'*and* Ireland: And whereas it is expedient that the recited Acts should be amended in 'certain of the Provisions thereof, in so far as the same apply to *Scotland*:' Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Right of Retention or Lien over Shares of Partners not to be affected.

I. No Clause directed by the said Acts to be inserted in the Deed of Partnership of any Joint Stock Banking Company in *Scotland* to be executed previous to such Company being incorporated under the recited Acts shall take away or impair the Right of Retention or Lien which, in virtue of the Common Law of *Scotland*, such Company has or may be entitled to exercise over the Shares of its Partners, for or in respect of any Debt or Liability incurred or Obligation undertaken by them to the Company.

The Company to sell Shares acquired in virtue of Right of Lien.

II. Provided, That as often as the Company may, in virtue of their Right of Lien or Retention, acquire any Shares in the Company's Stock, they shall be bound to sell the same within Six Months after the same shall have been so acquired, and in such Manner as is by the said first-recited Act provided for the Sale of forfeited Shares; and the Company shall be bound to account to the Party or Parties interested in such Shares, or to their Creditors, or Heirs or Executors, for the Balance of the Price or Prices which may have been realized by such Sale, after paying the Debt due to the Company, and the Expenses incurred by them in securing their Debt and selling the Shares.

Provision to be made as to signing Bills and Notes.

III. In such Deed of Partnership there shall be inserted Provisions regulating the Manner in which Bills of Exchange or Promissory Notes of the Company may be made, accepted, or endorsed, and it shall not be necessary that such Bills of Exchange or Promissory Notes be signed in the Manner prescribed by the first-recited Act.

CAP. LXXIV.

An Act to render Reformatory and Industrial Schools in *Scotland* more available for the Benefit of Vagrant Children. [7th *August* 1854.]

'WHEREAS it is expedient that Reformatory and Industrial Schools in *Scotland* should 'be made more available for the Education and Training of Vagrant Children:' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Power to Sheriff or Magistrate to send Vagrant Children to School unless Security found for good Behaviour.

I. When any young Person apparently under the Age of Fourteen Years shall, from and after the passing of this Act, be found begging, or, not having any Home or settled Place of Abode or proper Guardianship, and having no lawful or visible Means of Subsistence, shall be found wandering, and though not charged with any actual Offence, shall be brought by any Constable or Police Officer before any Sheriff or Magistrate, it shall be lawful for the said Sheriff or Magistrate, after due Inquiry, and Intimation to the Inspector of the Poor, and due Intimation to the Parents, Guardians, or others interested in such young Person, if the same can be found, and unless the Parents, Guardians, or other Persons interested in such young Person shall appear and find Security for his or her good Behaviour, enacted in the Books of Court according to the Form (or as near thereto as may be) contained in the Schedule (B.) annexed hereto, such Security to be for any Sum not less than One Pound and not more than Five Pounds, and for any Period not exceeding Twelve Calendar Months, if he shall see Cause, to order by a Writing under his Hand, according to the Schedule (A.), or as near thereto as may be, such young Person forthwith to be transmitted to and received at any Reformatory School, Industrial School, or other similar Institution within *Scotland*, whether established by a Parochial Board or by an Association of Individuals, which may have been sanctioned by the Secretary of State for the Purposes of this Act, the Directors or Managers of which may be willing to receive such young Person,

for such Period of Time as may appear necessary for his or her Education and Training, but such young Person shall not be detained beyond the Age of Fifteen Years without his or her Consent, such Magistrate having due regard to the religious Belief of such Child, or to any Wish expressed by the Parents, Guardians, or other Relative as to the particular Institution to which such Child shall be committed or removed, and with Power to Secretary of State to order such Removal; and on such Security as aforesaid being at any Time found, the Sheriff or the committing or other acting Magistrate for the Time being may order the Discharge of such young Person from any such School or Institution: Provided always, that if the Parent or Guardian of any such young Person shall express a Preference for any One such School out of Two or more within the Jurisdiction of the Sheriff or Magistrate, such Sheriff or Magistrate shall order such young Person to be sent to the School so preferred, if the Managers be willing and able to receive him.

Punishment on wilfully leaving and refusing to return to School.

II. If any young Person who shall be sent to any such School or Institution, under the Provisions of this Act, shall wilfully leave and abscond therefrom before attaining the Age of Fifteen Years, or being duly discharged therefrom, and shall refuse to return, it shall be lawful to the Sheriff or to the committing or any other acting Magistrate, on summary Complaint at the Instance of any Officer of the said School or Institution, (and which Complaint shall be conducted in the Forms, or as nearly as may be, and subject to all the Provisions of the Act of the Ninth Year of King *George* the Fourth, Chapter Twenty-nine,) to punish such young Person by Whipping, or by Imprisonment for any Term not exceeding Twenty Days, and if he shall see proper to order that such young Person be thereafter re-transmitted to such School in manner foresaid.

Penalty on Persons wilfully withdrawing young Persons from School.

