

ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

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CAP. LXV.

An Act to amend the Mode of assessing the Rogue Money in *Scotland*, and to extend the Purposes of such Assessment.

[24th *August* 1839.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His Majesty King *George* the First, intituled *An Act for more effectual disarming the Highlands in that Part of* Great Britain *called* Scotland, *and for the better securing the Peace and Quiet of that Part of the Kingdom*, whereby the Freeholders of every Shire, County, or District in *Scotland* were authorized to assess the several Shires or Stewartries for raising a sufficient Fund to defray the Charges of apprehending, subsisting, and prosecuting Criminals: And whereas the Collection and Application of the Fund thereby authorized to be raised, commonly called the "Rogue Money," was, by an Act passed in the Second and Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in* Scotland, transferred from the Freeholders to the Commissioners of Supply: And whereas such Fund has heretofore been raised by Assessment on the valued Rent of Lands and Heritages: And whereas it is expedient to authorize the Commissioners of Supply of the several Counties, if they should think fit,

11 G. 1. c. 26.

2 & 3 W. 4. c. 65.

fit, to extend the Purposes for which such Assessment may be made, and to adopt other Means of assessing the same; 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, That it shall be lawful for the Commissioners of Supply of any County, if they shall so determine, at any Meeting, due Notice having been given by Advertisement in some Newspaper published or usually circulated in such County at least One Month previous to such Meeting by the Clerk of Supply, on Requisition to him to that Effect (stating the Purpose of such Meeting) by not less than Ten of such Commissioners, to make an additional Assessment for establishing and maintaining an efficient Constabulary or Police Force in the County for the Prevention of Crime, including any Charge for Special Constables who may have been duly appointed for the Preservation of the Peace in such County; and such additional Assessment shall be deemed and taken to be and shall be levied and collected as Part of the Rogue Money.

Commissioners of Supply may make an additional Assessment for maintaining a Constabulary Force;

to be collected as Part of the Rogue Money.

II. Provided always, and be it enacted, That it shall be in the Power of the said Commissioners, and they are hereby authorized, if they shall so determine, instead of assessing and collecting the Rogue Money and additional Assessment hereby authorized to be levied in the Way and Manner in which the Rogue Money has heretofore been assessed and collected, to assess and collect the same, and also such additional Assessment, in the Manner in which the Assessment upon the landward Parts of Counties (including *Orkney* and *Shetland*, and *Cromarty* and *Ross*) is authorized to be assessed and collected by an Act passed in the present Session of Parliament, intituled *An Act to improve Prisons and Prison Discipline in* Scotland; and the Rogue Money and additional Assessment to be so assessed and collected shall be applied for the Purposes of the said herein recited Act of His Majesty King *George* the First, and of this Act, and to no other Purpose.

Assessments may be assessed as the Assessment on landward Parts of Counties under the Prisons Bill.

III. Provided also, and be it enacted, That the said Commissioners shall not be entitled, for the Purposes of this Act, to assess any Lands, Houses, or other Heritages situated within the Boundaries of any Royal Burgh, or to assess any Lands, Houses, or other Heritages situated within the Boundaries of any Burgh or Town which either has a Police Act, or which has taken the Benefit of an Act passed in the Third and Fourth Year 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.*

Burghs having Police Acts not to be assessed.

3 & 4 W. 4. c. 46.

IV. And be it enacted, That it shall be lawful to Two or more Counties to unite in taking Measures for establishing such Constabulary or Police Force, for the common Protection and Benefit or Advantage of such Counties, and to defray the Expence attending the same in such Manner as shall be agreed upon between the Commissioners of Supply for such Counties respectively, and to hold all

Counties may unite for the Establishment of a Police.

necessary Meetings for such Purpose, due Notice having been given of such Meetings as aforesaid.

Accounts of Revenue and Expenditure to be published.

V. And be it enacted, That the Commissioners of Supply shall publish Accounts of their Revenue and Expenditure under and for the Purposes of this Act, annually at *Whitsunday*, specifying the separate Particulars of Receipt and Expenditure, which shall be printed, and a Copy be furnished to every Commissioner who shall apply therefor, and a Copy thereof shall be transmitted to the Queen's Remembrancer, to be preserved in the Court of Exchequer in *Edinburgh*.

Summary Mode of recovering Assessments.

VI. And be it enacted, That the Rogue Money and additional Assessment, if both shall be assessed together, under the Provisions of the said recited Act of the present Session of Parliament, may be levied from the Proprietor and Tenant in manner therein directed; and the whole Powers and Right of issuing summary Warrants for Recovery of the Land and Assessed Taxes shall be applicable to the Rogue Money and additional Assessment hereby authorized to be assessed and levied, and Sheriffs, Magistrates, Justices of the Peace, and other Judges shall grant like Warrants for the Recovery thereof, in the Form and under the same Penalties as is provided in regard to such Land and Assessed Taxes and other public Taxes; and all Assessments imposed in virtue of this Act shall, in the Case of Bankruptcy or Insolvency, be paid out of the first Proceeds of the Estate, and shall be preferable to all other Debts of a private Nature due by the Parties assessed.

Dispute as to Assessment to be settled summarily by the Sheriff.

VII. And be it enacted, That any Dispute which may arise between the Commissioners of Supply of any County and any Person or Persons acting under them on the one Part, and any Person aggrieved on the other Part, which it may not be convenient to try and determine in the Sheriff's Small Debt Court, shall be determined in a summary Manner by the Sheriff of the Sheriffdom in which such Dispute shall arise, who shall, on a written Petition being presented to him by either of the said Parties, appoint them to appear before him, when he shall investigate the Matter in dispute in such Way as he may think proper, and decide the same summarily; and such Decision shall be final, and shall not be liable to Appeal, or to Suspension, Advocation, or Reduction, or any other Form of Review, except in the Case of any Canal or Railway situated in more than One County, where the Proprietors, feeling themselves aggrieved by any Decision of the Sheriff, may appeal from the same to the Court of Session.

Act may be this repealed Session.

VIII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of Parliament.

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