



ANNO PRIMO

GEORGI IV. REGIS.

Cap. lxxvi.

An Act for erecting a Bridewell for the County of *Lanark* and City of *Glasgow*. [15th July 1820.]

WHEREAS it is necessary and expedient that a Bridewell and Correction House for the County of *Lanark* and City of *Glasgow* should be erected and maintained in the Lower Ward of the said County, and sufficient Funds should be provided for this Purpose; but as such Objects cannot be attained without the 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 following Persons shall be and are hereby appointed Commissioners for executing the Purposes of this Act; namely, the Lord Lieutenant of the said County for the Time being, the Vice Lieutenant of the said County for the Time being, the Member of Parliament of the said County for the Time being, the Member of Parliament for the Time being for the District of Burghs of which *Glasgow* is one, the Convener of the Commissioners of Supply of the said County for the Time being, the Sheriff Depute, and in his Absence the Sheriff Substitute of the Lower Ward of the said County for the Time being, the Lord Provost and Senior Magistrate of *Glasgow* for the Time being, the Provost of *Lanark* for the Time being, the Provost of *Rutherglen* for the Time being, and the Chief Magistrate of *Hamilton* for the Time being.

Appointment
of Commis-
sioners.

Further Ap-
pointment of
Commis-
sioners.

II. And be it further enacted, That upon the First *Tuesday* of the Month of *August* after the passing of this Act, and between the Hours of Twelve and Two, a Meeting of the Commissioners of Supply of the said County shall be held at *Hamilton*, which Meeting shall elect Ten Justices of the Peace for the Lower Ward of the said County, Seven Justices of the Peace for the Middle Ward, and Five Justices of the Peace for the Upper Ward, who shall severally reside in the respective Wards for which they are elected to be Commissioners as before-mentioned for the Purposes of this Act; and the Commissioners so elected shall remain in Office for Two Years, and until the Third *Tuesday* of *October* thereafter; and a similar Election shall on the Third *Tuesday* of *October* take place at *Glasgow* for every succeeding Year; and Seven Commissioners shall in like Manner be appointed for the said City of *Glasgow*, of whom the Senior Merchant Baillie and the Senior Trades' Baillie of the said City for the Time being shall be Commissioners *ex officio*; and the remaining Five Commissioners shall be nominated annually as follows; *videlicet*, One by the Town Council at the First or Second Meeting after the annual Election at *Michaëlmas*, Two by the Merchants' House and Two by the Trades' House, at the First or Second Meeting after the annual Elections of the Dean of Guild and Deacon Convener: Provided always, that after the First Election only One new Commissioner shall be nominated annually by each of the said Two Houses, except in the Event of Death or Incapacity to act from Removal to a Distance from *Glasgow*.

Not more
than Four
of the former
Commission-
ers re-elected.

III. Provided always, That at every such Election not more than Four of the Commissioners for each of the said Wards for the former Years shall be re-elected; and provided also, that in case of no Election taking place on the Day herein appointed, a Meeting of the said Commissioners of Supply shall be held for that Purpose on any subsequent Day, to be called by the Convener of the said County, who shall be obliged to call such Meeting on being required so to do by any Three of the Justices of the Peace of said County; public Advertisement of such Meeting being given Ten Days at least previously thereto in Two or more of the Newspapers published at *Glasgow*.

General
Meetings of
Commis-
sioners to ap-
point Com-
mittees of
Manage-
ment.

IV. And be it further enacted, That Five of the Commissioners under this Act shall in all Cases be a Quorum, having full Power at any General Meeting to do, order, and transact all Matters and Things in pursuance of this Act, in the same Manner as the whole Commissioners if present might have done; and in particular to appoint, from Time to Time, a standing Committee or Committees of their Number, on whom they may devolve all or any of the Powers hereby vested in the said Commissioners, and that Three of such Committee shall in every Case form a Quorum.

Powers to
make Laws
for the Ma-
nagement
and Govern-
ment of the
said House.

V. And be it further enacted, That the said Commissioners shall have full Power and Authority to make such Laws, Rules, and Regulations, for the good Government and Management of the said Bridewell and Correction House, and the Persons therein confined, as they may at any Time deem necessary, and to alter and revoke or to amend the same; provided that such Laws, Rules, or Regulations shall not be inconsistent with the Laws of *Scotland* or the Provisions of this Act.

VI. And be it further enacted, That the said Commissioners, or their Committee duly authorized as aforesaid, shall be and they are hereby empowered from Time to Time to appoint a Governor and Governess, Keepers, and other Servants for the said Bridewell, and also Clerks, Treasurers, or such Persons as may be necessary to be employed for the Purposes of this Act, and to make Payment to them of reasonable Salaries and Allowances for their Trouble, and also to appoint fit Persons to administer Medical Assistance and Religious Instruction for the Use of the said Bridewell and Correction House, with competent and suitable Salaries to each; and with Power to the said Commissioners, or their Committee, to remove the said Persons, or any of them, so employed by them, and to alter such Salaries and Allowances as Circumstances may render expedient; and all such Persons so employed by the said Commissioners or their Committee, Governors or Keepers, Officers and Servants, shall be bound to conform to such Orders, Rules, and Regulations as may from Time to Time, in pursuance of this Act, be made or given for their Government, and to find Caution or Surety for the Observance thereof, and for the due Performance of their respective Duties, if required so to do.

