon cease to be entitled to receive any weekly payment, unless the medical referee certifies that the incapacity
20 resulting from the injury is likely to be of a permanent nature. If the medical referee so certifies, the workman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as may be prescribed by rules of court, his identity and the
25 continuance of the incapacity in respect of which the weekly payment is payable.

- (19) A weekly payment, or a sum paid by way of redemption thereof, shall not be capable of being assigned, charged, or attached, and shall not pass to any other person by operation of law, nor shall any
30 claim be set off against the same.

(20) Where under this schedule a right to compensation is suspended no compensation shall be payable in respect of the period of suspension.

- (21) Where a scheme certified under this Act provides for payment of compensation by a friendly society, the provisions of the proviso to the first
35 subsection of section eight, section sixteen, and section forty-one of the Friendly Societies Act, 1896, shall not apply to such society in respect of such scheme. 59 & 60 Vict.
c. 25.

- (22) In the application of this Act to Ireland the provisions of the County Officers and Courts (Ireland) Act, 1877, with respect to money
40 deposited in the Post Office Savings Bank under that Act shall apply to money invested in the Post Office Savings Bank under this Act. 41 & 42 Vict.
c. 56.

A. D. 1906.

SECOND SCHEDULE.

ARBITRATION.

(1) For the purpose of settling any matter which under this Act is to be settled by arbitration if any committee, representative of an employer and his workmen exists with power to settle matters under this Act 5 in the case of the employer and workmen, the matter shall, unless either party objects by notice in writing sent to the other party before the committee meet to consider the matter, be settled by the arbitration of such committee, or be referred by them in their discretion to arbitration as herein-after provided. 10

(2) If either party so objects, or there is no such committee, or the committee so refers the matter or fails to settle the matter within six months from the date of the claim, the matter shall be settled by a single arbitrator agreed on by the parties, or in the absence of agreement by the judge of the county court, according to the procedure prescribed by rules of 15 court.

(3) In England the matter, instead of being settled by the judge of the county court, may, if the Lord Chancellor so authorises, be settled according to the like procedure, by a single arbitrator appointed by that judge, and the arbitrator so appointed shall, for the purposes of this Act, have all the 20 powers of that judge.

(4) The Arbitration Act, 1889, shall not apply to any arbitration under this Act; but a committee or an arbitrator may, if they or he think fit, submit any question of law for the decision of the judge of the county court, and the decision of the judge on any question of law, either on such 25 submission, or in any case where he himself settles the matter under this Act, or where he gives any decision or makes any order under this Act, shall be final, unless within the time and in accordance with the conditions prescribed by rules of the Supreme Court either party appeals to the Court of Appeal; and the judge of the county court, or the arbitrator 30 appointed by him, shall, for the purpose of proceedings under this Act, have the same powers of procuring the attendance of witnesses and the production of documents as if the proceedings were an action in the county court.

(5) A judge of county courts may, if he thinks fit, summon a medical 35 referee to sit with him as an assessor.

(6) Rules of court may make provision for the appearance in any arbitration under this Act of any party by some other person.

(7) The costs of and incidental to the arbitration and proceedings connected therewith shall be in the discretion of the committee, arbitrator, or 40 judge of the county court. The costs, whether before a committee or an arbitrator or in the county court, shall not exceed the limit prescribed by rules of court, and shall be taxed in manner prescribed by those rules, and such taxation may be reviewed by the judge of the county court.

(8) In the case of the death or refusal or inability to act of an arbitrator, the judge of the county court may, on the application of any party, appoint a new arbitrator. A.D. 1906.

(9) Where the amount of compensation under this Act has been ascertained, or any weekly payment varied, or any other matter decided under this Act, either by a committee or by an arbitrator or by agreement a memorandum thereof shall be sent, in manner prescribed by rules of court, by the committee or arbitrator, or by any party interested, to the registrar of the county court who shall, subject to such rules, on being satisfied as to its genuineness, record such memorandum in a special register without fee, and thereupon the memorandum shall for all purposes be enforceable as a county court judgment.

