



ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

Cap. xxxii.

An Act to raise a further Sum of Money for the Court House and Offices at *Hamilton*, and to alter the Mode of assessing and levying certain Rates and Assessments in the County of *Lanark*.
[30th June 1848.]

WHEREAS an Act was passed in the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of Lanark, and the Upper Ward of the County of Lanark; and also for erecting and maintaining a Gaol, Court Houses, and Public Offices for the Burgh of Hamilton and Middle Ward of the said County*, by which Act the Commissioners appointed in virtue thereof are authorized to build and erect, or cause to be erected, provided, established, and maintained, suitable Buildings in each of the said Burghs of *Lanark* and *Hamilton*, for the Purposes of a Gaol, Gaol Yard or Court Yard, a Court House for the Accommodation of the Sheriff, Justice of the Peace, and Burgh and other Courts, Offices for the Sheriff and Town Clerks; and the Custody of the County and Burgh Records under their Charge, with a Council Chamber or Hall for County Meetings, and for Meetings of the Magistrates and Council of the said Burghs of *Lanark* and *Hamilton*, and such other Buildings as
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3 & 4 W. 4.
c. 108.

might be found requisite by the said Commissioners; and it is thereby provided that the whole Sum of Money to be disbursed in the Execution of the Purposes of the said Act should not exceed the Sum of Five thousand Pounds for the Upper Ward of the said County and the said Burgh of *Lanark*, nor the Sum of Five thousand Pounds for the Middle Ward of the said County and the Burgh of *Hamilton*: And whereas the said Commissioners have erected a Gaol, Gaol Yard or Court Yard, Court Houses, Public Offices, and other Buildings in each of the said Burghs of *Lanark* and *Hamilton*, as authorized by the said recited Act: And whereas the Sum of Money authorized by the said Act to be raised for erecting the said Buildings in the Burgh of *Hamilton* has been found to be insufficient, and certain Debts have been incurred and Engagements entered into by the said Commissioners in relation thereto, which still remain unprovided for, and it is expedient to raise a further Sum of Money for the Purpose of paying off such Debts, and meeting such Engagements: And whereas the Sums of Money annually apportioned on the said County of *Lanark*, and raised therein for the Purposes of an Act passed in the Second and Third Year of the Reign of Her present Majesty, intituled *An Act to improve Prisons and Prison Discipline in Scotland*, and of another Act passed in the Seventh and Eighth Year of the Reign of Her present Majesty, intituled *An Act to amend and continue until the First Day of September One thousand eight hundred and sixty-one, and to the End of the then next Session of Parliament, the Law with respect to Prisons and Prison Discipline in Scotland*, and also the Fund commonly called the "Rogue Money," have for some Years been assessed according to the real annual Value of the Lands and other Property in the said County, as authorized by the said Acts, and by another Act passed in the Second and Third Year of the Reign of Her present Majesty, intituled *An Act to amend the Mode of assessing the Rogue Money in Scotland, and to extend the Purposes of such Assessment*: And whereas the Sum raised in the said County under the Authority of the Commissioners of Supply, in Name of "Bridge Money," and for the Purpose of enabling them to defray the Expense of assessing the Land Tax, the Salaries and other Expenses payable by them in virtue of the Laws and Acts of Parliament for establishing Uniformity of Weights and Measures, and the Laws and Acts of Parliament relating to the Militia, and Allowances to the Clerk, Collectors, and other Officers employed by them, and for making Compensation for Damage done by Mobs or riotous Assemblies, and for certain other local Purposes, is at present levied by an Assessment on Lands and Heritages contained in the Valuation Roll of the said County, wholly or in part, according to the valued Rent of such Property, and the Collection of the said Sum is in consequence attended with Inconvenience and Expense disproportioned to its small Amount; and it is therefore expedient that the same should, instead of being so assessed according to the valued Rent, be assessed on the real annual Value of Lands and Property in the said County, but as these Purposes cannot be effected without the Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most excellent Majesty, by and with the Advice

2 & 3 Vict.
c. 42.
7 & 8 Vict.
c. 34.