III. When any young Person has been sent by any Sheriff or Magistrate to such School or Institution sanctioned as aforesaid, any Person who shall directly or indirectly wilfully withdraw such young Person from such School or Institution, or induce him or her to abscond therefrom, before he or she has been regularly discharged, or who shall knowingly conceal or harbour such young Person, or otherwise prevent his or her Return thereto, then such Person so offending shall be liable for every such Offence in a Penalty not exceeding Five Pounds, to be recovered on summary Complaint before any Sheriff or Magistrate at the Instance of any Officer of such School or Institution, or any Person authorized by the Directors or Managers, with Concurrence of the Public Prosecutor, and, failing Payment, the Offender may be imprisoned for any Period not exceeding Sixty Days; and such Penalty, deducting the Expense of Prosecution, shall be paid over to the Treasurer of the Institution in which such young Person was placed and for behoof thereof.

Parents and others may be sued for Expenses of Support of Children in School.

IV. In every Case where any such young Person has been sent by any Sheriff or Magistrate to such School or Institution as aforesaid, it shall be competent for the Treasurer or other Officer thereof to sue the Parents or Step-parents of such young Person or other Persons who may be liable to support him or her for Payment of the Cost of Support and other Expenses incurred by the said School or Institution in regard to such young Person, and to recover the same by Action in the Sheriff's Small Debt Court: Provided always, that the Sheriff may, on Cause shown, modify the Amount of such Cost and Expenses as he shall think reasonable, or remit the same altogether, as in the Circumstances of the Case may seem just.

Expense of Children to be paid for by Parochial Board when not received from Parents, &c.

V. Where any young Person shall be sent to such School or Institution, and where the Cost of Support of such young Person has not been received from the Parents of such young Person or other Parties liable for his or her Support, it shall be competent for the Treasurer or other Officer of such Institution, or other Person authorized by the Directors or Managers, to recover the Cost of such Support and other Expenses of such young Person, or any Balance thereof unpaid, from the Parochial Board of the Parish on which such young Person, if a Pauper, would have been chargeable in the first instance; and such Cost and Expenses are hereby declared to form a valid Charge upon the Funds within the Management of the said Parochial Board, under the Act Eighth and Ninth *Victoria*, Chapter Eighty-three, declaring that such Sums shall be annually on the Thirty-first of *December* in every Year charged against the said Parochial Board for the Year then ending, and shall be sued for within

within Three Months after the Lapse of every such Year, and not thereafter, and the Amount may be sued for under the Sheriff Small Debt Act, First *Victoria*, Chapter Forty-one, as amended by the Seventeenth and Eighteenth *Victoria*, Chapter Eighty, although the Amount be greater than the Sum to which the Prosecutions by the said Acts are limited; Provided always, that the Sheriff shall have Power to fix the Cost of Support at such Rate as he may consider just and reasonable; and on Payment of the said Sums the said Parochial Board shall have all competent Remedy for Relief and Recovery of the Sums paid by them against all Persons or Parishes bound in Relief and Payment thereof.

Power to make Rules, &c.

VI. It shall be lawful for the Directors and Managers of such Schools and Institutions as aforesaid to make all necessary Rules, Orders, and Byelaws for the Regulation and Management of the Schools and Institutions as aforesaid under their Charge, not repugnant to the Provisions of this Act, but no such Rules, Orders, or Byelaws shall be enforced until they have been submitted to and approved by the Lord Advocate of *Scotland*.

Power to Education Committee of Privy Council to grant Aid to Directors of Schools.

VII. It shall be lawful for the Education Committee of Her Majesty's Privy Council, out of the Monies at their Disposal voted by Parliament for the Purposes of Education, to grant to the Directors or Managers of any such School or Institution sanctioned as aforesaid, who may be willing to receive such young Persons as aforesaid, such Aid as they may judge proper towards the Erection of suitable Buildings, and the annual Expense of such School or Institution, under such Regulations as to the Accommodation required and the Qualification of Teachers as the Committee of Council may prescribe; and all Schools and Institutions receiving such Aid shall be open to the Inspection of Her Majesty's Inspector of Schools, or to any other Inspector specially appointed for the Inspection thereof.

Act not to interfere with Powers of Removal under 8 & 9 Vict. c. 83.

VIII. Nothing in this Act contained shall be construed to prevent any Parochial Board on whose Funds the Cost of Support of any such young Person as aforesaid shall have become a Charge from adopting such Steps for his or her Removal as may be competent to them under the Provisions of the Eighth and Ninth *Victoria*, Chapter Eighty-three.

SCHEDULE A.

At the Day of I [*A.B.* Sheriff *or* Magistrate of] under the Powers of the Reformatory Schools (Scotland) Act, 1854, hereby order, that *C.D.* belonging to and apparently of the Age of Years, and who was brought before me under the Provisions of the said Act, to be taken to the School, at , therein to remain, under the Powers and Provisions contained in the said recited Act, until he be duly discharged therefrom or attain the Age of Fifteen Years.

Given under my Hand, Date and Place foresaid.

SCHEDULE B.

I *or* we [*name and design the Cautioners*] do hereby judicially enact ourselves in the Books of the Court, at and bind and oblige [myself *or* ourselves, my *or* our Heirs, Executors, and Successors, jointly and severally,] under the Penalty of for the good Behaviour of *A.B.* belonging to and that for the Period of Calendar Months, all in Terms of the First Section of the Reformatory Schools (Scotland) Act, 1854.

Subscribed by me [*or* us] at the Day of , before these Witnesses.

A.B. and *C.D.*