



ANNO QUINQUAGESIMO QUARTO

GEORGI II. REGIS.

Cap. 100.

An Act for erecting and maintaining a new Court House and other Offices for the City and County of *Aberdeen*, and for providing and maintaining an additional Gaol for the said City and County, and for other Purposes relating thereto.

[17th June 1814.]

WHEREAS the present Court House of the City and County of *Aberdeen*, which is used for Public Meetings of the Magistrates of the said City and Landholders of the said County, and for the Administration of Justice both in Civil and Criminal Cases, is neither sufficiently large nor in other respects well adapted for the various Public Purposes to which such a Building must necessarily be applied, and a new Court House, Offices and other Buildings for the Use and Accommodation of the said City and County have become necessary: And whereas the present Public Jail of the City of *Aberdeen*, which is used for the Reception and Confinement of Prisoners of all Descriptions committed within and from the County as well as the City, is very insufficient for those Purposes: And whereas the most advisable Mode of obtaining a proper additional Jail for the said City and County of *Aberdeen* will be by taking, appropriating and converting so much of the House of Correction for the City and County of *Aberdeen*, and of the Ground and Area belonging thereto, as can be conveniently spared from the said House of Correction; and also such of the Cells under the said new Court House and other intended Buildings, as may be sufficient for that Purpose; May it therefore please Your Majesty that it may be enacted; and

[*Loc. & Per.*]

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be

Commissioners under Act 42 G.3. c.47. to be Commissioners for the Act.

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 several Persons named or elected or to be elected from Time to Time, under and in pursuance of an Act made and passed in the Forty-second Year of the Reign of His present Majesty, intituled *An Act for building and maintaining a House of Correction in and for the City and County of Aberdeen, and for raising a Fund for defraying the Charges of apprehending, prosecuting, and subsisting Criminals, Rogues, and Vagabonds found within the said City and Liberties thereof*, and who are thereby appointed Commissioners for executing the said Act, shall be and they are hereby nominated and appointed Commissioners for building, altering, enlarging, improving, furnishing, repairing and keeping in Repair a new Court House, Offices and Buildings, for the Use and Accommodation of the City and County of *Aberdeen*, as herein-before mentioned, and also for taking, appropriating and converting into a new additional Public Jail for the said City and County, so much of the said House of Correction and of the Ground and Area belonging thereto, as can be conveniently spared as aforesaid; and such of the Cells under the said new Court House and other intended Buildings as may be sufficient for that Purpose, and for executing all and singular the Powers and Authorities hereby committed to them.

Commissioners Meetings.

II. And be it enacted, That the said Commissioners shall hold their first stated Meeting for the Execution of this Act within the Laigh Tolbooth of *Aberdeen*, on the Fourth *Monday* after the passing of this Act, or as soon thereafter as conveniently may be, of which first Meeting the Clerk to the Commissioners of Supply of the said County is hereby directed and required to give Notice, by Advertisement in any one Newspaper usually circulated through the said County, at least Ten Days before the Day of such Meeting, and their next stated Meeting at *Aberdeen*, on the Day of the *Michaelmas* Meeting of Freeholders of the said County, in the present Year One thousand eight hundred and fourteen; and that the said Commissioners shall thereafter hold Two stated Meetings at *Aberdeen* in every Year, one on the Thirtieth Day of *April*, or first lawful Day thereafter, and the other on the Day of the *Michaelmas* Meeting of Freeholders of the said County; and the Clerk of the said Commissioners for executing this Act shall have Power, and he is hereby ordered and required when directed (by Writing under the Hands of any Two or more Commissioners) to call at any Time an Extraordinary Meeting of Commissioners, to be held at *Aberdeen*, giving the like previous Notice of the Time, as herein-before directed, with regard to the first stated Meeting, and also Notice of the Purpose of the Meeting; and it shall not be in the Power of any Ordinary or Extraordinary Meeting to rescind, alter, or vary the Determination of any former Ordinary or Extraordinary Meeting, unless previous Notice of the Intention of so doing, and the Time of the Meeting be given, by Advertisement in the Newspaper as aforesaid.

