



Public Libraries Consolidation (Scotland) Act 1887

1887 CHAPTER 42 50 and 51 Vict

1 Short title.

This Act may be cited as the Public Libraries Consolidation (Scotland) Act 1887, and shall apply to Scotland only.

[^{F1}2 Interpretation.

In this Act, except where the context otherwise requires, “library authority” and “museum and art gallery authority”, for the purposes of this Act, mean a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994; and “area”, in relation to such an authority, shall be construed accordingly.]

Textual Amendments

F1 S. 2 substituted (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13**, para. 5; S.I. 1996/323, **art. 2**

3 Repeal.

.....^{F2} such repeal shall not invalidate or affect anything already done in pursuance of these Acts, or any of them, and all burghs and parishes in Scotland which before the passing of this Act have adopted the recited Acts shall thereafter be subject to the provisions of this Act: Provided always, that nothing in this Act contained shall prejudice or affect the provisions of the^{M1}Edinburgh Public Library Assessment Act 1887.

Textual Amendments

F2 Words repealed by [Statute Law Revision Act 1908 \(c. 49\)](#)

Changes to legislation: There are currently no known outstanding effects for the Public Libraries Consolidation (Scotland) Act 1887. (See end of Document for details)

Modifications etc. (not altering text)

C1 “Such repeal” means repeal of Public Libraries (Scotland) Acts 1867 to 1884

Marginal Citations

M1 1887 c. lxxxv.

4—6 F3

Textual Amendments

F3 Ss. 4–6 repealed by Local Government (Scotland) Act 1973 (c. 65), Sch. 29

7—9 F4

Textual Amendments

F4 Ss. 7–9, 11–13 repealed by Local Government (Scotland) Act 1947 (c. 43), Sch. 14

10 Lands, &c. may be appropriated, purchased, or rented.

The [^{F5}library authority or museum and art gallery authority,] as the case may be, may from time to time . . . ^{F6} for the purposes of this Act . . . ^{F6} purchase, feu or rent any land, or any suitable building; and may . . . ^{F6} erect any building suitable for public libraries, public museums, [^{F5}and art galleries,] or for any one or more of those objects, and may alter or extend any buildings for such purposes, and repair and improve the same respectively, and fit up, furnish, and supply the same respectively with all requisite furniture, fittings, and conveniences.

Textual Amendments

F5 Words substituted by Local Government (Scotland) Act 1973 (c. 65), Sch. 21 para. 3

F6 Words repealed by Local Government (Scotland) Act 1947 (c. 43), Sch. 14

11— F7

13.

Textual Amendments

F7 Ss. 7–9, 11–13 repealed by Local Government (Scotland) Act 1947 (c. 43), Sch. 14

14 F8

Changes to legislation: There are currently no known outstanding effects for the Public Libraries Consolidation (Scotland) Act 1887. (See end of Document for details)

Textual Amendments

F8 S. 14 repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

15, 16. ^{F9}

Textual Amendments

F9 Ss. 15, 16 repealed by [Local Government \(Scotland\) Act 1947 \(c. 43\)](#), **Sch. 14**

17— ^{F10}
20.

Textual Amendments

F10 Ss. 17–20, 23, 25–27, 29, 30, Schs. (A) (B) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), **Sch. 29**

21 Powers of committee.

The [^{F11}library authority or museum and art gallery authority, as the case may be,] shall manage, regulate, and control all libraries [^{F12}or museums or art galleries] established under this Act, or to which this Act applies; and shall have power to do all things necessary for such management, including the following powers; that is to say,

- ^{F13}
To purchase books, newspapers, reviews, magazines, and other periodicals, statutory, pictures, engravings, maps, specimens of art and science, [^{F14}gramophone records, tape recordings and films] and such other articles and things as may be necessary for the establishment, increase, and use of the libraries [^{F12}or museums or art galleries] under their control, and to do all things necessary for keeping the same in a proper state of preservation and repair:
- To provide from time to time the necessary fuel, lighting, and other matters:
- To sell or exchange any books, works of art, or other property of which there may be duplicates, provided that the money arising from such sale, and the property received in exchange shall be applied and held for the purposes of this Act:
- To provide suitable rooms in the libraries within which the books, periodicals, and newspapers may be read:
- To lend out, [^{F15}to inhabitants of the area of the authority] the books of any library under their control, or such of them as they may consider proper; and at their discretion to grant the same privilege to the inmates of industrial schools, training ships, reformatories, barracks, and other similar institutions established for or in the [^{F15}area]; and also to any person carrying on business within the limits of the [^{F15}area], or to any employee engaged in employment therein, although such person or employee . . . ^{F16} may not reside within such limits:
- To compile and print catalogues of all or any books, articles, and things in the libraries [^{F12}or museum or art galleries] under their control, and reports of their

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proceedings, and to sell the same, the proceeds to be applied for the purposes of this Act.