Appointment
of Officers,
&c.

VII. And be it further enacted, That all General Meetings of Commissioners for the Purposes of this Act, other than those before mentioned, shall be called by the Clerk or Treasurer to the Commissioners, who shall be bound to call such General Meeting upon the Requisition of any Three of the Commissioners, and shall do so by giving Intimation by Letter, stating the Business upon which the Meeting is called, sent by Post to each Commissioner, Six Days at least previous to the Day appointed for such Meeting, and not otherwise; and that at all such Meetings the Lord Lieutenant of the County, or in his Absence, the Member of Parliament for the County, or in his Absence, the Convener of the County, or in his Absence, the Senior Commissioner present, shall be Preses, and a Majority of the Commissioners present at any Meeting (the whole Number present not being less than Five) shall decide; and in case of Equality, the Preses shall, besides his own deliberative Vote, have a casting or decisive Vote.

Pro re nata
Meetings.

VIII. And be it further enacted, That the whole Funds and Property of every Description, Heritable and Personal, to be raised and levied, purchased or acquired, in pursuance or for the Purposes of this Act, shall be held to all Intents and Purposes to be, and shall be fully vested in, and belong to the said Commissioners for the Purposes of this Act for the Time being, to be by them used and disposed of, as they shall consider most eligible for accomplishing the Purposes of this Act.

Property
vested in
Commission-
ers.

IX. And for raising the Money necessary for erecting the said Bridewell and House of Correction, be it enacted, That the said Commissioners shall be empowered, and they are hereby authorized and empowered to raise a Sum not exceeding Thirty thousand Pounds, in the Manner and Proportions herein-after specified.

Money how
to be raised.

X. And be it enacted, That the said Commissioners are hereby authorized and empowered to levy Ten thousand four hundred Pounds of the said Sum of Thirty thousand Pounds from the Lower Ward of the said County, and that such Proportion shall be assessed or levied from the

Proportion of
Assessment.

the said Lower Ward, by a Rate or Duty upon the real Rents and Profits and annual Value of all Lands, including Mines and Quarries of every Kind within the said Lower Ward, excepting in the City of *Glasgow* and extended Royalty thereof, where such Assessment shall be levied upon all Lands and Heritages according to the valued Rent of the same, and upon Houses according to the Rent or yearly Value at which such Houses shall by the latest Assessment be assessed to the House Tax; and the said Commissioners are hereby authorized and empowered to levy Six thousand one hundred Pounds of the said Sum of Thirty thousand Pounds from the Middle Ward of the said County, Four thousand Pounds of the said Sum of Thirty thousand Pounds from the Upper Ward of the said County, and Nine thousand five hundred Pounds from the said City of *Glasgow*; and that the said Proportions shall be assessed and levied from the said Middle and Upper Ward by a Rate or Duty on the valued Rent of Land, and on the real Rent of Houses, Tenements, and Heritages, including Mines and Quarries of every Description within the said Wards of the said County respectively; and which said Assessments shall be levied and taken by Three annual Instalments, the First thereof to be paid on or before the Term of *Whitsunday* happening next after the passing of this Act, and the Second and Third Instalments by Two other Payments, at equal Distances of Time, on or before the Term of *Whitsunday* in the Years immediately succeeding.

Assessment
how regulated.

XI. And be it further enacted, That when the said Assessment is to be levied by a Rate or Duty upon the real Rent, and when such Lands, Tenements, and Heritages shall be in the Occupation of Tenants at Rack Rent, possessing under Leases granted within Nineteen Years prior to the Year of Assessment, and for which no Grassum has been paid, then the said Rate or Duty shall be chargeable upon the full Rent or Consideration payable by the Occupiers for the Years of Assessment, without any Deduction, excepting for Cess or Land Tax; and where such Lands, Tenements, or Heritages shall be in the actual Possession of the Owners or Life Renters thereof, or of Trustees, Adjudgers, Heritable Creditors, or any Persons, other than Tenants at Rack Rent as before described, then the said Rate or Duty shall be chargeable upon the full Value which the said Possessions are worth to be let for by the Year, and such Worth shall be estimated according to the relative Value of other and similar Possessions within the said County, without any Deduction, excepting for Cess or Land Tax.

Occupiers
to retain Two
Thirds from
their Land-
lord.

XII. And be it further enacted, That the said Rate or Duty shall be chargeable upon and leviable from the Occupiers for the Time being, or from the Owners, Life Renters, Trustees, or others entitled to or in receipt of the Rents for the Time being; and when such Rate or Duty shall be paid by the Occupiers, the Persons so paying shall be entitled to retain Two Thirds of the Amount so paid out of the Rent or Consideration payable by them; and where the Occupiers so paying shall happen to be Subtenants, or Assignees, or deriving their Possession from other Lessees, or Assignees, the like Retention shall take place, in proportion to the Rent payable; and each Lessee or Assignee paying or allowing Retention of the said Rate or Duty, shall be entitled to the like proportional Retention from the Person with whom he or she is bound to account and settle for the Rent payable by him or her, and the Owners or others entitled to or

in receipt of such Rents, shall have the like proportional Retention from Feu Duties, or other annual Payments, due by them, for their said Possessions, to their respective Superiors; and in all such Cases the Persons from whom such Retention is claimed shall be bound to allow the same; provided that such Retention shall not be competent against any other Persons, nor in any other Cases, than those before specified.

