ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 20.

An Act for altering and enlarging the Powers of so much of an Act of the Forty-second Year of His Majesty's Reign, as relates to building and maintaining a House of Correction in and for the City and County of *Aberdeen*.

[14th *April* 1808.]

WHEREAS by an Act passed in the Forty-second Year of His present Majesty's Reign, intituled, *An Act for building and maintaining a House of Correction in and for the City and County of* Aberdeen; *and for raising a Fund for defraying the Charges of apprehending, prosecuting, and subsisting Criminals, Rogues, and Vagabonds found within the said City and Liberties thereof*, the Persons therein described, together with other Persons to be chosen in the Manner thereby directed, were appointed Commissioners for building and maintaining a House of Correction in and for the said City and County, and for executing all the other Powers committed by the said Act to the said Commissioners; and Powers were thereby given to the said Commissioners to agree for the Purchase of Ground for the Purpose of erecting the said House and other necessary Buildings; and certain Parts of the County of *Banff*

42 G. 3. c. 47.

were for the Purpoſes of the ſaid Act declared to be liable to a rateable Proportion of the Aſſeſſment thereby allowed to be impoſed, and certain Rates and Aſſeſſments were authoriſed to be levied within the City and County of *Aberdeen*, and the ſaid Parts of the County of *Banff*, after the ſaid Houſe of Correction was completely finiſhed: And the ſaid Commiſſioners were authoriſed to borrow a Sum of Money not exceeding Seven thouſand Pounds Sterling upon the Securities of the ſaid Rates and Aſſeſſments; and ſundry other Powers were thereby granted for accompliſhing the Purpoſes of the ſaid Act: And whereas the Commiſſioners appointed by and elected in purſuance of the ſaid Act, have proceeded ſo far in the Execution thereof, as to agree for the Purchaſe of the neceſſary Ground, and thereupon began to erect the neceſſary Buildings; but the Sum allowed by the ſaid Act to be borrowed is found to be inadequate, and the Proviſion that the Rates and Aſſeſſments are not to be levied till the Building is completed, has been found inexpedient, nor can the Purpoſes of the ſaid Act be accompliſhed, unleſs further and other Powers are granted by Parliament: May it therefore pleaſe Your Majeſty, That it may be enacted, and be it enacted by the King'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 and may be lawful for the ſaid Commiſſioners, at their Firſt General Meeting held after the paſſing of this Act, any Thing in the ſaid former Act notwithſtanding, to impoſe and cauſe to be levied in the Manner directed by the ſaid former Act from the City of *Aberdeen*, and from the Heritors and Tenants of Land and Fiſhings in the ſaid County of *Aberdeen*, and thoſe Parts of the County of *Banff* which are deſcribed and comprehended in the ſaid former Act, the Rates and Aſſeſſments authoriſed to be impoſed and levied by the ſaid Act, for the Purpoſe of erecting and maintaining the ſaid Houſe of Correction, and for diſcharging the Money borrowed as hereinafter mentioned, and the Intereſt thereof, and all other Charges attending the paſſing of this Act, and the Execution thereof, and to continue the ſaid Rates and Aſſeſſments ſo long as ſhall be found neceſſary.

Rates authoriſed by the former Act, may be impoſed at the firſt General Meeting of the Commiſſioners held after the paſſing of this Act.

When completed, no greater Rate to be charged than neceſſary to defray Annual Charges.

II. Provided always, and be it further enacted, That after the ſaid Houſe of Correction is erected and completed, and the whole Expence of erecting and completing the ſame, and of the paſſing the ſaid former Act and this Act are paid, and the Money borrowed for thoſe Purpoſes, with the Intereſt thereof, is repaid, the ſaid Rates and Aſſeſſments ſhall not be impoſed or levied to any greater Extent than may be neceſſary to defray the annual Charges of maintaining the ſaid Houſe of Correction; and to that End the ſaid Commiſſioners ſhall diminiſh the Rates according to Circumſtances, with Power, in caſe of Neceſſity, again to raiſe the ſame for the Purpoſes of the ſaid recited Act and this Act, but not higher than the Rates allowed to be impoſed by the ſaid former Act.

Power to borrow an additional Sum on the Credit of the Rates.

III. And be it enacted, That the ſaid Commiſſioners, or their Committee, ſhall have Power, and they are hereby authoriſed to borrow and take up at Intereſt, on the Security of the ſaid Rates and Aſſeſſments, ſuch Sum or Sums of Money as ſhall be requiſite for defraying the Expence

Expence already incurred in purchaſing Ground for the ſaid Houſe of Correction, and the Accommodations connected therewith, and in erecting and completing the ſame, with all the other Expences attending the paſſing and executing the ſaid former Act and this Act, provided that the whole Amount of the Money ſo borrowed ſhall not exceed the Sum of Twelve thouſand Pounds Sterling, including the Sum of Seven thouſand Pounds Sterling, allowed to be borrowed by the ſaid former Act; and it ſhall be lawful to the ſaid Commiſſioners, and they are hereby empowered to aſſign and make over the Whole, or any Part of the Rates and Aſſeſſments by the ſaid Act and this Act allowed to be impoſed, to any Perſon or Perſons from whom the Money ſhall be borrowed as aforeſaid, in Security for the Payment thereof, and the Intereſt ariſing thereon, at a Rate not exceeding Five Pounds *per Centum per Annum*; which Aſſignments, and the Tranſfers thereof, ſhall be made and entered, and be under the Rules and Regulations contained in the ſaid former Act.

Proviſoes of the former Act extended to this Act.

IV. And be it enacted, That all the Powers and Proviſoes of the ſaid former Act ſhall be applicable to this preſent Act, ſo far as the ſame are conſiſtent with the Proviſions thereof.

Juſtices may mitigate Puniſhment.

V. And be it further enacted That it ſhall and may be lawful to the Juſtices of the Peace, in and for the ſaid County of *Aberdeen*, at their Quarter Seſſions aſſembled, from Time to Time, upon or without Application made to them by the Party, to inquire into the Circumſtances of the Caſe of any Perſon or Perſons committed to the ſaid Houſe of Correction, by Warrant of any One or more of the Juſtices as authoriſed by the ſaid former Act, and into the Puniſhment ordered to be inflicted; and thereupon, if they ſee Cauſe, to leſſen or ſhorten the Term of the Confinement of ſuch Perſon or Perſons, or otherwiſe to mitigate their Puniſhment, according to the Diſcretion of the Juſtices ſo aſſembled.

Public Act.

VI. And be it enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1808.