Provided that—

- (a) no such memorandum shall be recorded before seven days after the despatch by the registrar of notice to the parties interested; and
- (b) where a workman seeks to record a memorandum of agreement between his employer and himself for the payment of compensation under the Act and the employer, in accordance with rules of court, proves that the workman has in fact returned to work and is earning the same wages as he did before the accident, and objects to the recording of such memorandum, the memorandum shall only be recorded, if at all, on such terms as the judge of the county court, under the circumstances, may think just; and
- (c) the judge of the county court may at any time rectify the register; and
- (d) where it appears to the registrar of the county court, on any information which he considers sufficient, that an agreement as to the redemption of a weekly payment by a lump sum, or an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, ought not to be registered by reason of the inadequacy of the sum, or amount, or by reason of the agreement having been obtained by fraud or undue influence, or other improper means, he may refuse to record the memorandum of the agreement sent to him for registration, and refer the matter to the judge who shall, in accordance with rules of court, make such order (including an order as to any sum already paid under the agreement) as under the circumstances he may think just; and
- (e) The judge may, within six months after a memorandum of an agreement as to the redemption of a weekly payment by a lump sum, or of an agreement as to the amount of compensation payable to a person under any legal disability, or to dependants, has been recorded in the register, order that the record be removed from the register on proof to his satis-

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faction that the agreement was obtained by fraud or undue influence or other improper means, and may make such order (including an order as to any sum already paid under the agreement) as under the circumstances he may think just.

(10) An agreement as to the redemption of a weekly payment by a lump sum if not registered in accordance with this Act shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the weekly payment is payable from liability to continue to make that weekly payment, and an agreement as to the amount of compensation to be paid to a person under a legal disability or to dependants, if not so registered, shall not, nor shall the payment of the sum payable under the agreement, exempt the person by whom the compensation is payable from liability to pay compensation, unless in either case he proves that the failure to register was not due to any neglect or default on his part.

(11) Where any matter under this Act is to be done in a county court, or by to or before the judge or registrar of a county court, then, unless the contrary intention appear, the same shall, subject to rules of court, be done in, or by to or before the judge or registrar of, the county court of the district in which all the parties concerned reside, or if they reside in different districts the district prescribed by rules of court without prejudice to any transfer in manner provided by rules of court.

(12) The duty of a judge of county courts under this Act, or in England of an arbitrator appointed by him, shall, subject to rules of court, be part of the duties of the county court, and the officers of the court shall act accordingly, and rules of court may be made both for any purpose for which this Act authorises rules of court to be made, and also generally for carrying into effect this Act so far as it affects the county court, or an arbitrator appointed by the judge of the county court, and proceedings in the county court or before any such arbitrator, and such rules may, in England be made by the five judges of county courts appointed for the making of rules under section one hundred and sixty-four of the County Courts Act, 1888, and when allowed by the Lord Chancellor, as provided by that section, shall have full effect without any further consent.

(13) No court fee, except such as may be prescribed under paragraph (15) of the First Schedule to this Act, shall be payable by any party in respect of any proceedings by or against a workman under this Act in the court prior to the award.

(14) Any sum awarded as compensation shall unless paid into court under this Act be paid on the receipt of the person to whom it is payable under any agreement or award, and the solicitor or agent of a person claiming compensation under this Act shall not be entitled to recover from him any costs in respect of any proceedings in an arbitration under this Act, or to claim a lien in respect of such costs on, or deduct such costs from, the sum awarded or agreed as compensation, except such sum as may be awarded by the committee, the arbitrator, or the judge of the county court, on an

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application made either by the person claiming compensation or by his solicitor or agent, to determine the amount of costs to be paid to the solicitor or agent, such sum to be awarded subject to taxation and to the scale of costs prescribed by rules of court.

- 5 (15) Any committee, arbitrator, or judge may subject to regulations made by the Secretary of State and the Treasury, submit to a medical referee for report any matter which seems material to any question arising in the arbitration.
- 10 (16) The Secretary of State may, by order, either unconditionally or subject to such conditions or modifications as he may think fit, confer on any committee representative of an employer and his workmen, as respects any matter in which the committee act as arbitrators, or which is settled by agreement submitted to and approved by the committee, all or any of the powers conferred by this Act exclusively on county courts or judges
- 15 of county courts, and may by the order provide how and to whom the compensation money is to be paid in cases where, but for the order, the money would be required to be paid into court, and the order may exclude from the operation of provisoes (d) and (e) of paragraph (9) of this Schedule agreements submitted to and approved by the committee, and may contain
- 20 such incidental, consequential, or supplemental provisions as may appear to the Secretary of State to be necessary or proper for the purposes of the order.
- (17) In the application of this Schedule to Scotland—
- 25 (a) "County court judgment" as used in paragraph (9) of this Schedule means a recorded decree arbitral:
- (b) Any application to the sheriff as arbitrator shall be heard, tried, and determined summarily in the manner provided by section fifty-two of the Sheriff Courts (Scotland) Act, 1876, save only that parties may be represented by any person
- 30 authorised in writing to appear for them and subject to the declaration that it shall be competent to either party within the time and in accordance with the conditions prescribed by act of sederunt to require the sheriff to state a case on any question of law determined by him, and his decision
- 35 thereon in such case may be submitted to either division of the Court of Session, who may hear and determine the same and remit to the sheriff with instruction as to the judgment to be pronounced, and an appeal shall lie from either of such divisions to the House of Lords.
- 40 (c) Paragraphs (3) (4) and (8) shall not apply.
- (18) In the application of this schedule to Ireland the expression "judge of the county court" shall include the recorder of any city or town and an appeal shall lie from the Court of Appeal to the House of Lords.

