



ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lvi.

An Act to alter and amend an Act of the Fifty-third Year of the Reign of His present Majesty, for erecting and maintaining a new Gaol for the County and City of *Perth*; and for other Purposes relating thereto. [25th May 1815.]

WHEREAS by an Act passed in the Fifty-third Year of the Reign of His present Majesty, intituled, *An Act for erecting and maintaining a new Gaol for the County and City of Perth; and for other Purposes relating thereto,* certain Persons were appointed Commissioners for carrying the said Act into Execution, for which Purpose certain Powers and Authorities were committed to them: And whereas the said Commissioners have proceeded in the Execution of the Powers and Authorities by the said Act committed to them; but it has been found, that to carry the Purposes of the said Act into full and complete Effect, it is necessary to alter and amend the said Act, and to authorize and empower the said Commissioners to assess and levy further Rates of Assessment, and the Magistrates and Council of *Perth* to contribute and pay further Sums of Money; and also to authorize and empower the said Commissioners to borrow further Sums of Money; but as these Purposes cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty, that it may be enacted, and 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, That the said recited Act, in so far as it enacts that the whole Sum of Money to be disbursed in the Execution of the Purposes thereof, as therein mentioned, should not exceed the Sum of Six thousand Pounds Sterling, and Interest of the Sums to be borrowed in virtue of the Powers therein contained, shall be, and the same is hereby repealed: Provided always, that the whole Sum of Money to be disbursed in the Execution of the Purposes of the said recited Act, and this Act (exclusive of the Sums hereinafter directed to be assessed, levied, and paid, in regard to Interest of Money

53 G. 3.

Former Limitation of the Sums to be disbursed, repealed.

[Local.]

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borrowed,

borrowed, and of Expences), shall not exceed the Sum of Ten thousand Pounds Sterling.

Additional
Assessment to
be levied on
the County.

II. And be it enacted, That notwithstanding of any Thing in the said recited Act contained, it shall and may be lawful to the Commissioners in and by the said recited Act, appointed (in addition to the Sums which, by the said recited Act, they are authorized and empowered to assess and levy for effecting the Purposes thereof,) at their first or any subsequent Meeting to be held after the passing of this Act, to assess, or cause to be assessed, rateably and proportionably, upon all the Lands, Teinds, and Heritages valued in the Valuation Books of the said County, a Sum not exceeding Two thousand Pounds Sterling, with the Interest of any Sum or Sums of Money to be borrowed on the Credit of the said Assessment in virtue of the Powers hereinafter contained for that Purpose, and one Moiety of the Expence of procuring and passing this Act, which additional Assessment shall be levied, recovered, and collected in the same Manner, by the same Means, and with the like Powers and Authorities, and under the like Conditions and Penalties as in and by the said recited Act, are enacted and declared in regard to the Sum which the said Commissioners are thereby authorized and empowered to assess and levy upon the Lands, Teinds, and Heritages aforesaid.

Further Ob-
ligation im-
posed upon
the City.

III. And be it further enacted, That notwithstanding of any Thing in the said recited Act contained, the Magistrates and Town Council of the said City of *Perth*, shall be bound and obliged from the Property or Funds of the Community of the said City, farther to contribute and pay towards the Expence of building the said Gaol, and carrying into Effect the Purposes of this Act the Sum of Two thousand Pounds, with the Interest of any Sum or Sums of Money that may be borrowed on the Credit thereof, in Manner hereinafter mentioned, and the other Moiety of the Expence of procuring, and passing this Act, which the said Commissioners are hereby authorized to ask, levy, demand, and make effectual by Instalments, of not more than One thousand Pounds, with the Interest of any Sum or Sums of Money to be borrowed on the Credit of the said Obligation on the Property and Funds of the said City, and the Moiety of such Expences as aforesaid, which Sum of Two thousand Pounds, and such Interest on the Sum or Sums of Money to be borrowed, and such Moiety of Expences as aforesaid, to be paid by the said Magistrates and Town Council of the said City, shall be recoverable by the said Commissioners against the said Magistrates and Town Council of the said City for the Time being, as representing the Community thereof, by such Suit, Action at Law or Diligence, by which Debts due by Royal Burghs in that Part of the United Kingdom, may be recovered and enforced; and which several Sums shall be Debts upon and affecting the Property and Funds of the Community of the said City; and the Magistrates and Town Council of the said City are hereby authorized to cause their Treasurer to charge the Property and Funds of the said City, with the Amount thereof: Provided always, that it shall not be lawful to, nor in the Power of the said Magistrates and Town Council to levy any Sum or Sums whatsoever, for the Purposes of this Act, by Assessment or Assessments upon the Inhabitants of the said City; and that the Magistrates or Community of the

the said City shall in no Event be liable to be called upon for or to contribute (in addition to the Sums imposed, as a Debt upon the Funds of the Community of the said City, by the said recited Act) more than the said Sum of Two thousand Pounds, and such Interest and Moiety of Expences as aforesaid; and that in whatever Sum or Proportion of the Expences of carrying this Act into Effect, the said Commissioners shall within any One Year assess the Lands, Teinds, and Heritages within the said County of *Perth*, the said Commissioners shall be, and they are hereby required within the same Year to recover a like Amount or Proportion from the Magistrates and Town Council of the said City of *Perth*.

