



ANNO DUODECIMO & DECIMO TERTIO

# VICTORIÆ REGINÆ.

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## Cap. lxxxix.

An Act to amend and extend and partly repeal the Provisions of an Act of Parliament for erecting the Town of *Airdrie* into a Burgh ; to provide for the Municipal and Police Government of said Burgh, and for the better paving, watching, lighting, and cleansing, and for regulating the Police, and managing the Statute Labour of the said Burgh ; for consolidating the Provisions of other Acts ; and for other Purposes relating thereto. [1st *August* 1849.]

**W**HEREAS an Act was passed in the First and Second Years of the Reign of His Majesty King *George* the Fourth, intituled *An Act for erecting the Town of Airdrie in the County of Lanark into a Burgh of Barony, paving, lighting, and improving the same, and establishing a Police therein* : And whereas an Act was passed in the Second and Third Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in Scotland*, whereby the Burgh of *Airdrie* was created one of the Parliamentary Burghs of *Scotland*,

1 & 2 G. 4. c. 60.

2 & 3 W. 4. c. 65.

[*Local.*]

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and

- and the Limits of the Burgh were extended, and the Boundaries thereof more distinctly defined: And whereas an Act was passed in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to provide for the Appointment and Election of Magistrates and Councillors for the several Burghs and Towns of Scotland which now return or contribute to return Members to Parliament, and are not Royal Burghs*, whereby the Provisions made by the Act passed in the First and Second Years of the Reign of His Majesty King *George* the Fourth, Chapter Sixty, for the Election of a Provost, Magistrates, Councillors, Town Clérk, and other Officers for the said Burgh of *Airdrie*, were so far repealed and amended: And whereas an Act was passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*: And whereas an Act was passed in the Forty-seventh Year of the Reign of His Majesty King *George* the Third, intituled *An Act for amending an Act of the Twelfth Year of His present Majesty, for repairing and widening several Roads through the County of Lanark, and for building a Bridge over the River Clyde at or near a Place called the Howford in the said County, and for making more effectual and converting the Statute Labour within the said County, and for repairing and regulating the Roads within the same*, by which Act Provision is made for levying and applying the Statute Labour Conversion Money within the Parish of *New Monkland* and County of *Lanark* in which the Burgh of *Airdrie* is situated: And whereas an Act was passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for making and maintaining certain Roads and Bridges in the County of Lanark and Dumbarton*: And whereas an Act was passed in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for amending the Laws concerning Highways, Bridges, and Ferries in Scotland, and the making and maintaining thereof by Statute Service, and by the Conversion of Statute Service into Money*: And whereas an Act was passed in the First and Second Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act for amending and making more effectual the Laws concerning Turnpike Roads in Scotland*: And whereas an Act was passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to regulate the granting of Certificates by Justices of the Peace and Magistrates authorizing Persons to keep common Inns, Alehouses, and Victualling Houses in Scotland, in which Ale, Beer, Spirits, Wine, and other exciseable Liquors may be sold by retail, under Excise Licences, and for the better Regulation of such Houses, and for the Prevention of such Houses being kept without such Certificate*: And whereas an Act was passed in the Eleventh and Twelfth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to renew and amend an Act of the Tenth Year of Her present Majesty, for the more speedy Removal of certain Nuisances, and the Prevention of contagious and epidemic Diseases*: And whereas an Act was passed in the Eighth Year of the Reign of Her Majesty Queen *Victoria*, intituled *An Act for consolidating in One Act certain Provisions usually inserted in Acts authorizing the taking of Lands*
- 3 & 4 W. 4.  
c. 77.
- 3 & 4 W. 4.  
c. 46.
- 47 G. 3.  
sess. 2. c. 45.
- 1 G. 4. c. 84.
- 8 & 9 Vict.  
c. 41.
- 1 & 2 W. 4.  
c. 43.
- 9 G. 4. c. 58.
- 11 & 12 Vict.  
c. 123.
- 8 & 9 Vict.  
c. 18.

*Lands for Undertakings of a public Nature* : And whereas the Burgh of *Airdrie* has, since the passing of the said Act, First and Second *George* the Fourth, Chapter Sixty, greatly increased in Population, and is now the Centre of an extensive Mining District containing a Population principally composed of the labouring Classes, and the utmost Vigilance and Exertion are required on the Part of the Magistrates and Police to maintain good Order and preserve the Peace therein ; that many of the Provisions of said Act have been repealed by other Acts of Parliament, and that said Act has been found from Experience to be otherwise inefficient and wanting in sufficient Powers to enable the Magistrates and Officials acting for the said Burgh so to maintain good Order and preserve the Peace : And whereas it is expedient to extend the Boundaries of the said Burgh for Police and other Purposes to the Limits of the Act Second and Third *William* the Fourth, Chapter Sixty-five, above recited, and to confer upon the Provost, Magistrates, and Council of said Burgh all Powers, Privileges, and Jurisdiction of Police, paving, lighting, and watching over the Limits described in said Act, and to confer on the said Provost, Magistrates, and Council additional Powers in criminal Matters, and in the Trial and Punishment of Criminals, and to vest in them directly the Power of assessing, levying, collecting, and applying the Statute Labour Conversion Money within the Limits of said Boundaries, also Power to manage and regulate the Markets within the same, to provide additional Market Accommodation, as also to have the Power of authorizing Persons to keep common Inns, Alehouses, and Victualling Houses in the said Burgh, and to forfeit the same, and also Power to make and repair such Part of the public Turnpike Roads as are within the said Burgh, and to enable them to hold Property, and to acquire new and additional Property, and levy Rates, to appoint a Procurator Fiscal, Superintendent of Police, and other Officers, and generally to have full and sufficient Powers for all necessary municipal, police, and sanitary Purposes, and for these Purposes to alter or repeal, in whole or in part, the said recited Acts or some of them, and make further Provision for regulating the Police and other Matters within the Burgh of *Airdrie* ; but these Objects 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, and 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 from and after the passing of this Act the said recited Act of the First and Second Years of the Reign of His Majesty King *George* the Fourth, Chapter Sixty, shall be and the same is hereby repealed, in so far as rendered inoperative by the passing of any One or more of the Acts above recited, or by other Alteration or Interpretation of the Laws, and otherwise, so far as the same may deviate from or be inconsistent with the Provisions of this Act.

After passing of this Act certain Provisions of 1 & 2 G. 4. c. 60. repealed.

II. Provided always, and be it enacted, That, in so far as not repealed by this Act, or any of the Acts above recited, the Powers and Provisions of the said Act, First and Second *George* the Fourth, Chapter Sixty, shall continue to subsist and extend over the Limits of the

Powers and Provisions of 1 & 2 G. 4. c. 60, in so far as not

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repealed,  
continued  
and ex-  
tended.

the Burgh of *Airdrie* as defined by the Act, Third and Fourth *William* the Fourth, Chapter Sixty-five, and this Act; and it shall be competent to bring Complaint, and sue for and recover Fines and Penalties and punish Misdemeanors which may be incurred under the said Act of the First and Second Years of the Reign of His Majesty King *George* the Fourth, Chapter Sixty, in Terms of the Powers and Provisions contained in this Act.

Provisions of  
8 & 9 Vict.  
c. 18. incor-  
porated with  
this Act.

III. And be it enacted, That the "Lands Clauses Consolidation (*Scotland*) Act, 1845," so far as applicable to this Act, and not inconsistent therewith, shall be incorporated with and form Part of this Act: Provided always, that no Land shall under this Act be taken by Compulsion.

Short Title.

IV. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments or Proceedings, or otherwise, it shall be sufficient to use the Expression "The *Airdrie* Police and Municipal Act, 1849."

Limits of the  
Burgh.

V. And be it enacted, That the Boundaries of the said Burgh of *Airdrie*, for the Purposes herein-after mentioned, shall be the same as those defined and contained in the Act, Second and Third *William* the Fourth, Chapter Sixty-fifth, above recited.

Property of  
former Town  
Council  
vested in  
Town Coun-  
cil under  
this Act.

VI. And be it enacted, That the whole Property, Heritable and Moveable, of whatever Description, which has been acquired by and is now vested in the Town Council of the Burgh under the Authority of the said first-recited Act of the First and Second Years of the Reign of His Majesty King *George* the Fourth, or of the recent Prisons Act, or by any other Title or in any other Way, shall be and the same is hereby vested in the Town Council under this Act, in whose Favour this Act shall be held to operate as a complete and effectual Conveyance of the same, without any other Title, Writ, or Authority; and the whole Rates assessed and Monies levied in virtue of the said Acts, and all Arrears of the same, shall be and the same are hereby vested in and made payable to the Magistrates and Council under this Act, in like Manner as if the same had been assessed or levied under the Authority of this Act: Provided always, and be it enacted, that all Debts contracted and all Contracts entered into by, and all Acts and Obligations binding upon or exigible from, the Town Council, under the Authority of the said recited Acts, shall remain valid, and be chargeable upon the Property and Funds hereby transferred, and the Rates and Assessments herein-after authorized to be levied.

Legacies and  
Bequests  
vested in  
Town  
Council.

VII. And be it enacted, That all Legacies, Bequests, or Conveyances of any Heritable or Moveable, Real or Personal Means and Estate, by any Person or Persons, to the Provost, Magistrates, and Town Council of *Airdrie nominatim* who are in Office at the Time of the making of such Bequests or the granting of such Conveyances, as Trustees or Fiduciaries for charitable or other Purposes, shall from Time to Time vest in the Provost, Magistrates, and Council without the Necessity of any Transfer of the Matters conveyed or Powers of the Trust from the original Trustees to their Successors in Office, but all

all and every Legacy, Bequest, and Conveyance for charitable, educational, or other Purposes so conceived in favour of any named Provost, Magistrate, and Town Council in their official Capacity shall transmit, with all the Powers and Duties of Administration, to their or his Successors in Office, *eo ipso*, and without any Transfer or Assignment as aforesaid.

VIII. And be it enacted, That the Magistrates shall have and possess Police Jurisdiction in and over the whole Limits of the Burgh of *Airdrie* as fixed by this Act, with Power to take cognizance of all Crimes, Offences, Misdemeanors, and Breaches of the Police Provisions contained in the before-recited Act of the First and Second Year of the Reign of His Majesty King *George* the Fourth, Chapter Sixty, or herein contained, or of the Regulations or Bye Laws to be enacted by them in virtue of the Powers hereby conferred, which may be committed within any Part of the said Limits, and to execute, sit, and judge in the whole Police Matters, Laws, and Regulations contained herein, or in any of the above-recited Acts, or Bye Laws to be made in virtue thereof or hereof: Provided always, that nothing herein contained shall exclude the Rights and Jurisdiction of the Sheriff of the County of *Lanark* as they now exist.

Magistrates to have Police Jurisdiction over whole Limits of this Act.

IX. And be it enacted, That the Rights and Title Deeds of all Heritable Property to be acquired or to accrue under this Act shall be conceived and taken in favour of "The Magistrates and Council of the Burgh of *Airdrie*," and such Rights and Title Deeds shall be sufficient for vesting the Subjects so acquired in the said Magistrates and Council; and all Contracts, Agreements, Sales, and Conveyances, or other Deeds or Writings constituting such Rights, may be made by Deed duly stamped, according to the Form in the Schedule (A.) to this Act annexed; and such Deeds being registered in the General Register of Sasines, Reversions, and other Writs for the District in which such Subjects may be situated, and which the respective Keepers of the said Registers are hereby authorized and required to register, upon Payment of the accustomed Fees, they shall receive Effect, and be valid and sufficient to all Intents and Purposes, any Statute, Law, or Practice to the contrary notwithstanding: Provided always, that such Deeds or other Writings shall specify the Character in which the Magistrates and Council have acquired and shall hold such Subjects, whether as Administrators of the ordinary Burgh Revenues and Property, or as Administrators of the Police Property, or as Administrators of the several Trust Properties by this Act vested in them, or under any other Tenure or Character; and all Charters, Dispositions, and Conveyances, or other Writs, excepting Bonds or Assignments, shall be subscribed by the Provost and Magistrates of the said Burgh for the Time being, or a Majority of their Number as a Quorum.

Title Deeds of Property to be in Name of Magistrates and Council.

X. And be it enacted, That it shall be lawful for the Town Council from Time to Time to borrow at Interest on the Credit of the Rates or Assessments by this Act granted, and other Property vested in them, any Sums of Money which shall not exceed the Sum of Two thousand Pounds, and in the event of any Part of such Sum of

Power to borrow Money on Credit of Rates, &c.

