

Air
Gzlin
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Campbelloun

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The Meeting for Election is held at each burgh in every District by turn, according to their seniority Act 8 J. 4 Parl. Act. For Electing the fifteen Representatives of the Royal Burghs, writs under the Great Seal of Britain are Directed to the several Sheriffs and Stewards in Scotland for that end. The Sheriff of Middlethian on Receipt of the writ Directs his precept to the Lord Provost of Edinburgh, to cause a burgh to be Elector for that sitting. And thereupon the town council Elect one by plurality of Votes. Where the Votes are Equal, the provost hath the Casting Vote. The Common Clerk of the City writes the Name of the person Elected to the Sheriff of Middlethian, who Annexeth it to his writ, and Returns the same to the Court from whence the writ issued. The other Sheriffs and Stewards in Scotland do also upon Receipt of their several writs Direct their precepts to their Royal burgh within their respective shires and Stewartries (Mentioning the Contents and Date of the writ, and Commanding each of them forth with to Elect a Commissioner as they used formerly to Elect Commissioners to the parliament of Scotland) to Meet at the preceding Burrough of their respective District therein named upon the 30 day after the Expiration of the writ, and if that happen to be Sunday, upon the Next day after to Choose their Burghers to the parliament. In the Election of Commissioners for Choosing Burghers to the parliament, the Voters must be qualified, as in the Election of Commissioners for shires, by taking the Oath Stat. 6. c. 23. s. 13 & 14. And the provost or Chief Magistrate, where the Votes are Equal, casts the Ball as by his Decree Votes. Where the Votes of the Commissioners from the several Burghs

of any District are Equal, the Commissioner of the prevailing Burgh hath the Casting or Decisive Vote, as by his Vote as Commissioner for the Burgh he was sent from Act 8 J. 4 2. A.

The Lawes Made to prevent undue tampering and bribery in the Election of Members in the house of Commons for England, and of Equal force for Regulating Elections of such Members for Scotland. Elections must be free and the Voters not overawed in the giving of their Votes. Thus Noblemen coming in and remaining with the freeholders at the Election of a Commissioner for the shire, was found to be an Infrachment upon their freedom 9 December 1700 the double Election of the shire of Wigton contra Basil Hamilton contra William Stuart. And a Commission to Represent a burgh was found null and void for that the Magistrate had Menaced those who offered to protest against Bland's marking of the Votes, and threatened to break their heads who Voted for one thereof 21 March 1689 the double Election for Jedburgh contra Stirling.

Having treated of the form and Method of Electing Commissioners for shires and burghs, I proceed to Explain who are qualified to Elect and be Elected. The Capacity or Incapacity to Elect or be Elected to Represent a shire or burgh in the house of Commons for Scotland is Determined conform to the Law of Scotland Act 8 J. 4 Parl. Act. whereby Noblemen (Act 35 J. 1 Parl. 1 Ch. 2) or their Electors found 23 April 1685 Viscount of Gorbals Elect for Commissioner for the shire of West Lothian 1710 and Gorbals Elect for the Earl of Aberdeen Commissioner for the shire of Aberdeen 20 March 1689 Contravenes Elections for Linlithgow Burgh Lord Livingstone contra Roggond. Requests, and such as Refuse to purge themselves, when Required, of the Suspicion of bribery by taking the formula contained in the Act 3 J. 4 89 Parl. J. W. Act 8 J. 4 Parl. Act. Minors (Act 21 Parl. 3 Ch. 2 Act 8 J. 4 Parl. Act.)