2 & 3 Vict.
c. 65.

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and immediately after the passing of this Act, all the Powers and Provisions of the said first-recited Act, so far as the same are or may be applicable, and are now in force, and not hereby repealed or altered, shall extend to this Act, and to the several Objects and Purposes thereof, as fully and effectually as if the said Powers and Provisions were re-enacted in this Act.

Recited Act
3 & 4 W. 4.
c. 108. ex-
tended to
this Act.

II. And be it enacted, That there shall be raised and levied in the Burgh of *Hamilton* and the Middle Ward of the said County of *Lanark*, for the Purposes of the said first-recited Act and this Act, and in addition to the Sum already raised by Assessment or otherwise contributed by the said Burgh and County, a further Sum of Money not exceeding in the whole the Sum of Two thousand five hundred Pounds, to be applied in Payment of the Debts incurred in erecting the said Court House, Public Offices, and other Buildings in the Burgh of *Hamilton*, and in relieving the said Commissioners of the Engagements come under by them in relation thereto.

A Sum not
exceeding
2,500*l.* to be
raised, and
applied in
Payment of
Debt on
Hamilton
Court House.

III. And be it enacted, That a Sum equal to Seven Eighth Parts of the said Sum hereby authorized to be raised shall be assessed under the Authority of the Commissioners of Supply of the said County in manner herein-after mentioned, rateably on the whole Lands, Teinds, Fishings, Mines, Minerals, Lime Works, Brick Works, Iron Works, Factories, and Manufacturing Establishments, Coal Works, Quarries, Canals, Railways, Houses, Buildings, and Pertinents, situated in the Middle Ward of the said County, exclusive of the Burgh of *Hamilton*, according to the real annual Value thereof, and levied and paid along with the Sums assessed thereon for the Prisons and Rogue Money in the said Ward; and the said Commissioners of Supply, and their Convener and Clerk, shall pay over the Proceeds of such Assessment, after deducting the Expense of Collection and all irrecoverable Arrears, to the Commissioners appointed in virtue of the said first-recited Act, or their Treasurer, to be by them applied as herein-before provided.

Assessment
on the Mid-
dle Ward of
the County
of Lanark.

IV. And be it enacted, That the Magistrates and Town Council of the said Burgh of *Hamilton* shall contribute and pay a Sum equal to the other One Eighth Part of the said Sum hereby authorized to be raised, and it shall be lawful for the said Magistrates and Town Council and they are hereby authorized to pay the whole or any Part of the Contribution by the said Burgh from the Property or Funds of the Community of the said Burgh, or to raise and levy the same or any Part thereof, as they shall see fit, by an Assignment under their Authority on the annual Value of all Lands, Houses, Shops, Warehouses, Counting Houses, Manufacturing Premises, Buildings, and other Heritages within the said Burgh, and the said Magistrates and Town Council shall pay over the Sum to be so contributed by them to the Commissioners appointed in virtue of the said first-recited Act, to be by them applied, along with the Contribution from the County, in manner before provided.

Contribution
by the Burgh
of Hamilton.

V. And

Assessments
on the
County to
be levied on
the real Rent
along with
Prisons and
Rogue
Money.

V. And be it enacted, That instead of the Assessment now imposed as aforesaid on the Lands and Heritages contained in the Valuation Roll of the said County, wholly or in part according to the valued Rent thereof, under the Authority of the said Commissioners of Supply, in Name of "Bridge Money," or for the Purpose of enabling them to defray the Expense of assessing the Land Tax, the Salaries, and other Expenses payable by them in virtue of the Laws and Acts of Parliament for establishing Uniformity of Weights and Measures, and the Laws and Acts of Parliament relating to the Militia, and Allowances to the Clerk, Collectors, and other Officers employed by them; and instead of any Assessment which may be required for making Compensation for Injury and Damage done by Mobs or riotous Assemblies, and of any other Assessment, County Rate, or local Tax levied under the Authority of the said Commissioners of Supply, wholly or in part according to the valued Rent, it shall be lawful to the said Commissioners of Supply to make and levy an additional annual Assessment according to the real annual Value of the whole Lands, Teinds, Fishings, Mills, Mines, Minerals, Lime Works, Brick Works, Iron Works, Factories and Manufacturing Establishments, Coal Works, Quarries, Canals, Railways, Houses, Buildings, and Pertinents situated in the said County, and such additional Assessment shall be applied, under the Direction of the said Commissioners of Supply, to and for the several Purposes to which the Assessment according to the valued Rent has heretofore been applied: Provided always, that nothing herein contained shall authorize the said Commissioners of Supply to impose the said additional Assessment on any Lands, Houses, or other Heritages included within the Limits of the City of *Glasgow*, or of the Royal Burghs of *Lanark* and *Rutherglen*, situated in the said County, as such Limits are defined and fixed by an Act passed in the Second and Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in Scotland*.