39 & 40 Vict.
c. 70.

A.D. 1906.

THIRD SCHEDULE.

Description of Disease.	Description of Process.	
Anthrax - - -	Handling of wool, hair, bristles, hides, and skins.	
Lead poisoning or its sequelæ -	Any process involving the use of lead or its preparations or compounds.	5
Mercury poisoning or its sequelæ	Any process involving the use of mercury or its preparations or compounds.	
Phosphorus poisoning or its sequelæ.	Any process involving the use of phosphorus or its preparations or compounds.	
Arsenic poisoning or its sequelæ	Any process involving the use of arsenic or its preparations or compounds.	10
Ankylostomiasis - - -	Mining.	

Where regulations or special rules made under any Act of Parliament for the protection of persons employed in any industry against the risk of contracting lead poisoning require some or all of the persons employed in certain processes specified in the regulations or special rules to be periodically examined by a certifying or other surgeon, then, in the application of this schedule to that industry, the expression "process" shall, unless the Secretary of State otherwise directs, include only the processes so specified. 15

Workmen's Compensation Bill.

A M E N D M E N T S

TO BE MOVED ON REPORT

BY

THE LORD WEMYSS (*E. Wemyss*).

Clause 1, page 2, lines 7 and 8, leave out (" unless the injury
" results in death or serious and permanent disablement ")

Clause 3, page 3, line 39, leave out (" scales of compensation ")
and insert (" benefits ")

line 40, leave out (" corresponding scales ")
and insert (" benefits ")

line 41, after (" is ") insert (" upon an
" independent actuarial calculation ")

Clause 8, page 11, line 39, after (" make ") insert (" pro-
" visional ")

Workers' Compensation Bill.

AMENDMENTS

TO BE MOVED ON REPORT

BY

THE LORD WEMYSS (*E. Wemyss*).

18th December 1906.

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(253 a.)

Workmens' Compensation Bill.

COMMONS REASONS FOR DISAGREEING TO CERTAIN OF THE LORDS AMENDMENTS TO THE WORKMEN'S COMPEN- SATION BILL.

[The references are to Bill (241).]

Lords Amendment.

Page 19, line 9, after (" shillings ") insert :

(c) in the case of a workman who has in accordance with regulations made by the Secretary of State obtained from a certifying surgeon a certificate to the effect that on account of old age or the loss of an eye, or a limb, or of any other serious physical infirmity or incapacity specified in the regulations, he is specially liable to serious accident if employed in any employment of any class specified in the certificate, and who has entered into an agreement in writing with his employer as to the maximum amount of compensation to be payable to him under this Act, the compensation if payable in respect of an accident happening to the workmen whilst employed in an employment of any such class shall not exceed that maximum, but the maximum shall not be less—

(i) where death results from the injury and the workman leaves any dependants, than fifty pounds ;

(ii) where total or partial incapacity for work results from the injury, than a weekly payment during the incapacity, of ten shillings ; and

The Commons disagree to the amendment made by the Lords in page 19, line 9, for the following reason :

Because they consider that the same scales of compensation should be applicable to all workmen without distinction.

(259.)

[OVER.]

Lords Amendment.

Page 22, line 3, leave out (" both parties ") and insert (" either party "), and leave out (" applicants ") and insert (" applicant ").

The Commons disagree to the amendment made by the Lords in page 22, line 3.

Because they consider that it is inexpedient that one party without the consent of the other party should have power of constituting the medical referee sole arbitrator as respects any matter in the place of the court of arbitration prescribed by the Bill.

Workmen's Compensation Bill.

COMMONS REASONS FOR DISAGREEING
TO CERTAIN OF THE LORDS AMEND-
MENTS TO THE WORKMEN'S COM-
PENSATION BILL.

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(259.)