[Local.]

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Money

Money being repaid to reborrow the same, and do so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Two thousand Pounds at any one Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Town Council may grant Bonds for the Sums so borrowed, and assign over the said Rates, Assessments, and Property, or any Part thereof, to the Person who shall advance or lend such Money, as a Security for the Payment of the Monies so to be borrowed, together with Interest for the same: Provided always, that any Bond or Assignment to be granted in virtue of the Powers of this Act shall not be held as containing any individual or personal Obligation on the Part of the Town Council for Payment.

Form of  
Bond or  
Assignment.

XI. And be it enacted, That every such Bond or Assignment shall be by Deed duly stamped, in which the Consideration shall be duly stated; and every such Deed may be in the Form and Tenor of Schedule (B.) hereunto annexed, or to the like Effect, and shall be signed by the Town Clerk in Presence of Three of the Town Council specially authorized to witness the Execution, who shall subscribe the same as Witnesses accordingly; and before such Deed shall be delivered to the Creditor the same shall be registered in the Minutes of the Town Council, and a Certificate of such Registration shall be indorsed on such Deed, and signed by the Town Clerk; and thereafter the Creditor, and his Heirs, Executors, and Assignees, shall be entitled to the full Benefit of such Deed; and the Expenses of every such Bond or Assignment shall from Time to Time be defrayed out of the Funds belonging to the Town Council under this Act.

Bonds to be  
without  
Preference.

XII. And be it enacted, That all Persons to whom such Bond or Assignment shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates, Assessments, or Property equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Bonds or Assignments respectively.

Assignment  
of Bonds.

XIII. And be it enacted, That from Time to Time any Party entitled to any such Bond or Assignment may transfer his Right or Interest therein to any other Person by Deed duly stamped, wherein the Consideration shall be duly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Interest on  
Bonds to be  
paid half-  
yearly.

XIV. And be it enacted, That, unless otherwise provided by any Bond or Assignment, the Interest of the Money borrowed upon every such Bond or Assignment shall be paid half-yearly to the several Parties entitled thereto.

Power to  
levy and ex-  
pend Statute  
Labour  
Conversion  
Money.

XV. And whereas it is expedient that the Town Council of *Airdrie* should have Power to assess, levy, collect, and expend the Statute Labour Conversion Money within the Limits of this Act: Be it enacted, That from and after the passing of this Act the Town Council of the Burgh of *Airdrie* shall, within the Limits of the said recited Act,

Act, First and Second *George* Fourth, Chapter Sixty, have the like Powers as are vested in the Trustees appointed by or having Power under the said recited Act of the Eighth and Ninth Years of the Reign of Her present Majesty, intituled *An Act for amending the Laws concerning Highways, Bridges, and Ferries in Scotland, and the making and maintaining thereof by Statute Service, and by the Conversion of Statute Service into Money*, and the same are hereby vested in the said Magistrates and Council, who shall, within the Limits of the said recited Act, First and Second *George* the Fourth, Chapter Sixty, administer the said Trust in future, in room and place of the said Trustees, by assessing and levying the Rates and Assessments by the said Act authorized, and applying the same as therein directed, to assess and levy the same upon the same Principle as the Trustees acting under the said Act are authorized and empowered to do, and to appoint Collectors and such other Officers as may be necessary, and otherwise conforming to the whole Injunctions, Rules, and Regulations of the said Act, within the Limits of the said recited First and Second *George* the Fourth, Chapter Sixty, but reserving to the said Trustees, always subject to the Provision as to an Agreement herein-after contained, all Right and Power of assessing and levying the Statute Labour Conversion Money in respect of Lands and Property lying between the Limits of the said recited Act, First and Second *George* the Fourth, Chapter Sixty, and the Limits of this Act, the said Trustees being always bound to maintain all Statute Labour Roads lying within and between the said Two Limits respectively, reserving also to the said Trustees the annual Payment of the Sum of Two Pounds Ten Shillings Sterling hitherto made to them by the Magistrates and Town Council:

8 &amp; 9 Vict. c. 41.

XVI. But provided always, and be it enacted, That it shall be lawful for the said Magistrates and Council to enter into an Agreement with the said Trustees, whereby, on Payment of an annual Sum, to be fixed, in case of Dispute, by Arbiters mutually chosen, the said Magistrates and Council shall have Power to assess, levy, and apply the Statute Labour Conversion Money in respect to the Lands and Property lying as aforesaid within and between the Limits of the said recited Act of First and Second *George* the Fourth, Chapter Sixty, and the Limits of this Act: Provided always, that if any Surplus of Revenue shall remain after maintaining the Roads towards which the Assessments authorized by the said Act are appointed to be applied, it shall be lawful for the said Magistrates and Council to apply such Surplus to the Repair and Maintenance of any other Roads and Streets within the Burgh of *Airdrie*, or to the general Purposes or Disbursements of the said Burgh; and that for these Purposes, and so far as applicable thereto, the said Acts of the Forty-seventh Year of the Reign of His Majesty King *George* the Third, Chapter Forty-five, and the Eighth and Ninth Years of the Reign of Her present Majesty, Chapter Forty-one, shall be incorporated with and form Part of the present Act.

Power to enter into Agreements with the Statute Labour Trustees.

XVII. And be it enacted, That it shall be lawful for the Magistrates and Town Council to enter into an Agreement with the Trustees of the *Bathgate and Airdrie* and *North and South Lanarkshire*

Agreements may be made with Road

Trustees for  
Removal of  
Toll Bars.

*shire* Turnpike Roads for removing any Toll Bar within the Limits of this Act, and discontinuing the levying of Tolls on any Part of the Roads within the said Limits, on such Terms and Conditions as may be arranged between them; and it shall be lawful for the Magistrates and Town Council to pay and for the said Road Trustees to accept of such Sum as may be agreed upon as a fair Compensation for the Property of the said Trusts, and Loss of the Revenue by the Removal of such Toll Bars and discontinuing to levy Toll within the Limits of this Act; and in the event of such Agreement being entered into it shall be lawful for the Magistrates and Town Council to take charge of and they shall be bound to maintain the said Roads as Turnpike, so far as within the Limits of this Act, or such Part thereof as may be agreed upon, in Terms of the local and general Turnpike Acts, out of the Funds hereby authorized to be raised: Provided always, that the Magistrates and Town Council shall not be entitled to erect any Toll Bar or to levy any Toll Duties within the Limits of this Act.

Agreements  
may be made  
as to the  
Maintenance  
of Turnpike  
Roads within  
the Burgh.

XVIII. And be it enacted, That in the event of the said Road Trustees and the Magistrates and Town Council not entering into an Agreement for the Removal of the Toll Bars, as herein-before provided, it shall be lawful for the said Parties respectively to enter into an Agreement empowering the Magistrates and Town Council to maintain, uphold, repair, and clean the said Turnpike Roads within the Limits of this Act, upon such Conditions and under such Provisions as may be arranged or agreed upon at any future Period after the passing of this Act,

Assessment  
due under  
former Act.

XIX. And be it enacted, That the Town Council in Office at the Time shall have full Powers to fix and declare that the Assessment imposed by the Town Council under the before-recited Act of the First and Second Years of the Reign of His Majesty King *George* the Fourth, Chapter Sixty, for the Years One thousand eight hundred and forty-eight and One thousand eight hundred and forty-nine, shall be the Assessment for Police Purposes herein-before authorized to be levied for the Year ending at the Term of *Whitsunday* Eighteen hundred and forty-nine; and the said Assessment, or such Part thereof as may remain unpaid, and any amended or supplementary Assessment to be imposed by virtue of the Powers therein contained, shall be collected and recovered in the Manner by this Act provided for the Collection and Recovery of the Assessments hereby authorized to be imposed, and shall be payable to the Person appointed by the Town Council under this Act to collect the same.

Annual  
Assessment  
for Police  
and other  
Purposes.

XX. And be it enacted, That, in order to raise a Fund for police, municipal, and sanitary Purposes, the said Town Council shall be and they are hereby empowered and required, at the Ordinary Annual Meetings to be held in the Month of *June* yearly, or upon such other Day as such Meeting may be adjourned to, to fix, apportion, and levy an Assessment for such Purposes, including the Expense of maintaining within the Limits of this Act an adequate Police Force for the Prevention and Detection of Crime, and for guarding and watching the Roads, Streets, and other Thoroughfares, also Salaries, Wages, or Remuneration to the Town Clerk, Procurator Fiscal, Super-



Superintendent of Police, Surveyors, Officers, Watchmen, and other Persons employed in the Execution of this Act, that is to say, an annual Assessment not exceeding the Sum of One Shilling *per* Pound, as authorized by the said first-recited Act of the First and Second Years of the Reign of His Majesty King *George* the Fourth, Chapter Sixty, upon all Proprietors, Liferenters, or Owners, Lessees, Occupiers, and Possessors of Lands, Dwelling Houses, Shops, Warehouses, Counting-houses, Timber Yards, Depôts, and other Yards, Waterworks, Gasworks, Printworks, and other Works, Cellars, Stables, Factories, Markets, Mills, Ironworks, Coalworks, Railways, Coal, Ironstone, and other Mines and Minerals, and all other Heritable Premises and Pertinents thereof whatsoever within the Limits of this Act, rented and valued as herein-after provided, which annual Assessment shall be calculated for the then current Year from *Whitsunday* to *Whitsunday* annually, upon the aggregate or accumulated Rent of each Person's Possession, excepting as herein-after mentioned, and shall be payable at the Time and in the Proportions to be appointed by the Town Council: Provided always, that the Assessment to be levied or assessed for or in respect of Ironworks, Coalworks, Coal, Ironstone, and other Mines and Minerals situated within the Boundaries before described, shall only be One Half of the Rate *per* Pound to be levied or assessed for or in respect of Lands, Houses, and other Property within the said Boundaries, anything herein contained to the contrary notwithstanding.

XXI. And be it enacted, That the Town Council may from Time to Time appoint Collectors, Surveyors, and such other Officers as they shall think fit, with such Salaries and Allowances as they shall think reasonable, and may remove at Pleasure such Collectors, Surveyors, and other Officers, and appoint others in their Stead.

Officers to be appointed.

XXII. And be it enacted, That the Person appointed by the Town Council to collect the said Assessment shall be obliged to lodge all Monies received by him in the Hands of the Treasurer of the Burgh, from Time to Time as the Town Council may direct, and shall not at any Time retain in his own Hands above Twenty Pounds Sterling; and if such Person shall act on the contrary he shall be liable in Payment of Ten Pounds *per Centum per Annum* on whatever exceeds the Sum of Twenty Pounds remaining in his Hands, in Name of Interest and Damages, during the Period for which an Amount exceeding Twenty Pounds shall be retained by him.

Collector to lodge Monies in Hands of Treasurer.

XXIII. And be it enacted, That the Town Council shall take from all Officers in their Employment intrusted with the Receipt or Disbursement of Money sufficient Security for the due Execution of their respective Offices, and for answering and paying, as shall from Time to Time be required, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing, from Time to Time when required, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same was so received or collected.

Security to be taken from certain Officers.

[*Local.*]

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XXIV. And

Proceedings  
against Offi-  
cers not to  
discharge  
Sureties.

XXIV. And be it enacted, That no Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Town Council of any Remedy which they might otherwise have against any Cautioner or Surety of such Officer.

Yearly  
Rental how  
to be ascer-  
tained.

XXV. And be it enacted, That the Assessor so to be appointed shall ascertain the free Rent of all Lands, Houses, and other Property liable to be assessed under this Act, and also the Rents at which the same are worth to be let by the Year, if occupied by the Proprietors or Liferenters; and such Assessor shall have Power to enter and survey all such Properties; and the like Survey shall be made yearly, and previous to the First Day of *July* in each Year; and such Assessor shall, at least Fourteen Days before the Meeting to be held for hearing Appeals as after provided, leave for every Occupier, whether Tenant, Proprietor, Liferenter, or holding by any other Right or Tenure, at his or her Dwelling House, or on the Premises surveyed, if in the personal Occupancy of any Person, a Notice of the Rent for which such Occupier is intended to be rated, containing Notice of the Day fixed for hearing Appeals; and immediately after such Survey shall be completed, and previous to the Day fixed for hearing Appeals as herein provided for, the said Assessor shall deposit with the Town Clerk a distinct Rent Roll or Return of the said Rents, agreeable to the Survey so made; and in case any Person receiving said Notice who shall be liable to pay the Assessment shall think himself or herself overcharged in the said Rent Roll or Return, it shall be lawful for him or her to appeal against the same as herein-after provided for.