Quorum of Commissioners.

III. And be it enacted, That at all Ordinary and Extraordinary Meetings of the said Commissioners, any Three of them shall be a Quorum; and at such Meetings the Commissioners shall have Power to adjourn to any future Day; and if a Quorum of Commissioners shall not be present, any one or more of the Commissioners present shall have Power to adjourn, but not do any other Business.

IV. And

IV. And be it enacted, That the said Commissioners shall at all their Meetings, by a Plurality of Voices, elect a Præses, and at their first Meeting appoint a Clerk and Treasurer, with a reasonable Salary, or other Allowance for his Trouble; and such Clerk and Treasurer shall, if required, find Security for the due Execution of his Office, and shall at all Times obey the lawful Commands and Instructions of the said Commissioners, and be removable therefrom at their Discretion.

Appointment
of Præses and
Officers.

V. And be it enacted, That the said Commissioners may, if they shall think fit, appoint a Committee or Committees of their Number, to superintend the Progress of the Buildings to be erected, or to carry into Effect any of the Purposes of this Act, to which Committee or Committees the Commissioners may delegate such of the Powers hereby granted to them as they shall think proper.

Appointment
of Commit-
tees.

VI. And be it enacted, That the said Commissioners may sue and be sued, for any Matter or Thing to be done in the Execution of this Act, in the Name of their Clerk and Treasurer for the Time being, and that no Action nor Suit, wherein the said Commissioners shall be concerned as Pursuers or Defenders, in the Name of their Clerk and Treasurer, by virtue of this Act, shall abate by the Death or Removal of any such Clerk and Treasurer, but that the Clerk and Treasurer to the said Commissioners for the Time being, shall be deemed to be the Pursuer or Defender (as the Case may be) in every such Action or Suit.

Commission-
ers to sue in
the Name of
the Clerk and
Treasurer.

VII. And be it enacted, That the said Commissioners shall have full Power and Authority to contract with and employ Artists, Tradesmen, and other Persons, for making Plans and for erecting the said Court House, Offices, and Buildings, and supplying the same with Water in all Time coming, and for converting Part of the Premises herein-before mentioned for a Public Jail, and to direct Alterations and Improvements in the said respective Works at all Times during the Execution thereof, and to do whatever may be necessary, proper, and expedient, for carrying the Purposes of this Act into complete Effect, and to purchase suitable Furniture for the said Court House, Offices, and Buildings, and also for the said Jail, when the same respectively are completed.

Commission-
ers may con-
tract.

VIII. And be it enacted, That the said Court House, Offices, and Buildings, shall be built and erected upon an Area of Ground lying immediately to the Northward of the present Court House, and consisting of a narrow Lane or Foot Path leading from the Street called *Huxter Row*, to the Street or Passage called *The Lodge Walk*, and of certain other Grounds, Tenements, or Hereditaments, with full Power and Authority to the said Commissioners to shut up and suppress the said Foot Path or Lane, and to take and apply the Area thereof for the Purposes aforesaid; and that it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to treat, contract, and agree with the Owner or Owners, Life-Renters, and Persons interested in or entitled to the said other Grounds, Tenements, and Hereditaments above-mentioned, for so much and such Parts thereof as shall be deemed necessary for the Purposes of this Act; and that from and after Payment of such Sums of Money as shall have been contracted or agreed for between the Parties, the said Grounds, Tenements, and Hereditaments shall

Situation of
Court House,
&c.

be vested in the said Commissioners for the Purposes of this Act; and it shall be lawful for the said Commissioners, their Agents, Workmen, and Servants, to enter upon the said Grounds, Tenements, and Hereditaments, and appropriate the same accordingly, and all such Owners, Life-Renters, and Persons interested, shall be and are hereby indemnified for what they shall do in pursuance of this Act.

Rooms for
Magistrates
of Aberdeen.

