

**THE SECRETARY FOR SCOTLAND. BEING A  
STATEMENT OF THE POWERS AND DUTIES  
OF THE NEW SCOTTISH OFFICE. WITH A  
SHORT HISTORICAL INTRODUCTION AND  
NUMEROUS REFERENCES TO IMPORTANT  
ADMINISTRATIVE DOCUMENTS**

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The Secretary for Scotland. Being a Statement of the Powers and Duties of the New Scottish Office. With a Short Historical Introduction and Numerous References to Important Administrative Documents by William C. Smith

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**WILLIAM C. SMITH**

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A STATEMENT OF THE POWERS AND DUTIES  
OF THE NEW SCOTTISH OFFICE

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ADMINISTRATIVE DOCUMENTS

BY

WILLIAM C. SMITH, LL.B.

ADVOCATE

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## NOTE.

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THE purpose of this book is obvious enough. The Act creating a Secretary for Scotland consists for the most part of a list of statutes without explanation of their meaning or effect. A general interest has been shown in the new office, and it has been thought desirable to state shortly the powers and duties of the Secretary. References have been given to important administrative documents, which may facilitate the study of administrative questions affecting Scotland. The author has received valuable suggestions from so many quarters, that he must content himself with making this general acknowledgment.

*November 1885.*





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## HISTORICAL INTRODUCTION.

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THE political question of a Secretary of State for Scotland has been for a considerable time before the country, but it is not intended here to give the ancient history of that question. To the student of national character and national institutions the episode of the Union is, no doubt, of the greatest interest and importance; and the discussions about the disestablishment of the Scottish Church, and the jurisdiction of English Courts over Scotsmen, show that the Treaty of Union exercises a direct and living influence upon the politics of the present day. But whether or not, as Lord Seafield said, the Union made "an end o' an auld sang"; whether or not the peculiar institutions of the Scottish people, and their distinctive national temperament and character, are as strong now as they were in the beginning of the eighteenth century; whether or not, in the slow development of time, the larger and more wealthy nation is destined to swallow up and assimilate her smaller and poorer neighbour,—there can be no doubt of the wisdom and necessity, at the present moment, of a separate administrative responsibility for Scotland.

Prior to the Union the affairs of Scotland were conducted by a Privy Council, of whom the Lord High Chancellor, the Lord Justice-General, the Lord Justice-Clerk, the Lord Privy Seal, the Secretary, the Treasurer, and the Lord Advocate, were leading members.<sup>1</sup> At that time, of course, the public

<sup>1</sup> For some account of the Scots Privy Council, and the greater and lesser members of it, see Dr Hill Burton's Introduction to the 'Register of the Privy