Appeal  
against  
Rental or  
Value.

XXVI. And be it enacted, That the Town Council shall annually appoint a Committee for hearing and determining Appeals and Complaints respecting the Rents or yearly Value of Property assessed under this Act, which Committee shall meet upon the last *Thursday* of *July* yearly, or upon any subsequent Day to which they may adjourn for the Purpose of hearing and determining such Appeals and Complaints; and any Person alleging that the Rent set forth in the said Notice is overstated may apply to the said Committee of Appeal for Redress, by a Letter to the Town Clerk, stating the Causes and Grounds of Complaint, and failing any Appeal or Complaint being made by any Person included in the Rental or Valuation at least Three Days before the Day fixed for hearing and determining Appeals the Rental or Valuation made up as by this Act provided shall remain the Rule for Assessment for the Year then current: Provided always, that in every Case where the Amount of Assessment shall exceed Ten Shillings Sterling, it shall be competent to appeal to the Sheriff Substitute at *Airdrie* for the Time against the Decision of the Town Council, which Appeal shall be competent within Eight Days after the Decision of the Town Council, by lodging with the Sheriff Clerk Depute at *Airdrie* for the Time a Copy of the Letter addressed to the Town Clerk containing the Appeal to the Town Council; and the said Sheriff Substitute shall forthwith fix a Time for hearing such Appeals, of which Notice shall be given to the Parties, and shall hear the same verbally, and take such Evidence as he shall think proper, and thereupon dispose of such Appeals,  
without

without keeping any Record of the Proceedings; and it shall not be competent to any Person to refuse Payment of the Assessment there- after on any Pretence whatever, or to any Judge to grant a Suspension of any Decree or Warrant for Recovery thereof.

XXVII. And be it enacted, That the said annual Assessment shall be laid on for the Year from *Whitsunday* to *Whitsunday* in each Year, and shall be payable at the Expiration of Fourteen Days from and after the Day fixed for hearing Appeals relative to Assessment annually, as herein otherwise provided.

Assessment to be payable 14 Days after Day fixed for hearing Appeals.

XXVIII. And be it enacted, That all Lands, Shops, Warehouses, Dwelling Houses, or other assessable Property or Places which shall be let to any Auctioneer, Traveller, and Hawker, or other Occupier, for any Period less than Three Months, shall be chargeable with One Fourth of the annual Assessment corresponding to such Possession; and if the same shall be occupied for any Period more than Three and less than Six Months, One Half of the annual Assessment; if the same shall be occupied for any Period more than Six and less than Nine Months, Three Fourths of the annual Assessment; and if the same shall be occupied for any longer Period, then the Occupiers of such Shop, Warehouse, House, Dwelling House, or other Place shall be chargeable with the whole annual Assessment corresponding to such Possession, whether occupied for the whole Year or not; and all Proprietors, Lessees, and others who shall let Premises for Rent or Hire for a shorter Period than Half a Year shall themselves, as well as the Occupiers aforesaid, be responsible for the said Assessments applicable to the said temporary Occupation, which may be recovered from such Proprietors, Lessees, and others, or from such Occupiers, as the Collector shall judge expedient.

Assessment on Premises occupied for a less Period than a Year.

XXIX. And be it enacted, That with regard to Premises or Proprietors liable to be assessed as before provided which shall be let for a less Period than One Year, and which shall be omitted or not included in the Rent Roll made up as herein-before provided, the Surveyors appointed under this Act shall be and they are hereby authorized and empowered to survey and report upon the Rent or Value of such Premises at and for any Period of the Year; and the Town Council shall within Six Days thereafter cause an additional or supplementary Rent Roll of the Value of such Premises to be made up, and shall fix and declare the Assessments according to such Rent Roll, in Terms of the Provisions of this Act; and such Assessment may be made upon the Owners of such Premises, and shall be payable before the First Day of *April* yearly.

Amended Assessment may be made.

XXX. And be it enacted, That with regard to Subjects liable to be assessed as before provided the Town Council or Committee shall have Power and they are hereby authorized to compound or agree with the Landlord or Proprietor, or the Person or Persons in the Right, Possession, or Administration thereof, on whom the Assessment shall be leviable, as before provided, as to the Rent at which such Subjects shall be rated for the Assessment for the Year for which the same may be applicable, and the Sum so agreed upon shall be the

Proprietors in certain Cases may compound as to Rental.

Rule

Rule of Assessment for such Period; and failing such Composition, Agreement, or Arrangement, the Assessors to be appointed in virtue hereof shall be entitled to fix and determine the Rent of such Subjects, and which Rent shall, subject to the Provisions herein-after contained, be the Rule for imposing and levying such Assessment, the Persons from whom such Assessments are leviabie having always Redress by Appeal in case they shall consider themselves aggrieved, as before provided.

Recovery of Assessment in Cases of Removal before Payment.

XXXI. And be it enacted, That in the event of any Occupant or other Person assessed as aforesaid, or liable to be assessed under this Act, removing with his Goods or Effects beyond the Limits of this Act, it shall be lawful for the Superintendent of Police, or any Officer acting under him, to seize and detain the Effects of such Person, in security of the Assessment due, or for which such Person may be liable, or might be made liable in the event of his continuing in possession of the Subjects for which the Assessment is or might be made payable; and in the event of the Goods and Effects so to be seized and secured not being redeemed within Fourteen Days after such Seizure it shall be lawful for the Collector of Assessment for the Time being to sell and dispose of the same, in the Manner herein otherwise provided with regard to Arrears of Assessment.

Town Council may make Bye Laws.

XXXII. And be it enacted, That it shall be lawful for the Town Council from Time to Time to make such Bye Laws for regulating the carrying on of their Business, and the Business of their Committees, and for the Government of the Superintendent, Lieutenants, Serjeants, Constables, Officers, Servants, and other Persons in their Employment, as they may think fit, and to rescind or alter any such Bye Laws as they shall see Cause, no such Bye Law being contrary to the Laws of *Scotland* or the Provisions of this Act.

Fines for Breach of Bye Laws.

XXXIII. And be it enacted, That it shall be lawful for the Town Council by such Bye Laws to impose any reasonable Forfeitures and Fines upon their Officers and Servants or other Persons in their Employment offending against the same, as they may think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Judge before whom any Penalty imposed thereby may be sought to be recovered to order the whole or a Part only of such Penalty to be paid.

Town Council to fix Salaries of Officers.

XXXIV. And be it enacted, That it shall be lawful for the Town Council to fix and appoint suitable Salaries and Wages to the Superintendent and other Officers and Servants aforesaid, to pay the necessary Expenses incurred by them in the Execution of the Duty of their respective Offices, and to reward them for meritorious Services, also to make Provision for any Superintendent, Officer, Police Constable, Watchman, or other Servant of the Establishment employed for any of the Purposes of this Act who may at any Time be disabled in the Execution of his Duty.

General Duty of

XXXV. And be it enacted, That the Superintendent, and the Officers, Police Constables, Watchmen, and other Persons under him, shall

shall at all Times execute the Warrants and Commands of the Magistrates; and it shall be lawful for the said Superintendent, or any Officer of Police or Constable, without any other Warrant than this Act, to search for and carry before the said Magistrates or any One of them all Persons accused or upon reasonable Grounds suspected of Robbery, House-breaking, Assault, Pocket-picking, Theft, Reset of Theft, Fraud, making, using, or keeping of false Weights or Measures, issuing base Coin, swindling, keeping disorderly Houses, causing Breaches of the Peace, or having or carrying or in any way conveying or concealing stolen Goods or Articles, all known or reputed Thieves, and all Rogues and Vagabonds, Vagrants, idle or disorderly Persons, Prostitutes, and all other Persons committing or accused of any Crime, Delinquency, or Offence, or found loitering or prowling on the Streets under suspicious Circumstances, or who cannot give a satisfactory Account of themselves, or of any Goods they may have in their Possession, in order that they may be proceeded against according to Law and the Provisions of this Act; and it shall be the Duty of the said Superintendent, Officers, Constables, Watchmen, and other Persons to assist in extinguishing Fires; in suppressing Mobs, Riots, and disorderly Public Houses, or other Houses frequented by Persons of the above Description; in putting the Laws and Provisions of this Act into execution by which Carters, Owners, and Drivers of Carts, Waggon, and other Carriages are prohibited from leaving the same upon the Streets, Roads, Lanes, and Passages without a proper Person in charge thereof, or riding in their Carts, Waggon, or other Carriages, contrary to the Provisions of this Act, or driving them or Horses or other Cattle furiously, recklessly, or improperly on the Streets, Roads, Lanes, and Passages; in putting the Laws and Regulations into execution regarding Obstructions and Offences against this or the Acts regulating the Highways, and in enforcing the Regulations made or to be made with regard to Coaches, Omnibuses, Carts, Waggon, and other Vehicles; in carrying into effect the Enactments against Persons guilty of any Offence against the Provisions or Regulations of this Act; in keeping good Order in the public Markets and among the Persons resorting thereto; in seeing that the Streets, Lanes, Squares, Passages, and other Places are properly lighted and cleansed, and that the Streets and Foot Pavements as well as Drains and Common Sewers are kept in good Repair; and in general in keeping Watch and Ward within the Limits of this Act, and in executing all Matters relating to the Police thereof and the Purposes of this Act; and it shall also be lawful for them to seize and take possession of all stolen Goods and Articles, and of all false Weights and Measures, or other Articles, Instruments, or Things which have been used in or are connected with the Commission or necessary in Evidence of any Offence as aforesaid; and when any Officer, Police Constable, Watchman, or other Person shall apprehend or take into Custody any Person as aforesaid he shall without Delay deliver such Person into the Custody of the Superintendent or other Officer appointed or acting under the Authority of this Act who shall be in attendance at the Police Office or nearest Watch-house, in order that such Person may be secured until he can be brought before One or more of the Magistrates to be dealt with according to Law, or until he give Bail or other sufficient Security

Superintendent and Officers.

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for

for his Appearance before One or more of the said Magistrates, if the Superintendent or other Officer shall deem it prudent to take Bail or other Security in the Manner herein-after provided; and all Persons apprehended in virtue of this Act shall within Forty-eight Hours thereafter be reported, along with a Statement of the Case, by the Superintendent of Police or other Officer on Duty, to the Procurator Fiscal of Court, in order that he may proceed against them according to Law; with Power to the acting Magistrate to commit such Parties before Trial to the Prison of *Airdrie* for farther Examination and Inquiry, for a reasonable Period.

Superintendent and Officers, &c. to have the Powers of Constables.

XXXVI. And be it enacted, That the Superintendent of Police, and the whole Officers, Watchmen, and other Persons forming or belonging to the Police Force appointed by virtue of this Act, may be sworn in by One of the Magistrates, and shall, when so sworn in, have and possess, within the Burgh of *Airdrie*, all the Powers, Authorities, Privileges, and Advantages which by Common Law or Statute belong to the Office of Constable in Matters of Crime and Police.

Rural and Burgh Police Officers to have Power to act in concert.

9 & 10 Vict. c. 32.

XXXVII. And be it enacted, That it shall be lawful for the Superintendent of Police and other Police Officers and Constables acting in virtue of this Act to follow and apprehend any Person of whom they may be in pursuit for any Offence committed by him under this Act, beyond the Limits of the Burgh of *Airdrie*; and in like Manner it shall be lawful for the Superintendent and Police Officers and Constables acting under the Act of the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Thirty-two, intituled *An Act to erect and constitute the Parishes of Old and New Monkland and Parts of the Parishes of Bothwell and Shotts in the County of Lanark into One Police District, for the Establishment of an efficient Police Force therein, and for other Purposes relating thereto*, to come within the Limits of this Act for the Purpose of apprehending Persons who may have been guilty of Offences beyond the Boundaries of the Burgh of *Airdrie*, and for the Superintendents and Police Officers and Constables acting as aforesaid, and with the Powers herein-before provided, to act in concert, and to aid and assist one another, either within or beyond the Limits of this Act, as Necessity may require; and no Assessment under the said last-recited Act, Ninth and Tenth of Her present Majesty, Chapter Thirty-two, shall be levied and assessed within the Limits of this Act.

Procurator Fiscal may be appointed.

XXXVIII. And be it enacted, That it shall be lawful to the Town Council to appoint during Pleasure a fit Person to be Procurator Fiscal for the Purposes of this Act, at whose Instance, when not otherwise provided, all Prosecutions and Proceedings before the said Police Court may be conducted, and by whom or any of the Persons herein authorized all Fines and Penalties, Forfeitures under Bail Bonds or other Securities or Bonds for keeping the Peace, may be sued for summarily before the said Police or other competent Court.