IX. And be it further enacted, That in lieu of and as a Consideration for the Value of such Parts of the Grounds, Tenements, and Hereditaments aforesaid as belong to the Treasurer of *Aberdeen*, it shall and may be lawful to and for the said Commissioners hereby appointed, and they are hereby authorized and required to set apart and appropriate Two Rooms or Apartments, in the lower Story of the said intended Court House, Offices, and Buildings, for the Use and Accommodation of the Magistrates and Council of the said City, and their Successors, in all Time coming, free of any Rent for the same.

Passage to be
made from
Castle Street
to the Court
House.

X. And be it further enacted, That it shall and may be lawful to and for the said Commissioners appointed by this Act, to make and continue a Passage or Entry from the Street called *The Castle Street*, through the present Jail of *Aberdeen*, into the said new Court House, Offices, and Buildings, as the common and ordinary Entry thereto, with full Power and Authority to them, if they shall see necessary, to take down and rebuild the present outer Stair, and to extend the same, not exceeding Two Feet, into the Area of *Castle Street*, beyond the present Limits of said Stair, and the said new Court House, Offices, and Buildings, when finished, with the Furniture thereof, and the Stair and Passages leading to the same, together with all Materials for the Purpose of being made use of for the same, which are not the Property of the Agent or Contractor, shall be vested in the said Commissioners hereby appointed, and they, or their Clerk and Treasurer, are hereby authorized and empowered to bring, or cause to be brought, any Action or Suit, 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 Use and Possession thereof, with full Power and Authority to the said Commissioners hereby appointed, or their Quorum, to lay out, divide, and appropriate the Area and Seats of the said new Court House, in such Manner as may appear to them best calculated to accommodate the different Descriptions of Persons having Occasion to frequent the same, and to alter such Appropriation from Time to Time, as they may see necessary and expedient.

Vesting Court
House, &c. in
Magistrates.

XI. And be it further enacted, That after the said new Court House, Offices, and other Accommodations are completed, the present Court House and Area thereof shall remain vested in the Magistrates and City Council of *Aberdeen*, and shall be used and appropriated by them in any Manner which they may think proper; but provided nevertheless, that at all Meetings of the Circuit Court of Justiciary, and for the Elections of Members to serve in Parliament for the said County, the same shall and may be used as a landing Place or Vestibule, communicating with and having a Door or Doors opening into the said new Court House; and the said Magistrates and Council shall, at all such Meetings, be obliged, and they are hereby required to clear out the said Area of the present Court House,

House, and to leave the same open for the free Ingress and Egress of all and every Person or Persons frequenting the said new Court House and Offices adjoining thereto; but declaring that on all other Occasions the common and usual Entry to the said new Court House shall be by the Avenue to be made out through the present Jail as aforesaid.

XII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required to take, appropriate, and convert as and for a new public, subsidiary, or additional Jail for the said City and County, so much and such Part or Parts of the said House of Correction, and of the Ground and Area belonging thereto, as may be deemed sufficient by them for that Purpose, and as can be conveniently spared from the said House of Correction and Area thereof; and also such of the Cells under the said new Court House and other intended Buildings, as may be deemed proper by the said Commissioners for the Reception and Confinement of Persons liable to be committed to Jail.

Part of House of Correction appropriated for a Public Jail.

XIII. Provided always, and it is hereby further enacted and declared, That the Funds belonging to the said House of Correction, and under the Management of the said Commissioners appointed by the said Act of the Forty-second Year of His present Majesty, shall not be in any Manner subject to or chargeable with any Expence whatever by reason of such Appropriation as aforesaid, but that all Expences whatsoever, in any Manner caused or occasioned thereby, shall be paid, borne, and defrayed from and out of the Funds herein-after provided, to be raised for executing the several Works hereby authorized and directed.

Funds under Act 42 G. 3. not subject to any Charge.

XIV. Provided always, and it is hereby further enacted and declared, That from and after such Appropriation and Conversion shall have been made, the Part or Parts of the said House of Correction, which shall be so appropriated and converted into a public additional Jail shall thenceforth be and be kept entirely and completely distinct and separate in all respects from the remaining Part or Parts of the said House of Correction, so as effectually to cut off and prevent all Communication, both internally and externally, between the said Public Jail and the said House of Correction, in as far as the same can be conveniently and expediently done.

