deemed to be Pawnbrokers.

and liable to all the Provisions and Regulations thereof in relation to Pawnbrokers, as well as the Persons who by or under the said Acts or any of them are declared or deemed to be Persons using or exercising the said Trade or Business; (that is to say,) every Person who shall keep a House, Shop or other Place for the Purchase or Sale of Goods or Chattels, or for taking in Goods or Chattels by way of Security for Money advanced thereon, and shall purchase or receive or take in any Goods or Chattels, and pay or advance or lend thereon any Sum of Money not exceeding Ten Pounds, with or under any Agreement or Understanding, express or implied, or which from the Nature or Character of the Dealing may reasonably be inferred, that such Goods or Chattels may be afterwards redeemed or repurchased on any Terms whatever.

Penalty on Persons declared or deemed to be Pawnbrokers not taking out proper Licences.

Penalties recoverable by summary information.

II. If any Person by or under this Act or the several Acts aforesaid or any of them declared or deemed to be a Person using and exercising the Trade or Business of a Pawnbroker shall neglect or omit to take out the proper Licence in that Behalf he shall forfeit the Sum of Fifty Pounds, which shall be recoverable by Information before any Justice of the Peace in the Name of an Officer of Inland Revenue prosecuting for the same on behalf of Her Majesty; and in every Information or other Proceeding for the Recovery of such Penalty it shall be a sufficient Description of the Offence to charge that the Defendant did use and exercise the Trade and Business of a Pawnbroker without taking out a proper Licence in that Behalf; and upon the Conviction of such Defendant the like Proceedings shall be had for the levying of the Penalty or for the recording of such Conviction, and for the Appeal of the Defendant if he shall feel himself aggrieved thereby, as are provided by Law, and may be adopted with regard to any Penalty incurred under the said Act of the Thirty-ninth and Fortieth Years of King *George* the Third: Provided always, that it shall be lawful for the Justice before whom any such Defendant shall be convicted to mitigate or lessen the said Penalty, if he shall think fit, to any Sum not less than One Fourth thereof; provided also, that any Proceeding authorized or directed by the said recited Acts or this Act to take place before a Justice of the Peace may, in *Scotland*, take place before the Sheriff of the County in which the Proceeding is instituted, or his Substitute; but no Appeal shall lie from the Judgment of any Sheriff to the Quarter Sessions of the Peace, nor shall any other Appeal lie, save from the Judgment of the Sheriff Substitute to the Sheriff, whose Decision shall in all Cases be final, and not subject to Review.

Power to Justices to mitigate Penalties.

CAP. XXVIII.

An Act to make further Provision for rendering Reformatory and Industrial Schools in *Scotland* more available for the Benefit of Vagrant Children.

[23d *June* 1856.]

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:

Decree against Parents for Support of Children in Reformatory Schools may be for Payment of weekly Sum, enforceable weekly.

I. In every Case in which any young Person in *Scotland* shall have been sent to a Reformatory or Industrial School or other similar Institution, under the Provisions of the Act of the Seventeenth and Eighteenth Years of Queen *Victoria*, Chapter Seventy-four, "to render Reformatory and Industrial Schools in *Scotland* more available for the Benefit "of Vagrant Children," or under the Provisions of this Act, it shall be lawful for the Inspector of the Poor of the Parish which may be either in the first instance or ultimately liable for the Support of such young Person at such School or Institution, as well as for the Treasurer or other Officer thereof, to raise an Action against the Parents or Step-parents of such young Person or other Persons who may be liable for his or her Support, for Payment of a weekly Sum, to be applied to the Cost of Support and other Expenses incurred or to be incurred by the Directors or other Managers of such School or Institution in regard to such young Person, and such Action may be brought in the Sheriff's Small Debt Court of the County in which the Order to send such young Person to such School or Institution was pronounced, or of the County in which the Defender in such Action may happen to reside; and

and it shall be lawful for the Sheriff before whom such Action, whether at the Instance of such Inspector or of such Treasurer or other Officer as aforesaid, is brought to inquire into the Circumstances of the Party sued, and to pronounce Decree, with Warrant of Assessment and Pounding, for such weekly Sum as he shall think fit, not exceeding Five Shillings per Week, during the Period of the Continuance at such School or Institution of such young Person, or, in his Discretion, to dismiss the Action; and such Decree shall be held to be and shall have all the Effect of a Decree in each Week for Payment of the Sum decerned to be paid for such Week; and under the Warrant for Arrestment therein contained it shall be lawful to arrest weekly, for Payment of such weekly Sum as aforesaid, the Wages of the Defender due and current, and such Arrestment shall attach not only the Wages due and payable to the Defender at the Date thereof, but also the Wages current for the Week or other Term or Period in the Course of which such Arrestment is executed; and the Inspector of the Poor recovering any such weekly Sums shall every Quarter of a Year pay over the Amount received by him to the Treasurer or other Officer of such School or Institution, and the same shall be imputed, *pro tanto*, in satisfaction of the Claim of the Directors or other Managers of such School or Institution against such Inspector in respect of such young Person; and such Managers or other Directors shall, once every Quarter of a Year, render to the Inspector of any Parish liable in Payment of Expenses incurred in respect of any young Person at their School or Institution an Account of the Sums claimed by them in respect of such young Persons for the Quarter immediately preceding.