Interim Fiscal to be appointed

XXXIX. And be it enacted, That in the temporary or unavoidable Absence of the Procurator Fiscal so to be appointed, occasioned by  
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Indisposition

Indisposition or otherwise, the Judge presiding shall have Power and is hereby authorized to appoint a fit Person to perform the Duties of such Procurator Fiscal in Name of such Procurator Fiscal.

during Ab-  
sence of  
Procurator  
Fiscal.

XL. And be it enacted, That in all Prosecutions for Criminal Offences at the Instance of the said public Prosecutor or Procurator Fiscal, or of a private Party with his Concurrence, made competent by this Act before the said Magistrate or Magistrates, and where the said Prosecutor shall crave or conclude for Imprisonment for a Period not exceeding Sixty Days, or for a Fine not exceeding Five Pounds, and Imprisonment for a Period not exceeding Sixty Days in case of such Fine not being paid, accompanied in either Case, if necessary, with Caution for good Behaviour or to keep the Peace for a Period of Six Months, under a Penalty of not more than Five Pounds, the Procedure shall be in the summary Form herein-after provided: Provided always, that in all such Prosecutions all the Proceedings shall be in open Court, and that a Record shall be preserved of the Charge and of the Judgment, and that a Note of the Evidence shall be taken by the Magistrate or Magistrates trying the Case, or by the Clerk of Court, and if by the Clerk of Court such Note shall be certified as accurate and be subscribed by such Magistrate or Magistrates, who shall be responsible for the Accuracy of the same.

Procedure  
in Police  
Court.

XLI. And be it enacted, That if it shall appear, either in the preliminary Investigation of the Charges against any Person accused of having committed any Crime, Delinquency, or Offence within the Limits of this Act, or during his or her Trial in the said Police Court, that such Person has been guilty of or is charged with any of the Crimes denominated the Pleas of the Crown, *videlicet*, Murder, Robbery, Rape, and wilful Fire-raising, or with the Crimes of Stouthrief, or of Theft by Housebreaking, or of Housebreaking with Intent to steal, or of Theft to an Amount exceeding Ten Pounds, or of Theft by opening lockfast Places, or Three Times previously convicted of minor Thefts, or of Falsehood, Fraud, and wilful Imposition aggravated by having been Twice previously convicted of that Crime, or of Breach of Trust and Embezzlement to an Amount exceeding Ten Pounds, or of Breach of Trust and Embezzlement aggravated by having been Twice previously convicted of that Crime, or of Assault to the Danger of Life, or of Assault whereby any Limb has been fractured, or of Assault with any Knife whereby Effusion of Blood has followed, or of Assault with Intent to ravish, or of Attempt at wilful Fire raising, or of culpable Homicide, or of Forgery, or of uttering forged Documents, Bank or Bankers Notes, or of making or altering or having in their Possession, Instruments, Stamps, or Dies for making false or counterfeit Coin, it shall not be competent for the Procurator Fiscal, or those acting under or for him, to insist in a Prosecution against such Person in the said Police Court, but the Judge shall commit the Person accused to the Prison of *Airdrie* for Examination, and remit the Case to the Sheriff of the County, and the Procurator Fiscal shall forthwith give Notice of such Commitment and Remit to the Procurator Fiscal of the County of *Lanark*, in order that such Person may be proceeded against conformably to Law: Provided always, that the aforesaid Pro-

Certain  
Crimes not  
competent to  
be taken cog-  
nizance of in  
the Police  
Court.

vision

vision shall not apply to Chain-droppers, Thimblers, Loaded-Dice Players, and Offenders of that Description, whom the Judge is hereby specially empowered to try and sentence, whatever may be the Amount of the Sum specified in the Charge against them, or how often soever they may have been previously convicted.

Penalty  
against  
Chain-  
droppers  
and other  
Swindlers.

XLII. And be it enacted, That all Chain-droppers, Thimblers, Loaded-Dice Players, and other Swindlers of that or any similar Description, who shall be found in possession of Implements or Articles for practising Games of Hazard, or any Person who shall exhibit such Implements or Articles in order to induce or entice, or who shall induce or entice, any Person to play at any Game of Hazard, or who by any fraudulent Art or Device shall cozen and cheat or attempt to cozen and cheat any Person, may be instantly apprehended, and as soon as convenient brought before a Magistrate, and convicted on the Testimony of One or more credible Witnesses; and on Conviction such Person or Persons shall be imprisoned for any Term not exceeding Sixty Days, and shall also at the same Time be sentenced to repay any Money or restore any Property which they may have obtained by means of any such Offence, and failing such Payment or Restoration may under the same Procedure be committed to or be detained in Prison for any further Term not exceeding Sixty Days.

Forms of  
Procedure to  
be framed.

XLIII. And be it enacted, That the Magistrates shall and they are hereby authorized and required, when necessary, to frame Rules and Regulations and Forms of Procedure for the said Police Court, calculated to despatch the Business thereof in the simplest and most expeditious Manner, and from Time to Time to alter and amend the same, in order that the Provisions of this Act may be carried into full Execution, or to use the Forms permitted by Schedules (D.) and (E.) of this Act, as they shall see Cause.

Caution in  
addition to  
Imprison-  
ment or Fine.

XLIV. And be it enacted, That in every Case where an accused Party has been sentenced to Imprisonment, or to pay a Fine or pecuniary Penalty, in either of which Sentences the Period of Imprisonment specified does not extend to the Term of Sixty Days, it shall be lawful for the Judge, in addition to such Sentence, to ordain the Offender to find Caution as aforesaid, from and after the Expiry of the Term of Imprisonment, or from and after the Payment of the Fine or pecuniary Penalty specified in the said Sentence, or from and after the Expiry of the Term of Imprisonment for Nonpayment thereof; and in case such Caution shall not then be found it shall be lawful to sentence the Person ordained to find such Caution to be further detained in the said Prison beyond the Expiry of the said Term of Imprisonment until such Caution be found; but in no Case shall the whole Period of Imprisonment, including the Period of Detention for not finding such Caution, exceed Sixty Days.

Persons fined  
or ordained  
to find Cau-  
tion may be  
detained in

XLV. And be it enacted, That on Sentence being pronounced awarding a Fine or Penalty in any Prosecution before the Judge, or ordaining Caution to be found for good Behaviour or for keeping the Peace, it shall be lawful to remand or commit the Person against whom



whom such Fine or Penalty shall have been awarded, or who shall have been ordained to find such Caution, to be detained in the Police Office, in order to Payment being made or Caution being found, and in the event of Payment not being made or Caution not being found within Twenty-four Hours after such Sentence shall have been pronounced, to commit such Person to Prison for the Portion of the Period specified in such Sentence then unexpired.

Police Office  
for a limited  
Period.

XLVI. And be it enacted, That it shall be lawful for the Judge to order all Goods and Effects, of whatever Kind or Description, which may have been stolen, fraudulently obtained or disposed of, in breach of Trust, within the Limits of this Act, and taken possession of by Officers acting in virtue of the Powers hereby conferred, and which it may be no longer necessary to detain for the Purpose of Evidence, to be restored to the proper Owners, upon *vivâ voce* Evidence being adduced to the Satisfaction of the Judge that such Goods were so stolen, fraudulently obtained or disposed of, in breach of Trust, whether the Offenders have been secured and punished or not, and that without any other Form or Process of Law whatsoever.

Articles  
stolen, &c.  
may be re-  
stored.

XLVII. And be it enacted, That in Cases of Contempt of Court, or of resisting, obstructing, or assaulting the Officers of the Law when in attendance on the Police Court, it shall be competent for the Judge, either by his own Motion summarily, and without the Necessity of a Complaint or other Procedure, to punish the Offender by a written Sentence specifying the Offence, and inflicting a Fine not exceeding Five Pounds, or Imprisonment for any Period not exceeding Forty Days, or to direct the Offender to be prosecuted after the ordinary Form at the Instance of the Procurator Fiscal or Superintendent of Police, in which Case the same Forms shall be observed and the same Punishment inflicted as in the Case of other Offences before the said Police Court: Provided always, that when the Judge proceeds to punish summarily he shall cause a Record to be kept containing a Statement of the Facts which may have led to such Punishment.

Punishment  
for Contempt  
of Court.

XLVIII. And be it enacted, That it shall be lawful for the Procurator Fiscal to complain of, and for the Judge to punish, all Serjeants, Criminal Officers, Constables, Lamplighters, Scavengers, and other inferior Officers, for Offences committed by them in the Discharge of their Duty or otherwise, by Fine, Imprisonment, or by ordaining them to find Caution, either simply or in addition to Fine or Imprisonment: Provided always, that the Judge may, without the Necessity of any Complaint, direct the Superintendent of Police or the Inspector of Lighting and Cleansing to dismiss any inferior Officer under them respectively whose Conduct in any Proceedings that shall form the Subject of Investigation in the said Police Court shall in his Opinion render such Officer unfit to be longer retained in the Police Establishment, and such Officer shall be dismissed accordingly.

Punishment  
of Police  
and other  
Officers.

XLIX. And be it enacted, That no Order, Judgment, Record of Conviction, or other Proceeding whatsoever, concerning any Prosecution instituted in the said Police Court by virtue of this Act, shall

Proceedings  
not to be void  
for Want of  
Form.

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shall

shall be quashed or vacated for any Misnomer or Informality ; and all Judgments or Sentences pronounced by the Judge shall be final and conclusive, and not subject to Suspension or Advocation or Appeal, or any other Form of Review or Stay of Execution, unless on the Ground of Corruption, Malice, or Oppression on the Part of the Judge, or of such Deviations in point of Form from the Statutory Enactments as the Court of Review shall think took place wilfully, or of Incompetency, including Defect of Jurisdiction of the Judge ; and which Suspension or Advocation or Appeal, or Review, or Stay of Execution, must be presented to the High Court of Justiciary within Fourteen Days after the Date of the Sentence complained of.

No Suspension of Sentence to prevent Payment of Penalties.

L. And be it enacted, That no Suspension or Stay of Execution of any Sentence pronounced by the Judge, in so far as concerns Fines, Penalties, and Expenses, shall be competent to the Effect of preventing immediate Payment to the Clerk, or Consignation of the Amount of said Fines, Penalties, and Expenses ; and the Person against whom such Sentence shall be pronounced, if in Custody at the Time, shall be so kept, and if not in Custody at the Time shall immediately be taken into Custody, and so kept, till the said Penalty be paid ; and if the same be not immediately paid or consigned, such Person shall be committed to Prison till liberated in manner herein mentioned ; reserving nevertheless to any Person having paid or consigned such Penalty, if he shall consider himself aggrieved, to seek Redress as herein-before provided ; and in all Cases of Prosecution before the said Police Court under this Act it shall be lawful for the Judge whose Sentence shall be brought under the Review of the said High Court of Justiciary to authorize the Expenses incurred in the Proceedings in such other Court to be defrayed out of the Assessments authorized to be levied for the general Purposes of this Act : Provided always, that at the first Meeting of the Town Council after any such Sentence shall have been brought under Review as aforesaid the Procurator Fiscal, Superintendent of Police, or Inspector of Lighting and Cleansing respectively shall make a Report of the Facts and Circumstances of the Prosecution on which any such Sentence shall have been pronounced and brought under Review, and the Town Council shall thereupon direct such Sentence so brought under Review to be defended or not, as to them shall seem proper ; and if they shall direct such Sentence not to be defended, then no Expenses incurred in such Action subsequent to such General Meeting shall be defrayed out of the said Assessments.

Powers as to supplying Town with Water under recited Act of 1 & 2 G. 4. repealed.