No Communication between House of Correction and Jail.

XV. Provided also, and it is hereby further enacted and declared, That after such Appropriation and Conversion as aforesaid, all the remaining Part and Parts of the said House of Correction which shall not be so appropriated and converted into a public additional Jail, shall continue, remain, and be vested in the said Commissioners, appointed by and elected in pursuance of the said Act of the Forty-second Year of His present Majesty's Reign, in all Respects and to all Intents and Purposes whatsoever, as if this Act had not been made.

Remainder of House of Correction not appropriated, to remain vested in Commissioners under Act 42 G. 3.

XVI. And be it further enacted, That when such Appropriation and Conversion as aforesaid shall be made and completed, and the said additional Jail shall be fit for the Reception of Prisoners, so much and such Part or Parts of the said House of Correction and of the Ground and Area belonging thereto, and such of the aforesaid Cells as shall have been taken,

Criminals, &c. may be sent to additional Jail.

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appropriated

appropriated and converted for an additional Jail in Manner aforesaid, shall, together with the present Jail of the City of *Aberdeen*, be taken, considered and made use of in all Time coming, as the common Jail of the said City and County for Criminals and Debtors of every Description, and Vagrants, and for Persons in Custody for Examination from the said City and County, and for Prisoners brought to Trial, and tried and sentenced at the Circuit Courts of Justice or other competent Court held or to be held at *Aberdeen*, or within the said County, and for all such other Purposes whatsoever as the present Jail is or can by Law be used; and it shall be in the Power of the said Magistrates of *Aberdeen*, as the legal Keepers of the said Jail, to commit Prisoners of all Descriptions to such Parts thereof as they may think proper, and to move the said Prisoners from one Part of the said Jail to another from Time to Time, as they may judge most expedient for the safe and proper Custody of such Prisoners, and as Circumstances may render it necessary and expedient; and the Magistrates and Council of the said City, and the Jailer or Keeper, or Jailers or Keepers of the said Jail, shall respectively be liable and answerable to all Intents and Purposes whatsoever, for the safe Custody of all such Persons as may from Time to Time be committed to their or his Custody and confined in the said Jail, in the like Manner as the Magistrates and Council of the said City and Keeper or Jailer now are and is liable by Law, for the safe Custody of all Persons committed to or confined in the present Jail of the said City; and the Magistrates and Council of the said City shall have the like Power over the said new Jail as they have or might have over the present Jail by any Law now in force, and shall be bound to defray the Expences necessary for keeping in Repair and maintaining the said additional Jail and remaining Parts of the present Jail in all Time coming, and for keeping up the necessary Establishment and other Charges thereof, in the same Manner and to the same Extent as they are bound with regard to the present Jail, and as all Magistrates of Royal Burghs in *Scotland* are bound with regard to the Jails within their Burghs.

Expences of
the Act, and
of executing
the same.

XVII. And be it further enacted, That in order to defray the whole Expences attending the passing and Execution of this Act, it shall be lawful to the said Commissioners hereby appointed, and they are hereby authorized and required, at their first or any subsequent General Meeting, to cause to be levied and assessed such a Sum as they shall think necessary for the Purpose aforesaid, not exceeding Five thousand Pounds Sterling; and the said Sum so to be levied and assessed shall be payable by Two equal Rates or Instalments, the one thereof to be raised and paid upon the Twentieth Day of *December* immediately after the passing of this Act, and the other thereof upon the Twentieth Day of *June* One thousand eight hundred and fifteen; and both the said Rates or Instalments, not exceeding the said Sum of Five thousand Pounds Sterling, shall be levied, assessed and paid in the Manner following; (that is to say), One Half thereof, being Two thousand five hundred Pounds, by an Assessment upon the Heritors of Lands and Fishings within the County of *Aberdeen*, valued in the Cess Books of the said County; and also upon all Heritors of Lands and Fishings within the Parish of *Saint Fergus*, the Lands of *Gavil*, and the Barony of *Fetter Angus*, in the Parish of *Old Deer*, the Barony of *Gartly* in the Parish of *Gartly*, and the Lands of *Straloch*, in the Parish of *New Machar*; which are all locally situated in the said County.