Textual Amendments

- F11 Words substituted by virtue of [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 4\(a\)](#)
- F12 Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 4\(b\)](#)
- F13 Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 4\(c\)](#)
- F14 Words inserted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 4\(d\)](#)
- F15 Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 4\(e\)](#)
- F16 Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

Modifications etc. (not altering text)

- C2 [S. 21](#) extended by [Public Libraries \(Scotland\) Act 1955 \(c. 27, SIF 78\)](#), [s. 4\(1\)](#), as renumbered by [Copyright, Designs and Patents Act 1988 \(c.48, SIF 67A\)](#), [s. 303\(1\)](#), [Sch. 7 para. 6](#)

22 Power to committee to make byelaws.

It shall be lawful for the [^{F17}library authority or museum and art gallery authority] to make byelaws for regulating all or any matters and things whatsoever connected with the control, management, protection, and use of any property, articles, or things under their control for the purposes of this Act, and to impose such penalties for breaches of such byelaws, not exceeding five pounds for each offence, as may be considered expedient; and from time to time, as they shall think fit, to repeal, alter, vary, or re-enact any such byelaws, provided always that such byelaws and alterations thereof shall not be repugnant to the law of Scotland, . . . ^{F18}, and shall be approved of and confirmed by the sheriff [^{F19}exercising jurisdiction in the area of the authority:] Provided also, that nothing herein contained shall preclude the [^{F20}library authority or museum and art gallery authority,] as the case may be, from recovering the value of articles or things damaged, or the amount of the damage sustained, against all parties liable for the same.

Textual Amendments

- F17 Words substituted by virtue of [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 5\(a\)](#)
- F18 Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)
- F19 Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 5\(c\)](#)
- F20 Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 5\(d\)](#)

23 ^{F21}

Textual Amendments

- F21 [Ss. 17–20, 23, 25–27, 29, 30, Schs. \(A\) \(B\)](#) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

[^{F22}24 Exhibition of byelaws and proposed byelaws.

A copy of proposed byelaws and a copy of byelaws which have been made by a library authority or a museums and art gallery authority under section 22 of this Act shall be

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put up in some conspicuous place in each of the libraries, or, as the case may be, the museums or art galleries, of the authority.]

Textual Amendments

F22 S. 24 substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 6](#)

25—27 **F23**

Textual Amendments

F23 Ss. 17–20, 23, 25–27, 29, 30, Schs. (A) (B) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

28 Recovery of penalties and forfeitures.

All penalties and forfeitures exigible under this Act, and the Acts incorporated wholly or partially herewith, or under any byelaw made in pursuance thereof, may be recovered by an ordinary small-debt action in the [^{F24}name of the library authority or museum and art gallery authority, as the case may be, before either the sheriff or justices exercising jurisdiction in the area of the authority]; and the same shall be payable to the [^{F25}library authority or museum and art gallery authority] and shall, when recovered, be applied by them for the purposes of this Act; and in any prosecution under this Act an excerpt from the books of the [^{F25}library authority or museum and art gallery authority] certified by the . . . ^{F26} proper officer, shall be held equivalent to the books of the [^{F25}library authority or museum and art gallery authority], and all entries in the books of the [^{F25}library authority or museum and art gallery authority] bearing that any book or books mentioned or referred to therein has or have been borrowed by the person complained against shall be taken and received as evidence of the fact, and the *onus probandi* shall be thrown on the party complained against, and if decree passes against such party, he shall be found liable in costs.

Textual Amendments

F24 Words substituted by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para.7\(a\)](#)
F25 Words substituted by virtue of [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 21 para. 7\(b\)](#)
F26 Words repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

29, 30. **F27**

Textual Amendments

F27 Ss. 17–20, 23, 25–27, 29, 30, Schs. (A) (B) repealed by [Local Government \(Scotland\) Act 1973 \(c. 65\)](#), [Sch. 29](#)

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31 Power to add to institutions established.

Where any of the following institutions, namely, a public library, a public museum, a school for science and art, a school for science, a school for art, or an art gallery has been established under any Public Library Act in force for the time being, or under this Act, there may at any time be established, in connexion therewith, any other of the said institutions without further proceedings being taken for the adoption of this Act.

32 Libraries, &c. to be free.

All libraries, museums, or art galleries established under this Act, or to which this Act applies, shall be open to the public free of charge, and no charge shall be made for the use of books or magazines issued for home reading.

Changes to legislation:

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