LI. And whereas by the said recited Act passed in the Session of Parliament held in the First and Second Years of the Reign of His late Majesty King *George* the Fourth certain Powers were granted to the Magistrates and Town Council of *Airdrie*, thereby erected into a Burgh of Barony, to treat with any Person or Persons for the Purchase of any Springs, Streams, or other Supplies of Water for the Use of the Inhabitants of the said Town of *Airdrie*, or to cause Wells to be dug and Pumps to be erected for such Purpose within the said Town, and also to lay or cause to be laid any Pipes necessary for conveying the same to the said Town of *Airdrie*, and through any of the public Streets, Lanes, or Passages of the same ; provided that

the Consent in Writing of the Person or Persons through whose Grounds such Pipes should pass be first had and obtained thereto; and it is enacted that the Expenses of procuring and conveying Water to the said Town, and of digging, making, and maintaining the public Wells, Pipes, and Pumps within the said Burgh, should be defrayed out of the Funds to be levied in virtue of the said Act: And whereas by an Act passed in the Session of Parliament held in the Ninth and Tenth Years of the Reign of Her present Majesty Queen *Victoria* certain Persons are incorporated as a Company for supplying with Water the Towns of *Airdrie* and *Coatbridge* and Places adjacent, under the Title of the *Airdrie and Coatbridge Water Company*: And whereas the said Magistrates and Town Council have not heretofore exercised the Powers so granted to them, except to the Extent of forming or maintaining Two Wells, one in *Hallcraig Street* and one at *Burnbrae*, while the said *Airdrie and Coatbridge Water Company* have already constructed an extensive Reservoir, and nearly completed the Works necessary for supplying the said Towns and Places with Water: Be it enacted, That the whole Powers granted to the said Magistrates and Town Council by the said recited Act to dig Wells or otherwise to supply Water to the Inhabitants of the said Burgh, either gratuitously, or for a pecuniary Consideration raised by Assessment upon the said Inhabitants, or otherwise, shall be and the same are hereby repealed, except in so far as provided for by the succeeding Section of this Act.

LII. And be it further enacted, That it shall not be lawful for the said Magistrates and Town Council, either in their Capacity as such, or as Commissioners under any Act passed for regulating the Police of Towns in *Scotland*, or for paving, draining, cleansing, lighting, and improving the same, to make or construct Works for the gratuitous Supply of Water to the Inhabitants of the said Town and District, from any Source whatever, unless with the Concurrence and Approbation of the said *Airdrie and Coatbridge Water Company*, to be obtained at a Special General Meeting of the Shareholders called for that Purpose: Provided always, that nothing herein contained shall be construed to prevent the said Magistrates and Town Council from keeping in repair the Two Wells formed in *Hallcraig Street* and at *Burnbrae* as aforesaid, for the gratuitous Use of such Persons as may still choose to resort to the same.

Magistrates, &c., in supplying Water, to act with Concurrence of *Airdrie and Coatbridge Water Company*.

LIII. And be it enacted, That nothing in this Act shall be held to repeal, interfere with, or abridge the Powers of Management or other Powers granted to the said *Airdrie and Coatbridge Water Company* by the said *Airdrie and Coatbridge Waterworks Act*.

Saving *Airdrie & Coatbridge Waterworks Act*.

LIV. And be it enacted, That it shall not be lawful to sell any Gunpowder within the Limits of this Act by Gas or Candle or other artificial Light; and if any Person shall sell any Gunpowder contrary to the Provisions hereof, such Person, or the Owner of the Gunpowder so sold, or the Occupier of the Premises in which such Sale is made, shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Penalty on selling Gunpowder by artificial Light.

LV. And

Penalty on keeping more than a limited Quantity of Gunpowder.

LV. And be it enacted, That it shall not be lawful for any Person to have or keep any Quantity of Gunpowder exceeding Ten Pounds in Weight in any House, Shop, or other Premises within the Limits of this Act; and if any Person shall contravene this Enactment such Person shall be liable in a Penalty not exceeding Twenty Pounds for every Hundred Pounds Weight of Gunpowder so had or kept, and so in proportion for any greater or less Quantity; and all such Gunpowder shall be seized and forfeited.

How Gunpowder shall be kept.

LVI. And be it enacted, That all Gunpowder which may be kept in any Shop, House, or other Premises within the Limits of this Act shall be kept in Stone Jugs or Canisters properly covered, and having the Word "Gunpowder" legibly inscribed thereon, or on a Label thereto properly attached, and shall also be kept separate from all other Goods or Commodities, and secured by Lock and Key, under a Penalty not exceeding Five Pounds for every such Offence, to be paid by the Owner, or by the Person in whose Possession any Gunpowder not so kept and secured shall be found; and such Gunpowder shall be seized and forfeited.

Gunpowder seized to be conveyed to a Magazine.

LVII. And be it enacted, That all Gunpowder seized by virtue of this Act shall be conveyed to and deposited in such Magazine as may be provided within the Limits of this Act, or the nearest Magazine thereto for storing Gunpowder in Terms of Law, and shall be subject to the Rules thereof; and such Gunpowder shall be detained in such Magazine until it shall be determined by due Course of Law whether the same has been forfeited by virtue of this Act.

Gunpowder belonging to Military Forces, &c. exempted.

LVIII. Provided always, and be it enacted, That nothing contained in this Act shall extend or be construed to extend to any Gunpowder belonging to Her Majesty, or for the Use of any of Her Majesty's Forces, or of any Militia, Yeomanry, or Volunteer Corps; and that the Magistrates or any of them, on Inquiry into the Facts and Circumstances of any alleged Violation and Seizure, shall have Power, in their or his Discretion, to order any Gunpowder seized by Authority hereof to be restored.

Magazine to be provided by Town Council.

LIX. And be it enacted, That the Town Council of the Burgh of *Airdrie* shall have Right to select any proper and convenient Place within the Limits of this Act for the Purpose of erecting a Powder Magazine thereon, and to erect a Magazine thereon, in such Form and of such Dimensions as may be found necessary to suit the Wants of the Dealers; and all Dealers in Gunpowder carrying on Business within the Burgh of *Airdrie*, or other Persons having Gunpowder in their Possession within the Limits of this Act, shall deposit their Stock of Gunpowder therein, with the Exception of the Proportion allowed to be kept in their Shops or other Places of Business, and that under a Penalty not exceeding Ten Pounds for each Offence, to be sued for and recovered in a summary Manner, in Terms of the Provisions of this Act; and all Dealers in said Commodity, or other Persons, shall be bound to pay Rent for the Use and Maintenance of such Magazine at the Rate of Ten *per Cent. per Annum*, according

according to the Value or Quantity of Gunpowder stored by each in such Magazine.

LX. And be it enacted, That the Proprietors of all Houses and other Buildings, or of Gardens, Yards, Grounds, and other Heritages on which Buildings are erected, to the Extent after mentioned, which are adjoining to or fronting any Street, Square, or other public Place within the Limits of this Act, shall, at their own Expense, when required by the Superintendent of Police, cause Footpaths in front of their Properties respectively on the Sides of the said Roads, Streets, Squares, or other public Places, to be made, and to be well and sufficiently paved with flat hewn or other Stones, or to be constructed in such other Manner or Form and of such Breadth as the Town Council or any Two of them (after visiting the Grounds and hearing the Parties) shall direct and appoint, and shall thereafter from Time to Time as Occasion may require repair and uphold and maintain in repair such Footpaths: Provided always, that such Proprietors shall not be required to pave such Footpaths, unless and until the Side of the Street, Square, or other Place in which the Property is situate shall be built upon to the Extent of One Half of the Length of the Line of the Front thereof.

Street Pavements to be made and kept in repair.

LXI. And be it enacted, That all Owners of Heritable Property in or entering from Closes within the Limits of this Act shall be bound to have and keep the Pavement or Footway and Water Channels thereof in a fit and proper State of Repair.

Owners in Closes to keep Pavements in repair.

LXII. And be it enacted, That whenever the Superintendent of Police, or other Officer or Servant of the Town Council, shall report that the Pavement or Water Channels of any Close within the Limits of this Act, or any Part thereof, are in such a State as to impede the thorough cleansing of such Close, the Town Council, or any Two of the Magistrates, shall, if they see fit, forthwith cause such Pavement or Water Channels to be repaired or renewed in such Manner as they shall determine to be necessary for such cleansing; and the Expense thereof shall be allocated amongst the Owners of Property in or entering from such Close; and the same Proceedings shall be followed out in regard thereto in all respects as in the Case of an Owner required to make Repairs, as herein-before provided.

Pavement of Closes.

LXIII. And be it enacted, That when any such Houses, Buildings, or other Heritages belong to more Proprietors than One, the several Proprietors of the same House, Building, or other Heritages shall cause the Footpaths before their respective Premises to be paved, and the Pavements to be kept in repair in manner aforesaid, the Expense being defrayed by such Proprietors in proportion to the Rents of the respective Parts of the House, Building, or Heritage belonging to each of them, as the same shall at the Time stand rated in the Rent Roll herein mentioned, or in proportion to the Extent of the Frontages of their respective Premises; and in case any Dispute or Difference shall arise among the several Proprietors of the same House, Building, or other Heritages, relative to their Proportions of such Expense, it shall be lawful to the Superintendent of Police to

In case of more Proprietors than One.

fix and ascertain the same according to the Rate of such Rents, or Value in the said Roll, or otherwise; and in case of any Difference between the Superintendent and the Proprietors of such Tenements, either with respect to making or keeping in repair such Pavements, or the Expense of the same, it shall and may be lawful to the said Magistrates, or any One of them, on a Complaint being made to them, (after visiting the Premises, and hearing the Parties interested,) to determine any such Difference, which Determination shall be final and binding on all Parties.

If Owners fail to repair, Superintendent may make and repair Pavements, and charge Owners with the Expense.

LXIV. And be it enacted, That if the Owner or Owners, or the Persons having Charge of such Properties, shall fail to make or repair the Pavements so required to be made or put in repair, it shall be lawful for the Superintendent of Police to cause the same to be made or repaired, and to recover the Expense thereof from the respective Owners by attaching the Rents of the Properties in the Hands of the Tenants and Occupiers of the same; and such Expense shall be preferable on the said Rents over all other Claims, reserving all competent Action for any Balance that may remain after recovering and applying such Rents against the said Owners.

Tenants may pay Expense, and deduct the same from their Rent.

LXV. And be it enacted, That the Tenants or Occupiers of the Houses or other Buildings or Heritages belonging to such Owners or Proprietors (in default of the Proprietors paying such Expenses), in case they shall pay the Expenses aforesaid (which they are hereby authorized and empowered to do to the Amount of the Rents payable by them respectively), shall be at liberty and they are hereby empowered to deduct and retain out of their Rents such Sums of Money as they shall respectively pay on account thereof for their respective Landlords, Owners, or Proprietors, who are hereby required to allow such Payments accordingly, any Lease or Contract to the contrary notwithstanding.

For Protection of Cellars having Entrance by sunk Steps.

LXVI. And be it enacted, That all Cellars and other Places adjoining to the public Streets, or Places having an Entry by sunk Steps or other Openings in the Pavement beyond the Line of the Wall of the Building to which they belong, shall be protected by a sufficient Iron Grating or other sufficient Cover, in such Way as may be best calculated for preventing Danger or Injury; and if any Proprietor or Occupier shall fail to construct such Grating or Cover when required by the Inspector of Buildings, or to keep the same properly secured, he shall be liable to a Penalty not exceeding Twenty Shillings; and such Inspector may order the Work to be executed at the Expense of the Party so offending.

Iron Plates on Openings to be fluted, and insecure Buildings to be guarded.

LXVII. And be it enacted, That where Openings in the Foot Pavements, or in Courts or Closes, for underground Cellars or other Apartments, are covered with Iron Plates, such Plates shall be fluted or otherwise formed so as to prevent Injury to Passengers from slipping upon them; and it shall be lawful for the Magistrates or any of them, or for the Superintendent of Police, to cause all Plates or Coverings not so formed to be removed, and a safe and proper Lid or Covering to be supplied, at the Expense of the Proprietor; and when,

when, from Accident, Negligence, or otherwise, any Building or Part of a Building, or anything connected therewith, shall become insecure, or any Aperture shall be left open so as to cause Risk of Accident, it shall be lawful for the Inspector of Buildings to cause the same to be fenced or guarded, at the Expense of the Proprietor of such Building or other Thing, or the Occupier of any Premises with which such Aperture may be connected; and such Expense may be recovered by the same Means as Penalties under this Act.

LXVIII. And be it enacted, That it shall not be lawful for any Person to cause any Iron, Footscraper, or other similar Obstruction to be placed within the Limits of this Act on the Pavement and beyond the Line of the front Wall of any Tenement; and all Doors or Gates leading to Buildings, Yards, or Grounds within the Limits aforesaid shall be so placed or formed as not to project over or upon any of the Pavements, Streets, Lanes, Highways, or public Passages or Places, when open; and if any such Scraper or other Obstruction, Door or Gate, shall have been constructed otherwise, it shall be lawful for the Superintendent of Police to alter, or cause the same to be altered, at the Expense of the Proprietor and Occupier.

Foot  
Scrapers,  
Doors, and  
Gates not to  
project.

