Prisons (Scotland) Act 1877

1877 CHAPTER 53

PART II

SUPPLEMENTAL PROVISIONS

As to Obligation to maintain Prisons

18 Compensation to be made in place of prison accommodation

Where at the time of the commencement of this Act any prison authority has no prison of its own, or has not a prison or prisons of its own adequate to the accommodation of the prisoners belonging to such authority, it shall pay into the receipt of the Exchequer one hundred and twenty pounds in respect of each prisoner belonging to such prison authority for whom cell accommodation has not at such time as last aforesaid been provided by such authority in a prison of its own.

Any sum payable by a prison authority in pursuance of this section shall be deemed to be a debt due from the prison authority to the Crown, and may be recovered accordingly from the county and burgh or burghs at the passing of this Act within the jurisdiction thereof, subject to the allocation herein-after provided.

Where one prison authority has contributed a sum of money towards the construction by some other prison authority of cell accommodation for the use of the prisoners of the contributing authority, and such cell accommodation has been constructed accordingly, then in assessing the sum payable into the Exchequer by the contributing authority under this section, the contribution so made shall be taken into consideration, and a proportionate deduction be made accordingly.

Any sum payable by a prison authority in pursuance of this section shall be allocated upon and recovered from the county and burgh or burghs at the passing of this Act within the jurisdiction of such prison authority in such proportions as shall be determined by the Secretary of State, having regard to the valuations of such county and burgh or burghs respectively. Any sum so allocated upon a county shall be a charge upon the county general assessment thereof, and any sum so allocated upon a burgh

Status: *This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

shall be a charge upon such municipal or police assessment or upon the yearly proceeds of the common good and revenues of the burgh as the magistrates may determine.

For the purposes of this section the commissioners of supply of a county, and the magistrates of a burgh, may borrow, and the Public Works Loan Commissioners may advance by way of loan, to bear interest at such rate per centum as the Treasury may determine to be sufficient to prevent any loss to the Exchequer, such sum as may be required, so that the whole amount so borrowed be discharged within a period not exceeding thirty-five years.