XIII. And be it further enacted, That all Persons, in the Possession of Lands, Tenements, and Heritages, either as Owner or Tenant as aforesaid, shall if required, deliver to the Assessors or Assessor to be appointed by the said Commissioners, a true and full Statement of the Rents or annual Worth of such Possessions for the Years of Assessment; and in case of Failure or Neglect so to do for Ten Days after Notice under the Hand of such Assessor has been duly given, or in case of wilfully making a false Statement, the Person so failing or neglecting, or making a false Statement, shall become liable to be charged and to pay Double the Amount otherwise chargeable against him or her for such Year.

Persons making a false Statement to pay Double.

XIV. And be it further enacted, That if any Person or Persons who shall be rated or assessed under the Powers of this Act, either for the Assessment for building, or the Annual Assessment for maintaining the said Bridewell and Correction House, shall neglect or refuse to pay the Rate or Rates, Assessment or Assessments charged upon him, her, or them, for the Space of Ten Days next after such Rate or Rates, Assessment or Assessments shall be due and demanded from such Person or Persons by the Officer or other Person authorized by the said Commissioners to receive the same, (such Demand being either made personally or by Notice in Writing left at the respective Dwelling House or Houses, or Place or Places of Abode of such Person or Persons assessed), then and in every such Case it shall be lawful for the said Commissioners, or the Officer or other Person authorized by them as aforesaid, to apply to the Sheriff Depute or Substitute, or to any Justice of the Peace of the said County, if the Person or Persons in Default shall not be resident within the said City of *Glasgow* or Liberties thereof, and to any of the Magistrates of the said City, if such Person or Persons shall live within the Limits of the same, for a Warrant to enter the House or Houses of such Person or Persons, and to seize and take Possession of his, her, or their Goods and Effects; which Warrant the said Sheriff Depute or Substitute, Justice of the Peace or Magistrate, is hereby authorized to grant, upon a Certificate signed by the said Commissioners, or the Officer or other Person appointed by them as aforesaid, stating such Demand to have been made; and such Person or Persons to be in Arrear to the Amount to be set forth in such Certificate; and if such Rate or Assessment shall not be paid within Three Days next after such Seizure is made, together with the Costs and Charges thereby incurred, then the said Commissioners, or the Officer or other Person authorized by them as aforesaid, are and is hereby authorized to distrain and sell by Public Auction such Part of such Goods and Effects as shall be sufficient to pay the Rate or Rates, Assessment or Assessments due and demanded as aforesaid, with the Costs and Charges attending such Seizure and Sale, which shall be ascertained by the Sheriff Depute or Substitute, Justice of the Peace or Magistrate issuing the Warrant, provided that the Surplus, if any be, shall be returned to the Owner or Owners of the Goods and Effects so seized and sold.

Mode of levying Assessment.

Assessment for defraying annual Expences to be levied from the whole Lands and Houses in the County ; to be charged upon Land according to the valued Rent ; and upon Houses according to the real Rent ; the last to be ascertained from the Rates assumed in levying the Assessed Taxes.

XV. And be it further enacted, That for the Maintenance and Repair of the Buildings hereby authorized to be erected, and for the further defraying of the annual Expences of the said Bridewell Establishment, there shall, when found necessary by the Commissioners for the Purposes of this Act, be an Assessment made upon the whole Lands and Houses in the said County, equal to the Amount so found necessary in each Year ; which Assessment shall be chargeable upon Lands according to the valued Rent of the same, and upon Houses according to the Rent or Value set on such Houses by the latest Assessment to the public Taxes on Houses and Windows, commonly called Assessed Taxes, in the following Proportions ; *videlicet*, for every such Assessment to the Amount of Three Shillings Sterling in the One hundred Pounds *Scots* of valued Rent of Land, an Assessment shall be laid upon the Rent or yearly Value of Houses ascertained as aforesaid, at the Rate of One Penny Sterling in the Pound of such Rent or yearly Value, and so in proportion for any greater or less Sum ; provided that such Assessment shall in no One Year exceed the Sum of Eighteen Shillings in the One hundred Pounds *Scots* of valued Rent of Land, and the proportional Sum of Sixpence Sterling in the Pound of Assessed House Rent ; and no such Assessment shall be laid upon any House, which shall not be charged for the Assessed House Tax as aforesaid, or on Houses of which the Rent shall be less than Five Pounds of yearly Rent, or upon the Tenants or Occupiers of Hospitals or Houses for Charitable Purposes, or upon Churches and Places of Worship, or Public or Parish Schools ; and provided also, that such Assessment may be made either directly by the Commissioners for the Purposes of this Act, or by the Commissioners of Supply of the said County at their annual Meeting for assessing the Land Tax, who, on Production made to them of an Account and Estimate, certified by Five or more of the Commissioners under this Act, shewing the Amount required to be levied, and the proportional Rate necessary to be imposed, shall be bound to assess for such Sum accordingly, to be levied and applied in Terms of this Act.

Assessments how to be regulated.

XVI. Provided also, and be it enacted, That the Assessment hereby authorized to be made in the said City of *Glasgow* towards such annual Expence as aforesaid, shall be regulated by the Proportion of Culprits sent from the said City and the Expence of the Maintenance of such Culprits, when compared with the Proportion of Culprits sent from the other Districts of the County, and the Expence of their Maintenance.