LXIX. And be it enacted, That in the event of any House or other Building which projects upon or incommodes the Line of Passage of any Street, Lane, or Place within the Limits of this Act being taken down or otherwise removed, it shall be lawful to the Town Council to take possession of the Ground upon which the same stood, or such Part thereof as may be necessary to improve or form Part of the Line of the said Street, Lane, or Place; the Town Council being always bound to compensate the Proprietor or Owner of the same; and in the event of any Difference as to the Amount of the Sum to be paid in Name of Compensation the same shall be fixed and determined by the Sheriff of the County.

Power to  
take Ground  
for Improve-  
ment of  
Streets.

LXX. And be it enacted, That it shall be lawful for the Officers and Constables of Police to apprehend and detain, in order to their being brought before the Magistrates or any of them, for Examination, all Vagrants and common Beggars; and if it shall appear that the Persons so apprehended do not reside in the Burgh of *Airdrie*, such Persons shall be ordered to quit, or be conducted beyond the Limits of this Act; and if such Vagrants or common Beggars shall be again found begging within the said Limits, it shall be lawful for the Magistrates or any of them to adjudge them to be imprisoned for a Period not exceeding Thirty Days; and it shall also be lawful for the Officers and Constables of Police to apprehend and detain in Custody all incorrigible Vagrants and common Beggars who refuse to give up their vagrant Habits or to cease from begging after being admonished or required so to do, and for the Magistrates, or any One of them, on Conviction of such Offence, to adjudge such Persons to be imprisoned for a Period not exceeding Thirty Days.

Power to  
apprehend  
Vagrants and  
Beggars.

LXXI. And be it enacted, That it shall not be lawful for any Person to keep or rear Pigs or Swine within the Limits of any Streets, Lanes, or Localities of the Burgh of *Airdrie*, where the Magistrates may

Penalty on  
keeping and  
rearing of  
Swine.

may deem it injurious to Health or otherwise improper to do so, and notify the same in the Bye Laws to be passed by them, under a Penalty for every Offence not exceeding Forty Shillings, to be recovered in the summary Manner provided by this Act for the Recovery of Penalties.

Power to order Swine to be removed.

LXXII. And be it enacted, That it shall be lawful for any One of the Magistrates to order Swine to be removed (within a limited Time) from any Place within the Limits of this Act where they are a Nuisance or Annoyance to any Person residing in or occupying any House, Shop, or other Premises in the Neighbourhood thereof; and if such Swine are not removed from such Place within the Time limited, or if any Person shall breed, feed, or keep Swine within any Dwelling House, or any Room, Vault, or Cellar thereof, within the Limits of this Act, or shall suffer Swine belonging to him or under his Charge to stray or go about in any Street, Lane, Square, public Passage, Thoroughfare, or public Place within such Limits, every Person so offending shall for such Offence forfeit and pay a Sum not exceeding Forty Shillings; and if any Swine shall be kept in any Place within the said Limits, other than in any Farmyard, Distillery, or Brewery, the Places within which they are kept shall be regularly cleansed at least every Twenty-four Hours; and Access shall be given at all reasonable Hours to the Superintendent and Officers of Police, for the Purpose of Inspection, under a Penalty not exceeding Twenty Shillings for each Offence.

Penalty on Persons collecting of Rags, Bones, &c., neglecting to clean their Premises.

LXXIII. And be it enacted, That all Persons dealing in Rags, Bones, and other offensive Substances shall at all Times be bound to keep their Premises in which such Articles are kept in a cleanly State, to the Satisfaction of the Superintendent of Police or other Officer appointed for the Purpose, and to fumigate such Premises with Chloride of Lime or other purifying Matter for removing offensive Smells, at least Three Times a Week, at the Sight of the Superintendent or other Inspector, or of any Person acting under them, and Access shall at all seasonable Times be given to the Superintendent or such other Person acting under him for such Purpose; and any Person failing therein shall, on Conviction before any One of the Magistrates, on the Testimony of One credible Witness or other legal Evidence, forfeit a Sum not exceeding Two Pounds for each Offence; and if it shall be established before any One of the Magistrates, on the Testimony of Two Medical Practitioners or other Evidence, that the collecting or keeping of Bones or Rags or other Substances in the Vicinity of any Dwelling House, Shop, or other Place, is prejudicial to the Health or Comfort of Persons residing or employed therein, it shall be lawful for any One of the Magistrates to order such Rags, Bones, or other Substances to be removed, within such Time as to them may seem proper, and to prohibit such collecting or keeping in future, under a Penalty not exceeding Five Pounds.

Distillers and others to construct

LXXIV. And be it enacted, That the Proprietors, Owners, or Occupiers of Gasworks, Distilleries, and other Works shall dig, make, and



and construct Pools or Reservoirs within their own Grounds, or as near their Works as possible, for receiving and depositing the Refuse of such Gasworks, Distilleries, and other Works, to prevent offensive or dangerous Consequences to the Health or Comfort of the Inhabitants by such Refuse running into any River, Stream, Ditch, Sewer, Well, or similar Place; and if they refuse so to do when thereto required, the said Magistrates or any One of them are hereby authorized and required to order the same to be done at the Expense of the Owners or Occupiers of such Works.

Reservoirs  
to deposit  
Refuse.

LXXV. And whereas it would be of Importance and Benefit to have the Power conferred on the Magistrates of the Royal Burghs of *Scotland* by the Act Eleventh and Twelfth *Victoria*, Chapter One hundred and twenty-three, above recited, for the speedy Removal of Nuisances and the Prevention of contagious and epidemic Diseases, conferred upon the Magistrates of the Burgh of *Airdrie*: Be it therefore enacted, That from and after the passing of this Act the Magistrates of the Burgh of *Airdrie*, and the Officers acting under them, shall have like Powers, Privileges, and Jurisdiction as is or are conferred by said Act on the Magistrates of Royal Burghs in *Scotland*, and their Officers, and the Provisions of said Act are accordingly hereby extended to and may be exercised within the Limits of the Burgh of *Airdrie* as fixed by this Act.

Powers con-  
tained in Act  
11 & 12 Vict.  
c. 123. ex-  
tended to  
Burgh of  
*Airdrie*.

LXXVI. And be it enacted, That the Town Council shall have Power to establish One or more public Markets, and shall have Right to select and take possession of any proper or convenient Place or Places for the Purpose within the Limits of this Act, and to erect and establish a public Market thereon, and to enforce all Dealers in Provisions or other Articles who shall sell or hawk the same upon the Streets to dispose of their Goods in the Market or Market Places so to be established, under a Penalty not exceeding Ten Shillings for each Offence; and all Dealers resorting to such public Markets for the Disposal of their Goods shall be bound to pay such Rent or Market Dues as may be fixed by the Magistrates or Town Council for the Space or Accommodation occupied or taken up by such Dealers respectively, and according to the Period the same may be so occupied; and if any such Dealers shall be dissatisfied with such Rent or Market Dues, it shall be lawful for him or her to complain to the Sheriff of the County of *Lanark* within Eight Days, who shall determine the Matter of such Complaint, without being subject to any Appeal or Review whatever.

Power to  
establish  
Markets.

LXXVII. And be it enacted, That the Town Council shall have Power to erect and establish public Schools out of the Funds and Donations bequeathed or conveyed to them, or otherwise acquired by them for such Purposes, or other Funds (not forming a Part of the Assessment hereby authorized to be made for Police Purposes) under their Control, or in general any Property or Funds which may be conveyed to them, and to take the Charge and Management, as Trustees, of any School or Place of Worship which may be made over or intrusted to the Town Council for Education or religious  
[Local.] 16 T Purposes,

Power to  
establish  
public  
Schools.

Purposes, or to which they may have Right otherwise, and to maintain and uphold the same for the Benefit of the Community.

Power to  
Magistrates  
to grant  
Licences to  
Inns, &c.

LXXVIII. And whereas it would be of advantage to the Public, and would strengthen the Power of the Magistrates over disorderly and irregularly kept Houses, to empower the Magistrates of the Burgh of *Airdrie* (the same as the Magistrates of Royal Burghs in *Scotland*) to grant the Licence Certificates for Inns and Public Houses, and to enforce the Penalties for Breaches of or selling without such Licence Certificate within the Limits of this Act: Be it therefore enacted, That from and after the passing of this Act the Magistrates of the Burgh of *Airdrie* shall have the sole Power of granting all Certificates authorizing Persons to keep common Inns, Alehouses, and Victualling Houses within the Limits of this Act, in which Ale, Beer, Spirits, Wine, and other exciseable Liquors may be sold by Retail under Excise Licences, and for the better Regulation of such Houses, and that in the same Form, and upon the same Conditions, and on Payment of the same Fees as the Magistrates of Royal Burghs in *Scotland* are empowered to do by an Act of Parliament passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, Chapter Fifty-eight, above recited; and that the Provisions of the said Act, in so far as it authorizes the Justices of the Peace for the County of *Lanark* to grant such Certificates within the Limits of this Act, are hereby repealed; but always without Prejudice to the Right of Appeal to the Quarter Sessions of the Peace for the County of *Lanark*.

Regulations  
as to Houses  
licensed to  
sell excise-  
able Liquors.

LXXIX. And be it enacted, That if any Person who is licensed to sell Ale, Beer, or exciseable Liquors shall, within any Shop, House, Office, or other Premises occupied by him, or in Gardens or Grounds attached thereto, suffer riotous or disorderly Conduct, or shall harbour Thieves, Prostitutes, or disorderly Persons, or shall suffer Men or Women of notoriously bad Fame, or dissolute Boys and Girls, to meet or assemble therein, or shall permit or suffer any unlawful Games therein whereby the Lieges may be cozened and cheated, or shall suffer any drinking or tipping at any Hour earlier than One o'Clock in the Afternoon or during the Hours of Divine Service on Sabbath Days, or on other Days set apart for Public Worship by lawful Authority, (except in Inns and Hotels licensed, and at Railway Refreshment Rooms licensed and open for the Accommodation of Passengers only,) such Persons, on being convicted of any of the above Offences, shall be liable to a Penalty not exceeding Five Pounds; and the Judge may further ordain such Person to find Security for good Behaviour for such Length of Time not exceeding Twelve Months, and to such Extent, not being less than Ten Pounds and not exceeding Fifty Pounds, as he shall see meet; and in the event of such Caution or Security not being found within a reasonable Time, to be specified in the Order, it shall be lawful to the Judge to deprive such Person of his Licence; and if any such Person shall be convicted more than once of any of the said Offences, the Judge shall in like Manner either award the said Fine, and order renewed Security, or deprive such Person of his Licence, as he may judge proper; saving and  
0  
reserving

reserving the Rights of all Persons to enforce the due Observance and to prevent the Profanation of the Sabbath Day otherwise according to the Laws and Practice of *Scotland*.

LXXX. And be it enacted, That if any Person licensed as aforesaid shall suffer drinking or tipping within the Premises occupied by him, or sell Ale, Beer, or exciseable Liquors, on any Day after Eleven o'Clock at Night or before Six o'Clock in the Morning, or on Sabbath Days, or any other Days set apart for Public Worship by lawful Authority, at an Hour earlier than One o'Clock in the Afternoon, or during the Hours of Divine Service, in the Case of a Spirit Shop, Cellar, Vault, or other similar Place, such Person, on being convicted thereof before the Judge, shall for each Offence be liable to a Penalty not exceeding Five Pounds, and may besides, in the Case of a Second or other subsequent Conviction, be deprived of his Licence: Provided always, that nothing contained in this Enactment shall apply to Railway Refreshment Rooms licensed and open for the Accommodation of Passengers only, or to Inns or Hotels licensed.

Penalty on Publicans keeping Premises open during unseasonable Hours.

Proviso.

LXXXI. And be it enacted, That the Superintendent of Police, or any Officer acting under him, shall have Power by virtue of his Office to enter any Public House, or any Room, Booth, Tent, Caravan, or other Place, on hearing any disorderly Noise therein, or having just Reason to believe that Persons are harboured or entertained therein contrary to the Provisions of this Act; and if the Keeper of any such House, Room, Booth, Tent, Caravan, or Place, or any Servant or other Person having Charge thereof, shall not admit such Officer when required, such Person shall for every such Offence forfeit and pay a Sum not exceeding Forty Shillings.

Power to Officers to enter Public Houses on hearing disorderly Noise therein.

Penalty on Refusal.