Young Persons may be kept in Custody for Forty-eight Hours before pronouncing Order for Transmission to School.

II. Where any young Person falling within the Provisions of the First Section of the said recited Act shall be brought before any Sheriff, Magistrate, or Justice of the Peace, it shall be lawful for such Sheriff, Magistrate, or Justice of the Peace, when he sees fit, and before ordering the Transmission of such young Person to any such School or Institution as aforesaid, to pronounce an Order authorizing such young Person to be kept in Custody for such Period as he may deem necessary for Intimations and Inquiry, but not exceeding in any Case Forty-eight Hours, in the Poor's-house of the Parish or Combination within which such young Person was found, or where there is no such Poor's-house, or where it is at an inconvenient Distance, in such other Place of Custody, not being a Prison, as he may appoint, and to be again brought before him or any acting Magistrate or Justice of the Peace within such Period; and the Keeper of such Poor's-house shall be bound to receive and retain such young Person therein, providing him with sufficient Food; and any other Person whom such Sheriff, Magistrate, or Justice of the Peace shall authorize to take charge of such young Person shall, by virtue of such Authority, be entitled to keep him in Custody for the Period authorized and in the Place appointed as aforesaid, at such Charge as the Sheriff, Magistrate, or Justice of the Peace shall fix, and which the Inspector of the Poor of the Parish in which such Person was found shall in the first instance be bound to defray, and when such young Person shall, in pursuance of such Order as aforesaid, be again brought before any such Sheriff, Magistrate, or Justice of the Peace, such Sheriff, Magistrate, or Justice of the Peace may, if he sees fit, pronounce an Order for transmitting him or her to any such School or Institution, according to the Provisions of the said recited Act and this Act.

Where young Persons are brought up under any Police Act, Procedure may go on thereunder till Order for Transmission to School.

III. Where any such young Person as aforesaid brought before any Sheriff or Magistrate shall have been so brought, by virtue of the Provisions contained in any Local or General Police Act, on a Charge of Begging or Vagrancy, the said recited Act and this Act shall be held as incorporated in such Police Act to the Effect of enabling such Sheriff or Magistrate, sitting as Judges of Police, if he shall think fit, to pronounce, in the Form of the Schedule (A.) to this Act annexed, an Order for transmitting such young Person to any such Reformatory or Industrial School or other Institution as aforesaid, instead of any Sentence which under such Police Act it would have been competent for him to pronounce; all the Powers of Apprehension and Detention provided for Cases of Begging or Vagrancy being hereby reserved in full Force and Effect, with reference to such young Person, till Liberation upon Caution in Terms of the said recited Act and this Act, or in failure thereof till the pronouncing of such Order of Transmission as aforesaid.

Inspector may recover, notwithstanding

IV. Where the Inspector of the Poor of any Parish liable in the first instance for the Support of any such young Person as aforesaid shall have incurred any Expense or made

no previous Notice of Chargeability.

any Payment in respect of the Custody of such Person as aforesaid before the pronouncing of an Order for transmitting him or her to a Reformatory or Industrial School or other similar Institution, or shall have made any Payment towards the Support of such young Person in such School or Institution, such Inspector shall be entitled to sue for the same the Inspector of the Parish ultimately liable for the Support of such young Person, notwithstanding that no previous Notice of Chargeability may have been given; provided always, that within Eight Days after any such Payment shall have been made or any such Expense shall have been incurred due Notice thereof shall have been given to the Inspector of the Parish so ultimately liable.

Discretionary, in certain Cases, to admit or refuse Security for good Behaviour.

V. Where Security for the good Behaviour of any such young Person as aforesaid, in Terms of the Provisions of the First Section of the said recited Act, shall, whether before or after the pronouncing of an Order for transmitting him or her to any such School or Institution, be offered by any Person, other than his or her Parent or Guardian, or nearest surviving Relative, or the Inspector of the Poor of any Parish which may be ultimately liable for his or her Support, and in which there shall have been established by the Parochial Board thereof a Reformatory or Industrial School, sanctioned under the said recited Act, it shall be lawful for the Sheriff, Magistrate, or Justice of the Peace before whom such Security is offered, to inquire into the Way in which such young Person is to be disposed of, and the Means to be provided for his Up-bringing; and if he shall not be satisfied with the Result of such Inquiry, it shall be lawful for him, in his Discretion, to refuse to receive the Security so offered: Provided always, that when Security shall be received from any Inspector, the Amount thereof shall be restricted to the minimum Sum prescribed by the said recited Act.

Power to discharge from School before Expiry of Period of Attendance.

VI. It shall be lawful for any Sheriff, Magistrate, or Justice of the Peace, on the Application of the Directors or Managers of any School or Institution to which any such young Person may have been transmitted, under the Provisions of the said recited Act or of this Act, or of the Inspector of the Poor of the Parish in the first instance or ultimately liable for his or her Support, if satisfied that a suitable Opening of Employment for him has occurred, or if he shall otherwise see Cause, to discharge such young Person from such School or Institution before the Expiry of the Period for which he may have been sent there.