Commissioners Powers to borrow.

XVII. And be it further enacted, That the said Commissioners are hereby authorized and empowered to borrow Money at Interest for the Purposes of this Act, not exceeding in whole the Sum of Thirty thousand Pounds, and to assign and grant Securities for Payment thereof over the Funds and Property herein-after mentioned, and Assessments leviable by this Act, and any other Funds they may have or acquire ; and in case of borrowing on their own personal Security for the said Purposes, the said Commissioners shall have Security and Relief for Repayment of the Amount so borrowed, not exceeding the Sum above limited, upon the said Funds, Property, and Assessments.

Purchase of Site for the Building.

XVIII. And be it further enacted, That the said Commissioners shall be and they are hereby authorized to purchase and procure a proper Situation within the Bounds of the Royalty of the said City of *Glasgow*, or within the Barony Parish of *Glasgow*, or Parishes of *Gorbals* or *Govan*,

Govan, in the Lower Ward of the said County, and there cause to be erected, provided, established, and maintained suitable Buildings for a Bridewell and Correction House, with such other public Offices and Accommodations as may be found requisite by the said Commissioners for the said Establishment; and also to provide and maintain such Areas or Court Yards adjoining to the said Buildings, and such Streets and Passages leading thereto, and such Supplies of Water as may appear to them necessary or advantageous; and at any Time to make such Additions, Alterations, and Improvements on the Premises as they may deem requisite, and in general to do and order all Matters and Things needful for the aforesaid Purposes or any of them; provided that the whole Extent of the Ground to be taken for such Purposes shall not exceed Six Acres; and provided also, that such Purchase shall be approved of by a General Meeting of the said Commissioners, to be called for that Purpose by Advertisement in Two of the Newspapers usually circulated in the said County, to be inserted a Fortnight at least before such Meeting.

Commissioners to have Power to make Alterations, Additions, &c.

XIX. And be it further enacted, That the said Commissioners shall be and they are hereby authorized to purchase, acquire, and take Possession of, and all Bodies Politic or Corporate, Heirs of Entail, Tutors, and Curators, Life Renters, Tenants and Occupiers, and all and every Person or Persons whatever, Owners of or otherwise having Interest in any Property, or any Part thereof, (though under any legal Disability or Incapacity) are hereby for themselves and their Successors whatsoever authorized and empowered to sell, dispone, feu, or convey to the said Commissioners all such Lands, Houses, Tenements, and other Heritages, with all Tacks, Leases, or other Rights affecting the same, or such Part or Parts of the same as may be deemed by the said Commissioners to be necessary for the Purposes of this Act, upon such Price, Recompence, or Consideration being paid or made to the Proprietor or Proprietors, Occupier or Occupiers, or other Person or Persons interested, as can be agreed on between them or any of them and the said Commissioners, and such Person or Persons so conveying, transferring, or disposing Property in pursuance of this Act, are hereby for themselves and their Heirs respectively indemnified for all such Acts and Deeds; and in the Event that it should for any Reason or on account of any Impediment be found necessary or expedient to have the Value judicially fixed and ascertained, then the same shall be ascertained and settled by the Verdict of a Jury of Fifteen substantial disinterested Persons, to be, on the Application of either of the said Parties, summoned and chosen by the Sheriff Depute or Substitute of the said County, in the Manner in which Juries are or may be summoned and chosen by Sheriffs of Counties in *Scotland*; and the said Sheriff Depute or Substitute is hereby empowered to summon and call before him all and every such Person and Persons as shall be thought necessary to be examined as Witnesses touching the Matters in question; and the said Sheriff Depute or Substitute may order and authorize the said Jury, or any Five or more of them, to view the Place or Places or Matter or Matters in Controversy, which Jury upon their Oaths (and which Oath, as well as the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Sheriff is hereby empowered to administer) shall enquire of, assess, and ascertain the Sum or Sums of Money to be paid for the Purchase of such Lands, Grounds, Tenements, or other Heritages, or the Recompence to be made for the Damages which shall

Any Person, though under legal Disability, empowered to convey.

shall or may be sustained as aforesaid, and shall assess separate Damages for the same ; and the said Sheriff shall give Judgment for such Purchase Monies or Recompence so to be assessed by such Jury ; which said Verdict, and the Judgment thereupon pronounced as aforesaid, shall be binding, conclusive, and final, to all Intents and Purposes whatsoever, against all Bodies Politic, Corporate, or Collegiate, and all other Persons, and shall not be liable to review by Advocation, Suspension, Reduction, or otherwise ; any Law or Statute to the contrary notwithstanding.

Costs how to be settled.

XX. And be it further enacted, That in every Case where any Verdict shall be given in pursuance of this Act, for an equal or greater Price or Compensation than may have been previously required from the Commissioners and not agreed to by them, or where by reason of being out of *Scotland*, or by reason of any Impediment or Disability whatever, there shall not be found any Person or Persons at hand capacitated or authorized to contract with the Commissioners, or to execute proper Conveyances, or to receive and give Discharges for such Price or Compensation, then and in all such Cases the whole Costs and Expences attending the said Procedure before the Sheriff and Jury shall be defrayed by the Commissioners ; and in Cases where a Verdict shall be given for any Price or Consideration not greater than may have been previously offered by the Commissioners, and refused or not accepted of, then the whole Costs and Expences shall be defrayed by the Party or Parties so refusing or not accepting ; but where such Verdict shall be given for an Amount greater than may have been previously offered by the Commissioners, and less than what the opposite Party may have required, then the said Costs and Expences shall be defrayed by the Parties equally.