LXXXII. And be it enacted, That from and after the passing of this Act no Person shall within the said Limits exercise or carry on the Trade or Business of a Broker, or Dealer in Second-hand or other Goods or Articles, or a Dealer in old Metals, old Iron, Iron Scraps, Brass, Copper, Zinc, Lead, Iron Char or other Metal or Mineral Composition, or of Rags and Bones, unless he shall have first obtained a Licence so to do from the Magistrates, which Licence the Magistrates are hereby authorized from Time to Time to grant, under such Conditions and Restrictions as they shall consider proper, to such Persons as shall produce to them satisfactory Evidence of their good Character, and which Licence shall continue in force until the Term of *Whitsunday* in each Year, unless sooner revoked or suspended, (which the Magistrates, or any of them, are hereby authorized to do, on legal Conviction of the Violation of any of the Conditions of such Licence, or of the Provisions of this Act,) and no longer; and it shall not be lawful for Persons so licensed to have or keep in their Possession any Smelting Pot or other Implement for melting Silver, Lead, or other Metals; and every Person to whom such Licence shall be given or renewed shall for every such Licence or Renewal thereof pay a Sum not exceeding Five Shillings as the Expense of such Licence or Renewal, and of recording the same in a Book to be kept for the Purpose by the Town Clerk; and if any Person shall within the said Limits exercise or carry on the Trade or Business of a Broker

Brokers and Dealers in Second-hand Goods to be licensed.

a Broker or Dealer in all or any of the Goods, Metals, or Minerals above enumerated, or other Goods or Effects, without having first obtained such Licence as aforesaid, or after the Revocation or during the Suspension thereof, and shall contravene the Terms of said Licence or any of the Provisions of this Act, or if any such Broker or Dealer shall receive or take any Goods or Articles in pawn without having been licensed as a Pawnbroker in Terms of Law, such Person, Broker, or Dealer shall for every such Offence forfeit and pay a Penalty not exceeding Five Pounds.

Horses or Carriages of Persons taken into Custody may be secured.

LXXXIII. And be it enacted, That when any Person having Charge of any Horse, Cart, or Carriage, or any Animal or Thing, shall be taken into Custody by any Officer acting under the Provisions of this Act, it shall be lawful for any Officer to take charge of such Horse, Cart, or Carriage, or Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Expenses which may have been necessarily incurred for taking charge of and keeping the same; and unless the same shall be claimed by the Owner, and all Expenses incurred thereon paid, within Four Days after such Detention, it shall be lawful for the Magistrates, or any of them, to order the Sale of such Horse, Cart, or Carriage, or any Animal or Thing so detained, the Proceeds of such Sale to be applied towards the necessary Expenses incurred, the Overplus, if any, being paid to the Owner.

Power to Officer in attendance to take Bail.

LXXXIV. And be it enacted, That when any Person charged with any petty Misdemeanor shall be brought, without the Warrant of the Magistrates, into the Custody of any Officer appointed under this Act, or under the aforesaid Act of the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Thirty-two, during his Attendance at the Police Office, it shall be lawful (in the Absence of the Magistrates) for the attending Officer or Town Clerk, if he shall deem it prudent, to take Bail, by Bond or Deposit, from such Person, that such Person shall appear for Examination before One or more of the Magistrates at some Time and Place to be afterwards specified; and every Bond or Deposit so taken shall have equal Effect, and be of equal Obligation on the Parties entering into or making the same, and shall be liable to such and the like Proceedings for the Forfeiture thereof, as if the same had been taken before any One or more of the Magistrates; and the Officer shall enter in a Book (to be kept for that Purpose in the Police Office) the Name, Residence, and Occupation of the Party, the Amount or Nature of the Pledge, and his Surety or Sureties (if any) entering into such Bond, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Magistrate as shall be present at the Time and Place when and where the Party is required to appear.

Bail Bonds in certain Cases may be declared forfeited, and Recovery of Penalty.

LXXXV. And be it enacted, That when any Person shall have been apprehended, and afterwards liberated on Bail, and shall fail to appear, and where any Offenders who shall have found Caution for good Behaviour or for keeping the Peace shall commit a new Offence, such Failure or new Offence inferring Forfeiture of such  
Bail

Bail or Caution, it shall be competent for the Magistrates or any of them to declare the Bail to be forfeited, and to order such Forfeiture to be intimated to the Cautioner, and to require him to make Payment of the Sum contained in the Bond of Caution within the Space of Six Days, and in default of such Payment such Sum shall thereupon be recoverable, at the Instance of the Procurator Fiscal, by an Action before the Sheriff Small Debt Court or Justice of the Peace Court, or by a Precept or Warrant to be issued by the Magistrates or any of them, and upon Failure of Payment it shall be competent to grant Warrant to poind and sell the Cautioner's Goods and Effects for the Sum so forfeited (after a Charge of Ten free Days), and the Expense of such Proceedings and of Poinding and Sale.

LXXXVI. And be it enacted, That where any Money or Article has been or shall be deposited by any Person as a Security for his Appearance, and where such Person has failed or shall fail to appear, it shall be competent to the Magistrates or any of them to declare such Deposit to be forfeited; and if such Deposit shall be Money the same shall be forthwith paid to the Collector or Treasurer of the Burgh, and if such Deposit be not Money the Article deposited shall be ordered by the Magistrates or any of them from Time to Time to be sold by public Auction, and the free Proceeds shall be paid to the Collector or Treasurer, and in both Cases accounted for with the Fines and Penalties, and applied in the same Manner, the Surplus, if any, beyond the Amount of Penalty provided for the Offence, and Expense of Sale, being always accounted for and paid to the Party, if and when applied for; and it shall be no Objection or Ground of Dispute that Money or Articles lodged in Security have been given by or belong to a Third Party; it being in the Power, however, of the Magistrates, in order to prevent the Sale of any Article deposited as Security, to put a Value upon the same, and upon immediate Payment thereof to order it to be given up to the Offender or Owner, otherwise to be sold as already provided for.

Money or Articles deposited as a Security may be forfeited.

LXXXVII. And be it enacted, That it shall be lawful for the Magistrates to make and establish Rules for the Exaction of Security by Bond or Pledge for the Appearance of Parties brought to the Police Office while the Magistrates are not sitting, or from Parties on whose Information Charges are made and Persons taken into Custody, especially where such Parties are not known to the Officer or Constable as Householders or Residents, in such Manner as may appear most expedient for preventing rash or groundless Charges, or undue Apprehension or Detention of Parties, and securing the Ends of public Justice; which Rules shall be printed or painted, and exhibited in the Police Office, Watch-house, or other Place to which Parties are in the first instance brought into Custody, and in such other conspicuous Place in the Police Buildings as may be deemed proper.

Magistrates to make Rules as to Bail.

LXXXVIII. And be it enacted, That this Act shall be sufficient Authority to the Officers of Police within the Limits to which the same extends for citing Parties charged with Offences within the Meaning of this Act, or at Common Law, or of any Regulations made in virtue thereof, and for summoning Witnesses to give Evidence

Authority to Officers to cite Parties and Witnesses.

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in relation to the same; and it shall be deemed a legal Citation of Parties if the Citation be left within their Dwelling Houses, or at the Hotel, Inn, Lodging House, or other Place in which they eat and sleep, (if no other Domicile can be found,) or in the Shop, Warehouse, Counting-house, or other Place of Business within the said Limits belonging to them or in which they may be employed, and which Citation shall specify the Charge and the Time and Place of Appearance.

Magistrates  
to try, remit,  
or detain  
Offenders.

LXXXIX. And be it enacted, That it shall be lawful for the Magistrates and they are hereby authorized and empowered to try and punish all and every Person charged with or suspected of having committed the Crimes, Delinquencies, and Offences herein mentioned, under the Powers granted and in the Manner and within the Period prescribed by this Act, or to transmit such Person for Trial to a higher Criminal Tribunal; and it shall be lawful for the Magistrates or any of them, when the Crimes, Delinquencies, and Offences shall have been committed beyond the Limits of this Act, to authorize such Person to be detained in the Police Office or Prison until disposed of according to Law; and it shall be the Duty of the Superintendent of Police forthwith to give Notice of such Detention to the Procurator Fiscal for the City, County, Burgh, or other Jurisdiction within which the Crime, Delinquency, or Offence is alleged to have been committed.

Prisoners  
may be re-  
manded and  
detained.

XC. And be it enacted, That when the Magistrate officiating as Judge in the Police Court shall find it necessary to remand any Prisoner for affording Time to find Caution in manner herein provided, or for further Examination, it shall be lawful to detain such Person in the Police Office or Prison until such Caution shall be found, or until such further Examination shall take place, such further Examination always taking place as soon as Circumstances will permit.

Examination  
of Witnesses.

XCI. And be it enacted, That where from the Absence of the Witnesses in any summary Prosecution, or from any other Cause, it becomes necessary to adjourn the Diet, and where Witnesses for the Defender in such Prosecution are in attendance, it shall be lawful for the Magistrate, at the Request of the Defender, and if the Magistrate (in the Circumstances) shall deem it proper, to take the Evidence of the Defender's Witnesses before the Proof for the Prosecution has been led or concluded; and it shall be lawful to adjourn the Diet for further Evidence on either Side; and it shall be no legal Objection to a Witness that he has appeared without Citation, or to his Evidence, or to the Regularity of the Procedure, that the usual Questions *in initialibus* have not been put to him, unless desired by the respective Parties, to whom it shall be competent to move the Magistrate to that Effect.

Penalty in  
case of Wit-  
nesses failing  
to appear,  
&c.

XCII. And be it enacted, That if any Person shall be summoned as a Witness to give Evidence before the Magistrates, either on the Part of the Prosecutor or of the Person accused, and shall fail to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for such Failure, such Person shall for every such

Offence forfeit and pay a Sum not exceeding Five Pounds, to be levied in the summary Manner herein-before provided; and it shall be lawful for the Magistrate and he is hereby authorized, by Warrant under his Hand, to cause such Person to be apprehended and brought into Court to bear Evidence, or to commit such Person to Prison until he shall find Security to appear and give Evidence, besides Forfeiture of the said Sum; and if any Person appearing on being called as a Witness shall refuse to be sworn or examined upon Oath, or in case of a Quaker or other legally privileged Person to be examined upon solemn Affirmation, or after having been sworn or having undertaken to affirm shall refuse to give Evidence touching or concerning the Subject Matter of Complaint, or upon any Matter or Thing incidental or relating thereto, it shall be lawful for the Magistrate and he is hereby authorized (by Warrant under his Hand) to cause such Person to be apprehended and committed to Prison until such Person shall submit himself to be examined and give his Evidence before such Magistrate as aforesaid, or for such Period as the Magistrate shall consider proper for the Ends of public Justice: Provided always, that Proof on Oath of the Officer, in case of a Person not appearing according to such Summons, shall be made before such Magistrate, of the due Service of such Summons on every such Person, by delivering the same to him, or by leaving the same at the usual Place of Abode of such Person.

XCIII. And be it enacted, That on Sentence being pronounced awarding a Fine or Penalty, Damages or Expenses, in any Prosecution before the Magistrates or any One of them, at the Instance of the Procurator Fiscal, it shall be lawful, in the event of the Fine or Penalty, Damages or Expenses, not being paid, to grant Warrant to commit the Person convicted to Prison for a Period not exceeding Eight Days from the Date of Conviction or Sentence, when the Amount of such Fine, Penalty, Damages, or Expenses does not exceed Ten Shillings, for a Period not exceeding Fifteen Days where the Amount exceeds Ten Shillings and does not exceed Twenty Shillings, for a Period not exceeding Thirty Days where the Amount exceeds Twenty Shillings and does not exceed Forty Shillings, for a Period not exceeding Forty Days where the Amount exceeds Forty Shillings and does not exceed Three Pounds, for a Period not exceeding Sixty Days where the Amount exceeds Three Pounds and does not exceed Five Pounds, and for a Period not exceeding Three Months where the Amount exceeds Five Pounds, on the Expiry of which respective Terms of Imprisonment the Party shall be set at liberty, and no further Proceedings shall be competent to be directed against him to enforce Payment; and in all Cases a Copy of the Sentence, printed or written, or partly both, certified by the Clerk or Magistrate, shall be deemed a sufficient Warrant for Commitment: Provided always, that where a Fine or Penalty or Expenses shall have been awarded, and the Party shall have undergone Imprisonment in consequence of the Nonpayment thereof, it shall nevertheless be competent to any private Party aggrieved to sue for Damages from the Party convicted in relation to the same Fact for which the Fine or Penalty or Expenses shall have been awarded.

Persons refusing to pay Fines, &c. may be committed to Prison.

Scale of Fines and Imprisonment.