Local Reformatories may receive Youthful Offenders and Vagrant Children.

VII. Where in any City, Town, or Place, there has been erected, under Local Act of Parliament or otherwise, any House of Refuge for Youthful Offenders, or any Reformatory or Industrial School or other similar Institution, it shall be lawful for the Commissioners, Directors, or Managers thereof, to receive and maintain therein, if willing so to do, all such young Persons as may be sent thereto under the said recited Act or this Act, or the Act of the Seventeenth and Eighteenth Years of Queen *Victoria*, Chapter Eighty-six, "for "the better Care and Reformation of Youthful Offenders in *Great Britain*," or the Act of the Eighteenth and Nineteenth Years of Queen *Victoria*, Chapter Eighty-seven, to amend the said recited Acts, or under any of them, and to apply such Portion of the Fund under their Control as they may think proper for their Training, Maintenance, and Disposal, such House of Refuge, School, or Institution having always been previously sanctioned under the said recited Acts or either of them, as the Case may be.

New Schedules substituted for those in 17 & 18 Vict. c. 74.

VIII. Instead of the Schedules (A.) and (B.) to the said recited Act of the Seventeenth and Eighteenth Years of Queen *Victoria*, Chapter Seventy-four, annexed, the Schedules (A.) and (B.) to this Act annexed shall respectively be substituted and used.

Inspector of Poor deemed the Inspector to whom Intimation is to be made.

IX. The Inspector of the Poor of the Parish in which any young Person brought before any Sheriff, Magistrate, or Justice of the Peace, under the Provisions of the said recited Act of the Seventeenth and Eighteenth Years of Queen *Victoria*, Chapter Seventy-four, has been found, is hereby declared to be and shall be deemed the Inspector of the Poor to whom Intimation is by the First Section thereof directed to be made: Provided always, that when the Parent or Parents of such young Person shall be stated by him or her to reside in an immediately adjoining Parish, Intimation shall also be made to the Inspector of the Poor of such Parish.

X. No

X. No Reformatory or Industrial School or other similar Institution shall hereafter be sanctioned or certified under both of the said recited Acts, Chapter Seventy-four and Eighty-six, of the Seventeenth and Eighteenth Years of Queen *Victoria*. Schools not to be certified both under cc. 74. and 86. of 17 & 18 Vict.

XI. The said recited Act of the Seventeenth and Eighteenth Years of Queen *Victoria*, Chapter Seventy-four, and this Act, may respectively be cited for all Purposes as "The Reformatory Schools (*Scotland*) Act, 1854," and "The Reformatory Schools (*Scotland*) Act, 1856." Short Titles.

SCHEDULES.

SCHEDULE (A.)

At the Day of

I *A.B.* [Sheriff, *or* Magistrate, *or* Justice of the Peace of *as the Case may be*], under the Powers of the Reformatory Schools (Scotland) Acts, 1854 and 1856, hereby order that *C.D.*, apparently of the Age of Years, be taken to the School at , thereat to remain, under the Powers and Provisions of the said Acts, for the Period of , or until he be 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 myself [*or* ourselves] in the Books of the Court at , and bind and oblige myself [*or* ourselves], and my [*or* our] Heirs, Executors, and Successors, jointly and severally, under the Penalty of , payable to and recoverable by the Procurator Fiscal of Court for the Time being, for the good Behaviour of *C.D.*, and especially that he shall not commit any Offence, nor resort to common Begging, nor be found wandering being without any settled Place of Abode or proper Guardianship, and that for the Period of Calendar Months, all in Terms of the Reformatory Schools (Scotland) Acts, 1854 and 1856.

Subscribed by me [*or* us] at this Day of before these Witnesses, *E.F.* and *G.H.* [*designing them respectively.*]

CAP. XXIX.

An Act to extend the Powers of the Trustees and Director of the National Gallery, and to authorize the Sale of Works of Art belonging to the Public.

[23d *June* 1856.]

'WHEREAS Pictures and other Works of Art acquired for the National Gallery by 'Purchases out of Monies granted by Parliament, and by Bequests and Donations, 'have been placed under the Care and Ordering of Trustees and a Director (appointed by 'the Commissioners of Her Majesty's Treasury for that Purpose): And whereas it is 'expedient that Power should be given to dispose of such of the Pictures and other Works 'of Art under the Care and Ordering of the said Trustees and Director as they may 'adjudge to be unfit or not required for a National Collection, and that Pictures and other 'Works of Art given to or for the Benefit of the Nation should, where no other Provision 'is made by the Donors, vest in and be under the Care and Ordering of the said Trustees 'and Director:' 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:

I. The Trustees and Director of the National Gallery, or any Three or more of them, of whom the Director shall be one, present at any Meeting specially assembled for that Purpose, by Fourteen Days previous Notice, may from Time to Time, with the Consent in Writing of the Pictures, &c., unfit to be preserved in the