Application of Compensation if amounting to 200l.

XXI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Heritages, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which are held under Entail, or are subject to Life Rents, Annuities, or other Incumbrances, or shall belong to any Corporation, married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds or upwards, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, Royal Bank of *Scotland*, or *British* Linen Company, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, (to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Heritages) in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Courts shall authorize to be paid, affecting the same Lands, Tenements, or Heritages, or affecting other Lands, Tenements, or Heritages standing settled therewith, to the same Persons, or the same or like Uses, Intents, or Purposes ; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Heritages, which shall be conveyed and settled to, for, and upon such Persons, and the like Uses, Trusts, Intents and Purposes, and in the same Manner as the Lands, Tenements, or Heritages which shall be so purchased, taken,

or

or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing and capable of taking Effect; and in the meantime and until such Purchase shall be made, the Interest or annual Produce of such Money shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Heritages so purchased, taken, and used by the said Commissioners in virtue of this Act.

XXII. And be it further enacted, That if such Money shall be less than the Sum of Two hundred Pounds and not less than Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons, who for the Time being would have been entitled to the Rents and Profits of the Lands, Tenements, or Heritages so purchased, taken or used, or of his, her, or their Tutors or Curators, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into either of the said Banks under the like Direction and Authority, and placed to his, her, or their Account as aforesaid, in order to be applied in Manner herein-before directed; or otherwise the same shall be paid at the like Option to Two or more Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners, (such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Interest arising thereon, may be applied in Manner herein-before directed, so far as the Case is applicable.

Application of Compensation if less than 200l. and not less than 20l.

XXIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds; then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Heritages, so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Tutors or Curators, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Compensation if less than 20 l.

XXIV. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded or payable for the Purchase of any Lands, Tenements, or Heritages to be purchased or taken by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded or payable as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Heritages be not known or discovered; then and in every such Case it shall and may be lawful to and for the said Commissioners to order the said Sum or Sums of Money so awarded or payable as aforesaid to be paid into the said Bank of Scotland, Royal Bank of Scotland, or British Linen Company, to the Credit of the Parties interested in the said Lands, Tenements, or Heritages, [describing them], subject to the Order, Controul, and Disposition of the Court of Session, which said Court on the Application of any Person or Persons making Claim to such Sum or Sums of Money or any Part thereof, by Petition, shall be and is hereby empowered in a summary Way of Proceeding or

In case of not making out Titles, or where Persons cannot be found.

[Local.]

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otherwise,

otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Scotland*, Royal Bank of *Scotland*, or *British* Linen Company, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay such Sum or Sums of Money into the Bank as aforesaid.

In case of
questionable
Title.

XXV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the said Banks in pursuance of this Act, for the Purchase of any Lands, Tenements, or Heritages, or of any Estate, Right, or Interest in any Lands, Tenements, or Heritages, to be purchased in pursuance thereof, or to any Lands, Tenements, or Heritages to be purchased with any such Money, or to the Rents or Profits thereof, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Heritages at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Heritages, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Session, and the Rents and Profits of the Lands, Tenements, and Heritages to be purchased with such Money, and also the Lands, Tenements, and Heritages so purchased, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Heritages, or to some Estate or Interest therein.

Court may
order Ex-
pences of
Purchase to
be paid.

XXVI. Provided always, and be it further enacted, That where by Reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Heritages to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Banks, and to be applied in the Purchase of other Lands, Tenements, or Heritages to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Commission-
ers shall have
Power to
contract for
the Erection
of the House.

XXVII. And be it further enacted, That the said Commissioners and their Committee shall have full Power to contract with such Person or Persons as a Quorum of the said Commissioners, or the whole Members of the said Committee shall approve of, for building such Bridewell and Correction House, with every necessary Erection and Accommodation connected

connected with the same, upon a Plan and special Estimate of the whole Expences, which shall be approved of by the Commissioners or their Quorum, or by the Whole of their Committee, at a Meeting specially called for that Purpose; and the Sums to be paid to such Contractor or Contractors shall not exceed the Sums authorized by this Act to be levied for such Buildings and Erections, joined to such other Sums and Aids as may be previously obtained; and that the Contractor or Contractors shall give ample and sufficient Security to the Satisfaction of the said Commissioners or their Committee for the due and faithful Execution of the said Plans and Estimates for the Sum specified in the Contract, under the Inspection and Superintendance of any Person or Persons to be appointed by the said Commissioners or their Committee; to which Superintendant or Superintendants the said Commissioners or their Committee are hereby authorized to give suitable Allowances for their Trouble and Attendance, and to remove and change such Superintendant as often as they shall see it necessary or expedient.

Contractor to grant Security for the faithful Execution of Plans.

