



Railways Clauses Consolidation (Scotland) Act 1845

1845 CHAPTER 33 8 and 9 Vict

Recovery of damages and penalties

137 Penalties to be summarily recovered before the sheriff or two justices.

Every penalty or forfeiture imposed by this or the special Act, . . . ^{F1} the recovery of which is not otherwise provided for, may be recovered by summary proceeding before the sheriff or two justices; . . . ^{F2} and upon the appearance of the party complained against, or in his absence, after proof of the due service of such order, it shall be lawful for any sheriff or two justices to proceed to the hearing of the complaint; and upon proof of the offence, either by the confession of the party complained against, or upon the oath of one credible witness or more, it shall be lawful for such sheriff or justices to convict the offender, and upon such conviction to adjudge the offender to pay the penalty or forfeiture incurred, as well as such expences attending the conviction as such sheriff or justices shall think fit.

Textual Amendments

F1 Words repealed by [Transport Act 1962 \(c. 46\), Sch. 12 Pt. II](#)

F2 Words repealed by [Statute Law Revision Act 1892 \(c. 19\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Railways Clauses Consolidation (Scotland) Act 1845, Section 137.