XCIV. And

Power to  
mitigate  
Punishment  
and order  
Liberation.

XCIV. And be it enacted, That it shall be lawful for the Magistrates to shorten the Period of Imprisonment, or to modify or mitigate the Severity of any other Punishment awarded by him or them in virtue of this Act, if at any Time they, or any Two of them, may see Cause to do so, and in Cases where Persons may have been sent to Prison in default of Payment of the Fines in which they may have been amerced, to grant Order for their Liberation therefrom, upon Payment of such Fines at any Time during the Currency of the Period to which they may have been so sentenced to Imprisonment, whereupon the Keeper or Governor of the Prison in which they may be incarcerated shall be forthwith empowered and required to set them at liberty.

Application  
of Penalties.

XCV. And be it enacted, That all pecuniary Fines, Penalties, and Forfeitures imposed, and the Expense of Works or Operations authorized to be recovered, under this Act, (after defraying Expenses of such Works or Operations,) shall be sued for, at the Instance of the Procurator Fiscal, in the Police Court, and shall be applied to the Police and other Purposes of this Act.

Streets to be  
lighted, and  
Lamp Irons  
affixed to  
Houses.

XCVI. And be it enacted, That it shall and may be lawful to and in the Power of the said Town Council to direct and cause the several public Streets, Squares, Lanes, and Passages in the said Town of *Airdrie* to be lighted in such Manner and Form as they shall think proper, and to contract with any Person or Persons for that Purpose, and also to order Lamp Irons and Lamps to be fixed on the Walls of Houses and other Buildings, or on the Sides of the Streets, Lanes, and Passages, and from Time to Time to alter and remove the same: Provided further, that the said Town Council shall cause any Damage that may thereby be occasioned to be repaired, and the Expense thereof to be defrayed out of the Money granted by this Act; and if any Proprietor or Occupier shall be dissatisfied with such Repair, it shall be lawful for him or her to complain to the Sheriff of the County of *Lanark*, who shall determine the Matter of such Complaint, without being subject to any Appeal or Review whatever.

Penalty for  
wilfully  
breaking  
Lamps.

XCVII. And be it enacted, That if any Person or Persons shall wilfully take away, break, or throw down any Lamp or Lamps which now are or hereafter shall be set up within the Limits of this Act, or damage the Irons or Appurtenances thereof, it shall be lawful for any Person, without any other Warrant, to seize and convey such Offender or Offenders to the Police Office, or deliver him, her, or them into the Custody of a Police Officer, in order to be secured and conveyed before any of the said Magistrates; and if the Party or Parties accused of such Offence, whether apprehended as aforesaid or afterwards cited for the same, shall be convicted thereof, either by his, her, or their own Confession, or by legal Evidence, such Offender or Offenders shall for every such Offence forfeit and pay any Sum not exceeding Fifteen Pounds, and moreover shall make Satisfaction for the Damages done; and in case such Offender or Offenders shall not immediately upon Conviction pay such Fine and make such Satisfaction, the Magistrate or Magistrates may commit them to Prison for a Period not exceeding Three Months.

XCVIII. And



XCVIII. And be it enacted, That if any Person or Persons shall at any Time obstruct or molest any Officer, Special Constable, Watchman, or other Person who shall be employed, in the Execution of his or their Duty under this Act, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Two Pounds; and if any Person or Persons shall assault or strike any such Officer, Watchman, or other Person employed, every such Person or Persons shall for every such Offence, upon being convicted thereof by his, her, or their own Confession, or by legal Evidence, forfeit and pay a Sum not exceeding Five Pounds, to be levied and recovered in manner herein-before directed: Provided always, that the levying of these Fines shall not preclude the said Watchman or other Persons from having recourse to an Action in any competent Court for the Injury done to them.

Penalty on Persons obstructing the Officers in the Execution of their Duty.

XCIX. And be it enacted, That the Town Clerk of *Airdrie* shall be Clerk to the Police Court to be held under the Authority of this Act, and shall have such suitable Salary for any additional Trouble which he may have in the Execution of his Duty as such Clerk as shall be fixed by the Town Council: Provided always, that if the said Town Clerk shall neglect or refuse to discharge the Duties of Clerk to the Police Court, the Magistrates shall thereupon appoint, *pro tempore*, a proper Person to discharge the Duties in his Stead.

Town Clerk to be Clerk of Police Court.

C. And be it enacted, That the Act passed in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*, shall not extend to, and the Operations of the same are hereby expressly excluded from, the Limits of this Act.

Provisions of 3 & 4 W. 4. c. 46. not to apply to this Act.

CI. Provided always, and be it enacted, That the Provisions contained in this Act shall not be deemed or construed to extend beyond the said Burgh of *Airdrie*, except as herein expressly provided.

Act not to extend beyond Limits.

CII. And be it enacted, That the Town Council may sue and be sued in the Name of their Clerk, and the Magistrates and Council may sue or be sued for anything done or ordered to be done by them (in virtue of this Act) in the Name of the Town Clerk for the Time being.

Town Council may sue and be sued in Name of their Clerk.

CIII. Provided always, and be it enacted, That nothing contained herein, or in any Act incorporated herewith, or which may be done in pursuance hereof, shall authorize the Magistrates or the Town Council of *Airdrie*, or any other Party, to take, use, remove, or in any way interfere with any of the Property acquired or Works constructed or used by the *Monkland* Railways Company, or any of the Companies now incorporated under that Name, or shall in any Manner diminish, prejudice, affect, or take away any of the Rights, Powers, Privileges, or Authorities vested in or exercised or enjoyed by the *Monkland* Railways Company; and provided also, that the Rental or Valuation in respect of which the said Company shall be assessed under this Act, for their Railways and Stations within the Limits of this Act, shall be One hundred and fifty Pounds *per Annum*, and that

Saving Rights of *Monkland* Railways Company.

the total Amount of Assessments leviable from the said Company under or by virtue of any of the Provisions of this Act shall not in any Year exceed Three-pence *per* Pound upon such Rental or Valuation.

Nothing to exempt Burgh from Provisions of future general Act.

CIV. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Town or Burgh of *Airdrie* from the Provisions of any general Act relating to Police or Improvements, or for sanitary Purposes, which may be passed during the present or any future Session of Parliament.

Interpretation of Terms.

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

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

Words importing the Masculine Gender only shall include Females :

The Word "Month" shall mean Calendar Month :

The Word "Person" shall include Corporation, whether aggregate or sole :

The Word "Sheriff" shall mean the Sheriff of the County of *Lanark*, and shall include the Sheriff Substitutes :

The Word "Judge" or "Judge of Police" shall mean the Judge sitting and officiating in the Police Court under the Provisions of this Act :

The Word "Magistrate" or "Magistrates" shall include the Provost and Baillies, or any One or more of them :

The Word "Town Clerk" shall mean the Town Clerk of the Burgh of *Airdrie*, and shall include the Town Clerk Depute :

The Word "Procurator Fiscal" or "Fiscal" shall mean the several Persons authorized to act in the Courts for which they are respectively appointed, and shall include the Deputes of such Procurators Fiscal, or other Persons appointed to act for the Time being :

The Words "Collector" and "Treasurer" shall mean the Collector and Treasurer respectively appointed by the Town Council or under the Provisions of this Act :

The Word "Broker" or "Brokers" shall mean and include all Persons dealing in second-hand or other Goods or Articles, or in old Metals, Bones, or Rags :

The Words "Burgh," "the Town," "the said Town," "the Limits of this Act," shall mean the Burgh of *Airdrie* as defined in the Act of the Second and Third Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in Scotland* :

The Expressions "yearly Rents" or "yearly Value" shall mean the full yearly Rents or full yearly Value :

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of any other Persons exempted by Law from the Necessity of taking an Oath :

The Word "Street" or "Road" shall extend to and include any Square, Street, Court, Alley, Highway, Lane, Road, Thoroughfare, or Passage within the Limits of this Act :

The Word "Lands," "Houses," "Buildings," shall extend to Tenements and Heritages of every Tenure or Description :

The Word "Cart" shall include any Waggon, Timber or other Carriage, Dray, Truck, Handcart, Wheelbarrow, or Handbarrow :

The Word "Driver" shall include the Driver, Conductor, or Carter, or Person in charge of any Hackney Coach, Carriage, Cart, or other Vehicle drawn by One or more Horses or Beasts of Draught :

The Word "Cattle" shall include any Horse, Mare, Gelding, Foal, Colt, or Filly, Bull, Cow, Heifer, Ox, Calf, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine :

The Word "Owner" shall include Fiar, Liferenter, Feuar, or other Person in the actual Possession or Receipt of the Rents of Tenements, Lands, and Heritages of every Tenure or Description, and the Factor, Agent, or Commissioners of such Persons, or any of them, who shall intromit with or draw the Rents :

The Word "Tenant" shall include Occupant :

The Word "Occupier" shall include Tenant or Possessor, under whatever Holding :

The Word "Gaol" or "Prison" shall be held to include every legalized Prison or other Place of Confinement.

CVI. And be it enacted, That the Expenses incurred or to be incurred in the preparing, applying for, and obtaining this Act, and incident thereto, shall be defrayed from the Sum assessed, levied, or leviabie under the before-recited Acts and this Act by the Town Council ; and in order to discharge such Expenses the Town Council shall and they are hereby authorized and empowered to assess every Person herein-before authorized to be assessed in any further Sum or Sums that may be necessary, such further Assessment not exceeding in any One Year Two-pence in the Pound of the yearly Rent or Value of the different Subjects particularly before specified, to be ascertained in manner before directed, and to be recovered and made effectual along with and in the same Manner as is provided with regard to levying the Rates and Assessments herein-before authorized to be assessed and levied. Expenses of Act.

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



certain Bond or Assignment in my Favour by Town  
 Clerk of the Burgh of Airdrie, together with the said Bond and  
 Assignment itself, bearing Date the Day of  
 and all Interest now due and to become due thereon [*here insert the  
 Conditions, if any, of the Transfer, and a testing Clause according  
 to the Form of the Law of Scotland*].

SCHEDULE (D.)

*Form of Complaint and Judgment.*

Police Court, Airdrie, }  
 18 . }

Unto the Honourable the Magistrates of Airdrie, or any of them,  
 officiating as Judge in the Police Court of Airdrie.

The Complaint of [*name Prosecutor*] Writer in Airdrie, Procurator  
 Fiscal of Court, for the public Interest.

The Complainer charges [*name and design Offender or Offenders*]  
 with the Crime of [*state Nature of the Charge shortly*], in so far as  
 on or about [*state Date*] the said Defender [*or Defenders*] did [*state  
 Place and Particulars of Charge shortly*]; for which Offence [*or  
 Offences*] the Defender [*or Defenders*], on being legally convicted,  
 ought to be imprisoned for a Period not exceeding Sixty Days, or  
 fined in a Sum not exceeding Five Pounds Sterling, or imprisoned for  
 a Period not exceeding Sixty Days in the event of such Fine not  
 being paid, to deter others from committing the like Offences in Time  
 coming.

(Signed)

Proc. Fiscal.

Airdrie,

18 .

Grants Warrant to cite the said Defender [*or Defenders*] to appear  
 before the Court to be held within the Burgh Court House of Airdrie  
 on the Day of  
 at o'Clock noon, for Examination, and to  
 answer to the above Complaint; and grants Diligence against Witnesses  
 for Parties.

(Signed)

Bailie.

Airdrie,

18 .

Grants Warrant to apprehend [*or, if previously apprehended, to  
 detain*] the said [*name Defender or Defenders*], and to bring [*him,  
 her, or them*] before me, or any One or more of the Magistrates of  
 Airdrie, for Examination, and to answer to the foregoing Complaint;  
 and grants Diligence against Witnesses for Parties.

Bailie.

Airdrie,

18 .

Commits the above designed [*name Offender or Offenders*] to the  
 Prison of Airdrie for further Examination.

Bailie.

Airdrie,

18 .

Continues this Case till the Day of  
 18: at o'Clock noon.

Bailie.

[*Local.*]

16 Y

At



Bailie [*or* Bailies] found and hereby finds the Charge [*or* Charges] of proven, and [*if any Fine be decerned for*] decerned and adjudged, and hereby decerns and adjudges, the said to pay a Fine of and in default of Payment [*or if no Fine be awarded*] to be imprisoned in the Prison of Airdrie from this Date as follows; viz. [*here insert Name or Names of Defenders, and Period of Imprisonment awarded*]. Extracted from the Records of said Burgh Court.

[*Signed by Magistrate or Town Clerk.*]

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