XXVIII. And be it further enacted, That all Materials for Building of every Sort for the Purpose of being made use of for the said Bridewell and Correction House, which are not the immediate Property of their Agents or Contractors, shall be vested in the said Commissioners; and they or their Committee are hereby empowered to bring or cause to be brought any Action before any Court competent as accords, against any Person or Persons who shall steal or take away, or receive, if stolen, any such Materials, or disturb the said Commissioners in the Possession thereof; and it shall and may be lawful in all legal Proceedings brought in Name of or against the said Commissioners, to state them as the Commissioners for erecting a Bridewell for the County of *Lanark* and City of *Glasgow*, without naming all or any of the said Commissioners.

Materials for building vested in the Commissioners.

XXIX. And be it further enacted, That the said Bridewell and Correction House, with the Grounds, Buildings, Officers, and Servants thereto belonging, shall not be subject to any County or Parochial Tax whatever; and that the Commissioners shall have Liberty to insure the said Bridewell and Correction House, with the Goods, Materials, and other Articles, or such Part thereof as they may think expedient, against Risks by Fire; and that the Expence of such Insurance shall be paid out of the Funds hereby authorized to be levied for the annual Support of the Establishment.

Exemption from all Taxes.

Commissioners to insure said House, &c.

XXX. And be it further enacted, That in building and erecting the said Bridewell and Correction House, there shall be a Number of Cells and Apartments so constructed as to allow of a Separation by Day and Night of Male and Female Prisoners, and also Apartments adapted for solitary Confinement and separate Labour, and for Restraint of refractory Prisoners; and that there shall be an Apartment appropriated for Divine Service, and proper Apartments for a Governor, Governess, Assistants, or such Persons as may be necessary to be employed under this Act, together with proper Yards, or airing Places, separate and distinct from each other for different Classes of Prisoners; and in order as far as may be to prevent the Introduction of infectious Diseases, that there shall be also provided a Lazaret or Ward, for the immediate Reception of Prisoners on their Commitment, until they be examined by a Surgeon or Apothecary;

Separate Apartments to be provided for Male and Female Prisoners, &c.

Apothecary; and that in or near such Ward, proper Baths shall be provided for the Prisoners, and fit Places for cleansing and purifying their Clothes, with a proper Apartment or Apartments as an Infirmary for sick Prisoners.

Notice when the Building is finished how to be given.

XXXI. And be it further enacted, That when the said Bridewell and Correction House is finished in Manner herein directed, and properly provided for the Reception of the different Classes of Prisoners, Notice thereof under the Hands of Five or more of the Commissioners shall be transmitted to the Magistrates and Town Council of the City of *Glasgow*, the Town Clerks of *Rutberglen*, *Lanark*, and *Hamilton*, and the Clerks of the Peace for the said County; and public Notice thereof shall also be given by Advertisement in each of the *Glasgow* Newspapers.

Powers of Commitment in whom vested.

XXXII. And be it further enacted, That after such Notice it shall be competent and lawful for the Sheriff Depute, or his Substitute or Substitutes, and to the Justices of the Peace of the said County, and the Magistrates of the said City of *Glasgow*, by their respective Warrants to commit or cause to be committed any Person or Persons who have committed Offences within the said County or City, to the said Bridewell or Workhouse, under the like Sentences, as to the Nature and Period of Confinement, and with the like Powers of enforcing Labour and Industry therein, as are competent to the Sheriff or Magistrates of any County or Burgh in *Scotland* by Law or Statute; and where any Offender shall be seized or taken in any Part of the said County at a greater Distance than Three Miles from the said Bridewell or Workhouse, and committed to the same, such Offender shall be conveyed to the said Bridewell or Workhouse at the Expence of the Commissioners hereby appointed; and it shall and may be lawful to the said Commissioners, and they are hereby authorised to defray such Expence out of the Annual Assessment herein-before authorised to be levied.

Confinement in Bridewell to give no Claim on Poor's Funds.

XXXIII. And be it further enacted, That no Period of Confinement in the said Bridewell or Correction House shall be held to constitute in whole or in part a legal Residence, so as in virtue thereof to give any Claim on the Poor's Funds, or under that Pretence to entitle any Person to become a Burden on the same.

Commissioners to provide Materials for the Employment of the Prisoners.

XXXIV. And be it further enacted, That the said Commissioners and their Committee shall have Power to provide a Stock of such Tools, Materials, or other Necessaries as they shall judge expedient for the Employment and Labour of the different Classes of Prisoners in the said Bridewell or Correction House.

Labour to be proportioned to the Age, Sex, and Health of the Prisoners.

XXXV. And be it further enacted, That the said Commissioners and their Committee shall pay particular Attention that the Work and Employment to which the Prisoners shall be sent shall be proportioned to and consistent with the Sex, Age, Health, and Ability of each Individual, and where it is necessary to give previous Instruction, that proper Persons be employed for that Purpose, to whom a suitable Gratification shall be given; and that the Prisoners during the Hours of Labour, in case the Nature of their several Employments will permit, shall, as far as possible, be kept separate and apart from each other during the Day, and
always

always so during the Night; and that not more than Two of such Prisoners shall be allowed to continue together at any Time, excepting during the Hours of Labour when necessary, and at the Time of Divine Worship, and the Times respectively allotted for their Meals and Airings, excepting Cases of Necessity, it being always understood that Male and Female Prisoners shall at all Times and on every Occasion be kept separate.