IV. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to borrow and take up at Interest on the Security of the Assessment hereby authorized to be levied on the Lands, Teinds, and Heritages within the said County, any Sum or Sums of Money not exceeding the said Sum of Two thousand Pounds of Principal, and on the Security of the aforesaid Obligation imposed upon the Magistrates and Town-Council of the said City of *Perth*, any Sum or Sums of Money not exceeding the like Sum of Two thousand Pounds Sterling of Principal that shall be requisite for carrying into effect the Purposes of the said recited Act, and this Act, but exclusive of the Expence attending the applying for, obtaining, and passing this Act; and it shall be lawful for the said Commissioners and they are hereby empowered to assign and make over the Whole or any Part of the Assessment hereby authorized to be imposed and levied, or of the aforesaid Obligation imposed upon the said Magistrates and Town Council, to any Person or Persons from whom the Money or any Part thereof shall be borrowed, as a Security for Payment thereof, and Interest arising thereon, at a Rate not exceeding Five Pounds *per Centum per Annum*, and such Assignments and Securities for Money to be borrowed as aforesaid shall be entered in a Book or Books, to be kept by the said Commissioners or their Clerk or Treasurer for that Purpose, which Book or Books may be seen and perused by any Person or Persons interested, at all seasonable Times, without Fee or Reward; and the Assignments in Security of the Sums of Money to be borrowed as aforesaid, shall be made and executed by the Clerk or Treasurer of the said Commissioners in their Name and on their Behalf, he being specially authorized so to do by a General Meeting of Commissioners: Provided always, that the said Commissioners or their Clerk, or such Person or Persons as they may appoint to receive the Money so to be borrowed as aforesaid, shall not be personally subject or liable to pay the same by reason of their authorizing the Signature of or signing such Assignments as before mentioned; and such Assignments shall be transferrable by Indorsement, subscribed by the Party transferring, in the Presence of Two or more subscribing Witnesses.

Power to borrow Money.

Commissioners, &c. not to be personally liable.

Assignment to be transferrable by Indorsement.

V. And be it enacted, That the said Commissioners or their Treasurer shall lodge all and every Sum or Sums of Money which they shall receive or borrow, in virtue of the Powers of this Act, with any Branch of the Bank of *Scotland*, or Royal Bank of *Scotland*, or of the *British* Linen Company at *Perth*, therein to remain until the same shall be required for the Purposes of this Act.

Money to be lodged in the Bank of Scotland or Royal Bank of Scotland, or British Linen Company.

VI. And

Meeting to
be held in
Relation to
this Act.

VI. And be it enacted, That it shall be lawful for the said Commissioners, in addition to the stated Meetings by the said recited Act directed to be held, to hold a Meeting in Relation to the Purposes of the present Act, at *Perth*, on the Third *Monday* after the passing thereof, or as soon thereafter as conveniently may be, of which Meeting the Sheriff Clerk of the said County is hereby directed and required to give similar Notices, as were directed and required to be given in Relation to the first Meeting of Commissioners, under the said recited Act.

How Gaol
to be main-
tained.

VII. And be it enacted, That so much of the said recited Act, as provides that the Magistrates and Town Council of the City of *Perth* shall be bound to defray the Expences necessary for keeping in Repair the said Gaol in all Time coming, and for keeping up the necessary Establishment thereof, in manner as in the said recited Act mentioned, shall be and the same is hereby repealed; and that from and after the Erection of the said new Gaol and the Removal thereto from the old Gaol of the Prisoners confined therein, and in all Time coming thereafter, the Magistrates and Town Council of the said City shall be bound to defray only Two-thirds of the Expences necessary for keeping in Repair and maintaining the said Gaol in all Time coming, and of keeping up the necessary Establishment, and other Charges thereof, and the other One-third Part of such Expences shall be defrayed by the Commissioners in and by the said recited Act appointed for and on Behalf of the said County of *Perth*, and under their Administration: And it shall be lawful to the said Commissioners, from Time to Time, as shall be necessary, to assess or cause to be assessed, upon the Lands, Teinds, and Heritages aforesaid, such third Part of such Expences as aforesaid; and the same shall be levied, recovered, and collected in the same Manner, by the same Means, and with the like Powers and Authorities, and under the like Conditions and Penalties as are hereinbefore enacted and declared, in regard to the additional Assessment which the said Commissioners are, by virtue of this Act, authorized and empowered to assess and levy upon the Lands, Teinds, and Heritages aforesaid.

Former Act
to be con-
tinued.

VIII. And be it enacted, That the said recited Act, and the Powers, Provisoes, Matters, and Things therein contained, shall subsist and be effectual in so far as the same are not altered by this present Act.

Public Act.

IX. And be it enacted, That this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.