of

of *Aberdeen*, though rated in the Cess Books of the County of *Banff*; which Lands shall nevertheless, for the Purposes of this Act, be understood to be Parts of the said County of *Aberdeen*; and also upon the Heritors of the Lands of *Ferryhill*, in the Parish of *Old Machar*, and *Pitmedden*, in the Parish of *Dyce*; which are likewise locally situated in the said County of *Aberdeen*, although the same may not be particularly valued in the Cess Books of the said County of *Aberdeen*; and the other Half thereof, being Two thousand five hundred Pounds, by an Assessment to be imposed by the said Magistrates and City Council, upon all Heritors or Proprietors of Houses, Lands, Fishings, Tenements and other Hereditaments situated within the City of *Aberdeen*, Royalty, and Freedom thereof, which are by Law liable and in use to pay the Land Tax for the said City, Royalty, and Freedom, and that in the same Proportions by which the Land Tax is assessed upon such Heritors in the Tax Roll of the said City.

XVIII. And be it further enacted, That in the Event of the said Commissioners finding it necessary, in order to enable them to carry into complete Execution the different Buildings and other Accommodations herein authorized to be erected and made out, they shall be and are hereby empowered to cause to be levied and assessed such further Sum as may be necessary for that Purpose, not exceeding One thousand Pounds Sterling; which Sum shall be levied by an Assessment upon the Proprietors of the Lands, Fishings, and others, within the said County and those Parts of the County of *Banff* comprehended in this Act, and upon the Proprietors of all Houses, Lands, Fishings, and others, within the said City of *Aberdeen*, Royalty, and Freedom thereof, in the same Proportion and in the like Manner as is hereinbefore enacted, and shall be paid at such Time or Times as the said Commissioners shall appoint: Provided always, that such additional Assessment of One thousand Pounds Sterling, or of such lesser Sum as may be necessary for the Purposes aforesaid, shall not be imposed by the said Commissioners until the same is sanctioned and approved of at a General Meeting of the Commissioners of Supply of the County, and also by the Magistrates of the said City of *Aberdeen*, to be held at *Aberdeen*, upon Twenty Days previous Notice, to be given by the Clerk to the said Commissioners, in any Newspapers circulated through the said County.

Power to raise an additional Sum.

XIX. And be it further enacted, That the aforesaid Assessments appointed to be raised, in Manner as hereinbefore directed, from the said City of *Aberdeen*, Royalty and Freedom thereof, shall be levied and collected by the Collector of the Land Tax for the said City of *Aberdeen*; and the Assessment from the said County of *Aberdeen*, by the Collector of the Land Tax of the said County of *Aberdeen*, by the like Process and with the same Power and Penalties as the said Collectors are or were by Law entitled to collect and levy the Town and County Land Tax; and which Monies so to be levied, the aforesaid Collectors are hereby directed and required to pay into such of the Bank or Banks in *Aberdeen* as may be ordered by the said Commissioners; and the said Collectors are to have an Allowance at the Rate of Three-pence Sterling per Pound of the Sums collected by them respectively, in full of every Claim, for Trouble and Expences incurred by them in collecting the same.

Assessment to be levied by the Collectors of the Land Tax.

XX. And be it further enacted, That the whole Proprietors of Lands and Fishings within the said County of *Aberdeen*, and those Parts of the

Interest to be payable for Arrears of County Assessments.

County of *Banff* comprehended in this Act, as well as the Proprietors of Houses, Lands, Fishings, and others within the said City of *Aberdeen*, Royalty and Freedom thereof, shall be liable in and chargeable with the legal Interest of all Arrears of the Assessments hereby imposed, from and after Ten Days from the Period at which the same are payable; and the said Collectors shall, in like Manner, be liable in and chargeable with the legal Interest of all Monies above Twenty Pounds Sterling, which may come into their Hands under Authority of this Act.