XXXVI. And be it further enacted, That a regular Account shall be kept of the Work performed by every Prisoner, and the Profits therefrom arising, after deducting Maintenance, Clothing, and every other Expence attending such Prisoner; which Profit, or such Part thereof as may be deemed proper, the said Annual Committee shall have Power from Time to Time to apply either in furnishing better Provisions to such Prisoner while in Confinement, or in Payment to him of a Sum of Money when leaving it, or for the Support of his or her Family, if such Prisoner shall have one, as to the said Committee shall seem right; or otherwise, towards the annual Maintenance of the said Bridewell or Correction House.

Accounts to be kept of the Prisoners' Work.

XXXVII. And be it further enacted, That no Wine or spirituous or fermented Liquors shall be sold within the said Bridewell or House of Correction, nor be admitted therein, unless by Order of a Surgeon, or other medical Person, or when necessary by way of Medicine; and no Profit or Advantage shall directly or indirectly arise to the Governor or Governess, or to any of the Persons under them, employed by them in the said House, from the Sale or Admission of such Liquors.

Wine or Spirituous Liquors not to be admitted into Bridewell.

XXXVIII. And be it further enacted, That regular Books shall be kept of all Receipts and Disbursements, and Expences under this Act, which Books shall be regularly brought to balance on the Thirtieth Day of *September* in each Year, and the same shall be examined with the Vouchers, and docketed by the Commissioners, or their Preses for the Time authorized by them, and an Abstract, authenticated by any Three or more of the Commissioners, shall be transmitted to the Clerk of Supply and Clerk of the Peace of the County, and Town Clerk of the City of *Glasgow*, within Two Months next after such Balance, to be by them respectively laid before the Commissioners of Supply and Justices of the Peace, and Magistrates and Town Council of the said City of *Glasgow*; and the said Books shall be open and patent for the Inspection of Justices of the Peace, and Commissioners of Supply of the County, or Magistrates of *Glasgow*, or any of them.

Books to be kept of all Receipts and Disbursements.

XXXIX. And for the better preventing Abuses in the said Bridewell and Correction House, be it enacted, That the Justices of the Peace of the said County of *Lanark* shall be empowered and they are hereby required each Year at their *Michaelmas* Quarter Sessions held at *Glasgow*, to appoint Two or more of their Number personally to visit and inspect the said Bridewell and Correction House at least Once a Month; and the Justices so appointed are hereby required to make the said Visitations, or oftener if Occasion should require, to examine into the State of the Buildings, the Behaviour and Conduct of the respective Officers and Servants, and the Treatment and Condition of the Prisoners, the Amount of their Earnings, and the Expences attending the said Bridewell and Cor-

Justices to inspect the Bridewell and Correction House.

Visitors and
Inspectors
may enter
the said
House;

and may re-
port Abuses;
and when
such are re-
ported, the
same to be
intimated to
the Commis-
sioners.

Punishing
Persons em-
bezzling the
Furniture,
Cloaths, &c.
of the Pri-
soners.

To prevent
harbouring
Rogues or
Vagrants.

rection House; and the said Visitors at every Quarter Sessions of the Peace for the Lower Ward of the County, shall make a Report in Writing of the State and Condition of the said Bridewell and Correction House, and of all Abuses or Omissions which may occur to their Observation therein; and the Chairman of the said Sessions is hereby required to call upon the said Visitors for such Reports; and it shall be lawful for the Sheriff Depute or his Substitute or Substitutes, and for every Justice of the Peace for the said County, and any one of the Magistrates and Town Council of *Glasgow*, of his own accord and without being appointed a Visitor, to enter the said Bridewell and Correction House, and to examine the same at any Time during the Day, and as often as he shall think fit; and if he shall discover any Abuses therein, he is hereby required to report the same in Writing to the said Commissioners or their Committee, who are hereby required without Loss of Time to take the Subject of the said Report under their Consideration; and if they shall find the Complaints there made well founded, to adopt the most effectual Measures for having the Grounds thereof removed and rectified.

XL. And be it further enacted, That if any Person or Persons shall knowingly buy, secrete, receive in Pawn, or shall pawn any of the Furniture, Utensils, Provisions, Cloathing, or Materials of any of the Prisoners in the said Bridewell and Correction House, or shall knowingly buy, secrete, receive into Pawn, or pawn any of the Goods or Materials carried into the said Bridewell, or into any other House or Place in order to be wrought up, manufactured, or used by the Prisoners, or after such Goods or Articles are put in one or other of such Houses or Places, in order to be sold or disposed of, or any of the Furniture; Utensils, Provisions, Cloathing, or Materials of the said Bridewell and Correction House, the Person or Persons so offending, and being thereof convicted by his, her, or their Confessions, or by the Oath of any One or more credible Witness or Witnesses, before the Sheriff of the County of *Lanark*, or any Justice or Justices of the Peace for the same, or any One or more of the Magistrates of *Glasgow*, shall for every such Offence be liable to a Fine not exceeding Five Pounds; the same to be levied by Distress and Sale, by a Warrant under the Hands of the said Sheriff, Justice or Justices of the Peace or Magistrate or Magistrates before whom such Offender or Offenders was or were convicted; and in case no Effects can be found to distrain, the Offender or Offenders may be committed to hard Labour in the said Bridewell or Correction House, for any Term not less than Two Calendar Months and not exceeding Four for the First Offence; and for the Second Offence, for any Term not less than Four Calendar Months nor more than Six; and for repeated Offences by the same Person, for such Term as to the said Sheriff or Justice or Justices of the Peace, Magistrate or Magistrates may seem proper.