2 & 3 W. 4.
c. 65.

Summary
Mode of
recovering
Assessments.

VI. And be it enacted, That the Assessments hereby authorized to be made for the Purposes of the said first-recited Act, and the said additional Assessment, instead of the Assessment according to the valued Rent, may be levied from the Proprietor and Tenant in the Manner directed by the said recited Acts of the Second and Third Year of the Reign of Her present Majesty; and the whole Powers and Right of issuing summary Warrants for the Recovery of the Land and Assessed Taxes, or either of them, and other public Taxes in *Scotland*, shall be applicable to the Assessments hereby authorized to be made, and all Sheriffs, Magistrates, Justices of the Peace, and other Judges shall grant Warrants for the Recovery thereof, in the like Form and under the same Penalties as are provided in regard to such Land and Assessed Taxes, and other public Taxes.

Assessment
to be pre-
ferred in
Cases of
Bankruptcy
or Insolvency.

VII. And be it enacted, That the said additional Assessment to be made in virtue of this Act, instead of the Assessment according to the valued Rent, shall along with the Prisons and Rogue Money Assessments, in the Case of Bankruptcy or Insolvency of Parties
liable

liable therefor, be paid out of the first Proceeds of the Estates of such Parties respectively, and shall be preferable to all other Debts of a private Nature.

VIII. And be it enacted, That any Dispute that may arise in assessing or collecting the Assessments authorized by this Act to be made between the said Commissioners of Supply or any Person acting under them on the one Part, and any Person alleging himself to be aggrieved on the other Part, shall be determined by the Sheriff of the said County in the Manner directed by the said recited Acts of the Second and Third Year of the Reign of Her present Majesty.

Disputes as to Assessments to be settled summarily by the Sheriff.

IX. And be it enacted, That it shall be lawful for the said Commissioners of Supply to exempt from the Assessments hereby authorized to be levied by them all and every Property the real annual Value of which shall not exceed Two Pounds Sterling, provided the Proprietor of such Property shall not be possessed of Property exceeding the real annual Value of Two Pounds in the whole within the said County.

Property under 2l. of annual Value may be exempted.

X. Provided always, and be it enacted, That nothing herein contained shall be construed to alter or affect the Rule or Mode of assessing and collecting the Land Tax in the said County.

Land Tax not to be affected.

XI. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction ; (that is to say,)

Interpretation of Act.

Words importing the Singular shall include the Plural Number, and Words importing the Plural shall include the Singular Number :

Words importing the Masculine Gender only shall include Females :

The Words " Person " or " Persons " shall include Corporations, whether aggregate or sole :

The Words " Sheriff " or " Sheriffs " shall include Sheriffs Substitute.

XII. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments and Proceedings, and in other Documents, it shall be sufficient to use the Expression " The *Lanark* and *Hamilton* Court House and County Rates, 1848."

Short Title.

XIII. And be it enacted, That all the Costs, Charges, and Expenses of and attending the passing of this Act, or incidental thereto, shall be paid by the said Commissioners of Supply out of the first Monies which shall come to their Hands from the said additional Assessment

Expenses of Act.

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hereby authorized to be made, and such Costs, Charges, and Expenses shall be paid out of such Monies respectively in preference to any other Payment whatsoever.

Public Act.

XIV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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