Expence of
Repairs and
Furniture.

XXI. And be it further enacted, That all Sum or Sums of Money which may from Time to Time be deemed necessary by the said Commissioners hereby appointed for the Repairs of the said New Court House, and other Buildings connected therewith, and for supplying the same with suitable Furniture, after the whole are completed, shall be defrayed equally by the Landholders of the said County of *Aberdeen* out of the Rogue Money, and by the said Magistrates of the City of *Aberdeen*, who shall be entitled; and they are hereby authorized and required from Time to Time to levy their Proportion of the Expence of such Repairs, by an Assessment upon the Heritors, and others liable in Payment of the Land Tax for the said City, Royalty, and Freedom: Provided always, that the Account of such Repairs, if the same shall exceed the Sum of Ten Pounds Sterling, shall, before any Assessment is made therefor, be sanctioned and approved of by the Freeholders of the said County at their Annual *Michaelmas* Meetings, but declaring, that if the Amount of the said Repairs shall not in any one Year exceed the said Sum of Ten Pounds Sterling, the same shall be paid equally by the Collectors of the said City and County, by an Order and Certificate under the Hands of the said Commissioners under this Act, without the Necessity of obtaining any Sanction from any such *Michaelmas* Meeting.

Application
of Compensation
where
amounting to
200l.

XXII. And be it enacted, That if any Money shall be agreed to be paid for any Grounds, Tenements, or Hereditaments 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 Incorporation, 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, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, 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 Grounds, Tenements, or Hereditaments, 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 Court shall authorize to be paid, affecting the same Grounds, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Heritages standing settled therewith to the same or the 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 and the like Uses,

Trusts, Intents, and Purposes, and in the same Manner as the Grounds, Tenements, and Hereditaments which shall be purchased as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined and capable of taking Effect; and in the mean Time 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 Grounds, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

XXIII. Provided always, and be it enacted, That if any Money so agreed to be paid for any Grounds, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the 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, under the like Direction and Authority, be paid into either of the said Banks, and be placed to his 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 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 any Manner herein-before directed so far as the Case may be applicable.

Application of Purchase Money under 200l. and above 20l.

XXIV. Provided also, and be it enacted, That where such Money so agreed 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 Grounds, Tenements, or Hereditaments so purchased, 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 Purchase Money if under 20l.

XXV. Provided always, 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 Bank of *Scotland*, or Royal Bank of *Scotland*, under the Direction and by the Authority of the said Court of Session, in pursuance of this Act, for the Purchase of any Grounds, Tenements, or Hereditaments, or any Estate, Rights, or Interest in any Grounds, Tenements, or Hereditaments to be purchased in pursuance of this Act, 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 Grounds, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Grounds,

Provision in case of questionable Titles.

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Tenements,

Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; 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 Houses, Tenements, or Hereditaments, or to some Estate or Interest therein.

Account of
Expences to
be made up.

XXVI. And be it further enacted, That when the whole of the said Works authorized and directed by this Act shall be finished, an accurate Account of the whole Expence laid out shall be made up and attested by any Two or more of the Commissioners, or their Committee; which Account, with the Books, Papers, Receipts, and other Writings and Vouchers, Plans, Drawings, and Designs, relative to the Execution of the Works, shall be deposited either with the Town Clerk of *Aberdeen*, on his Receipt, or with the Clerk and Treasurer to the said Commissioners, as they may judge proper, for the Information of all concerned.

Limitation of
Actions.

XXVII. And be it further enacted, That all Actions, Suits, and Prosecutions, to be commenced against any Person or Persons, for any Thing done in pursuance of this Act, or for any Offence committed against the same, shall be brought within Six Calendar Months after the Fact is committed, and not afterwards.

Expences of
passing the
Act.

XXVIII. And be it further enacted, That the Expence of obtaining and passing this Act, as the same shall be fixed and ascertained by the Commissioners at their first or any subsequent General Meeting, shall be paid out of the first of the Money to be raised and levied as aforesaid.

Public Act.

XXIX. 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.

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