XLI. And be it further enacted, That if any Person or Persons within the County of *Lanark* shall, after the passing of this Act, knowingly permit or suffer any Rogue or Vagrant to lodge or take shelter in any House, Barn, or Outhouse, or Building belonging to him, her, or them, and shall not apprehend and carry such Rogue or Vagrant before some Justice of the Peace of the said County, or Magistrate of the said City, or give Notice to some Constable or other Peace Officer so to do; every Person so offending, on being lawfully convicted, either by his own

Confession, or the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace, or Magistrate or Magistrates aforesaid, shall forfeit a Sum not exceeding Five Pounds, One Moiety thereof to be paid to the Informer, and the other Moiety thereof to be added to the Fund for the Support of the said Bridewell; the Fine to be levied by the immediate Distress and Sale of the Offender's Effects; and in case no Goods can be found to distrain, the Offender shall be committed to the House of Correction by the Justice or Justices of the Peace or Magistrate or Magistrates before whom such Person shall have been convicted, and there kept at work for any Time not exceeding Three Months, unless the Offence shall be repeated, and then for any Time not exceeding Six Months.

XLII. And be it further enacted, That in case any Person or Persons shall disturb or hinder the Execution of this Act, or shall rescue or attempt to rescue any Person apprehended and in Custody to be conveyed to the said Bridewell or Correction House, or shall be aiding, abetting, or assisting in any such Attempt or Rescue; or if any Officer, Constable, or others, having in Charge any Person in order to be conveyed to the said Bridewell and Correction House, shall either permit the said Person to make his Escape, or connive at the same; or if any Person whatever, after a Prisoner has been committed to the said Bridewell and Correction House, shall supply Arms, Tools, or Instruments, or Means of Disguise, or otherwise be in any Manner aiding or assisting to any such Prisoner in making his Escape, or in any Attempt to make the same; or shall attempt to rescue any such Prisoner when confined, or be anyways aiding or assisting in such an Attempt; every Person so permitting, conniving, attempting, aiding, or in any Manner assisting, shall be liable to be prosecuted by the said Commissioners, their Committee, or any Person appointed by them, or by the Procurators Fiscal of the County of *Lanark*, before any competent Court in a summary Manner, and if convicted, shall be punished as the Law directs, in Cases of Rescue or Breach of Prison.

To punish Persons rescuing Prisoners in Custody, &c.

XLIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously obstruct the Execution of any of the Powers of this Act, or shall wilfully pull down, damage, or destroy any of the Buildings or Works to be erected and made under such Powers, or any Materials which may be collected for any of the Purposes of this Act, or shall attempt any such Offences, or be aiding and assisting in attempting or executing the same; every Person or Persons so offending shall be liable to be prosecuted by the Commissioners, their Committee, or any Person named by them, and in case of Conviction, shall be punished according to Law.

Punishing Persons obstructing the Execution of this Act.

XLIV. And be it further enacted, That all Payments herein authorized to be made by or to the Commissioners for the Purposes hereof, may and shall be legally and competently made by or to their Collector, Treasurer, or other Person authorized by them to act in their Behalf; and it shall be lawful and competent for the said Commissioners for the Time being to sue or be sued, in the Name of their Clerk or Treasurer for the Time; and such Suit or Process shall not fall or be vacated by reason of any Vacancy or Change of the Commissioners, their Treasurer, or Clerk,

Commissioners may sue and be sued, in Name of their Clerk or Treasurer.

Clerk, but shall subsist at the Instance of or against the Commissioners, or their Treasurer or Clerk for the Time being, as if no Vacancy or Change had taken place.

Appeal.

XLV. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Proceeding to be had in the Execution of this Act for which no Relief is hereby provided, it shall and may be lawful for such Person or Persons, within Six Calendar Months after the Matter complained of shall be done, but not afterwards, to lodge an Appeal to the Justices of the Peace at the Quarter Sessions of the said County of *Lanark*, the Appellant giving Fourteen Days Notice of such Appeal to the Defender or Defenders, and to the Clerk to the said Commissioners, and to the Clerk of the Justices of the Peace, and lodging with such Appeal a Bond, with sufficient Caution for implementing the Sentence to be finally pronounced by the said Justices; and such Justices shall have Authority to hear and determine the Matters in Dispute, and their Judgment therein shall be final and conclusive, and not subject to Review by Advocation, Suspension, Reduction, or otherwise, any Law or Practice to the contrary notwithstanding.

Limitation of Actions.

XLVI. And be it further enacted, That no Claim or Action for Damages in respect of any thing done or caused by the Commissioners in the Execution of this Act, excepting for the Value of any Lands, Tenements, Buildings, or Heritages occupied by them, shall be competent against the said Commissioners, or any of them, unless such Action be commenced within Six Months after the Fact so done or caused is known to the Party or Parties alleging Injury or Loss thereby.

Expence of obtaining the Act.

XLVII. And be it further enacted, That the Expence of procuring and passing this Act shall be paid out of the Monies to be levied in virtue of this Act.

Public Act.

XLVIII. And be it further 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,
Printers to the King's most Excellent Majesty. 1820.