ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. LXXI.

An Act to regulate Hawkers and Pedlars in *Scotland*.

[7th *June* 1815.]

WHEREAS it is expedient to regulate the Trade of Hawkers, Pedlars, Petty Chapmen, or other Perſons going about to ſell Goods, Wares, or Merchandize in *Scotland*: 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 from and after the Firſt Day of *Auguſt* next, it ſhall not be lawful for any Hawker, Pedlar, Petty Chapman, or any other Perſon or Perſons, to go from Place to Place, or to other Men's Houſes, travelling on Foot or with any Horſe or Horſes, or otherwiſe, in *Scotland*, carrying to ſell or expoſing to Sale, any Goods, Wares, or Merchandize, without having a Licence granted in the Manner directed by this Act. Hawkers not to go about without a Licence.

II. And be it enacted, That the Lord Provoſt of the City of *Edinburgh*, the Sheriffs Depute and Subſtitute of the County of *Edinburgh*, the Sheriff Depute of the County of *Haddington*, and the Sheriff Depute of the County of *Linlithgow*, ſhall be Commiſſioners for granting Licences in the Manner directed by this Act. Commiſſioners for granting Licences.

III. And be it enacted, That every Hawker, Pedlar, Petty Chapman, or other Perſon, going from Place to Place or to other Men's Houſes, and travelling either on Foot or with any Horſe, or otherwiſe, in *Scotland*, carrying to ſell or expoſing to Sale any Goods, Wares, or Merchandize, Licences to be taken out, when, and Sums to be paid.

shall take out a Licence from the said Commissioners or any Two of them, who are hereby empowered to grant such Licence, upon Payment of the Sum of Four Pounds for every such Person travelling on Foot, and the like Sum of Four Pounds for every Horse, Ass, Mule, or other Beast, bearing or drawing Burthen, any such Person shall travel with, over and above the said first mentioned Sum of Four Pounds; which Licence shall be taken out upon the First Day of *August* in every Year, and shall continue in force for One Year and no longer.

Certificate to be produced.

IV. And be it enacted, That before any Person shall receive any such Licence, every such Person shall produce to the said Commissioners, or some Two or more of them, a Certificate signed by the Minister of the Parish or Place wherein such Person has his usual Residence, and also by Two reputable Householders in such Parish or Place, attesting that the Person so applying to be licensed is of good Character and Reputation, and is a fit Person to be licensed to exercise the Trade of a Hawker, Pedlar, and Petty Chapman; which Certificate shall be in the Form and to the Effect following:

Form of Certificate.

'WE, *A. B.* the Minister, and *C. D.* and *E. F.*, being Two Householders residing at in the Parish of in the County of do hereby certify, That *G. H.* hath been known to us for the Space of Years last past, and during all that Time hath usually resided in the said Parish [*or otherwise, as the Case may be*] and is a Person of good Character and Reputation, and is a fit Person to be licensed to exercise the Trade of a Hawker, Pedlar, and Petty Chapman. Dated the Day of

'*A. B.* Minister.
'*C. D.*
'*E. F.* } Householders.'

Clerk of Commissioners, his Appointment and Duties.

V. And be it enacted, That it shall and may be lawful for the said Commissioners from Time to Time to appoint a Clerk, to whom such Certificates shall be delivered at such Place or Office as the said Commissioners may from Time to Time also appoint, where the Licences authorized by this Act to be granted shall be issued, and who shall otherwise assist them in the Execution of the Duties imposed upon them by this Act; which Clerk shall also receive and keep an Account of the Sums to be paid for Licences to be granted under the Authority of this Act, and shall find Security for his Intromissions to the Satisfaction of the said Commissioners; and it shall and may be lawful for the said Commissioners to grant and direct to be paid to such Clerk such Allowance, for Trouble and Expences, as they shall think reasonable, out of the Monies to be paid for Licences to be granted pursuant to this Act; and after satisfying and paying such Allowance and Expences, all Sums received for or in respect of such Licences shall forthwith after the Receipt thereof be paid to the Receiver General of *Scotland*, and shall be paid and accounted for by him in the same Manner with any other Public Monies which come to his Hands.

Penalty for Hawker going about without a Licence.

VI. And be it enacted, That if, without having a Licence in the Manner directed by this Act, any Hawker, Pedlar, Petty Chapman, or any other Person, shall, after the First Day of *August* next, go from Place to Place, or to other Men's Houses, or shall travel either on Foot or otherwise, for the

the Purpoſe of ſelling any Goods, Wares, or Merchandize, or ſhall open an occaſional Room or Shop, and expoſe to ſale by Retail any Goods, Wares, or Merchandize, in any Town, Pariſh, or Place, ſuch Perſon not being a Houſeholder there, or the ſame not being the uſual Place of his or her Abode; or by any Means or Device ſhall vend or ſell, either by himſelf or herſelf, or by any Auctioneer, whether licenſed or not, Broker, Appraiſer, Agent, Servant, or other Perſon, on his or her Behalf, any Goods, Wares, or Merchandize whatſoever, by any Mode of Sale at Auction whatſoever, or whereby the beſt and higheſt Bidder is or ſhall be deemed to be the Purchaſer; every ſuch Perſon ſhall forfeit and pay for every ſuch Offence the Sum of Twenty-five Pounds, to be recovered and applied as herein-after mentioned.

Packages of Hawker to have the Words 'Licenſed Hawker,' &c. put thereon.

VII. And be it further enacted, That every Perſon to whom any ſuch Licence as aforeſaid ſhall be granted under or by virtue of this Act, and who ſhall trade with or under Colour of ſuch Licence, ſhall cauſe to be written, painted, or printed, in large legible Roman Capitals, upon the moſt conſpicuous Part of every Pack, Box, Bag, Trunk, Caſe, Cart, or Waggon, or other Vehicle or Conveyance in which he or ſhe ſhall carry his or her Goods, Wares, and Merchandize, and of every Room and Shop in which he or ſhe ſhall ſo trade, and likewiſe upon every Hand-bill or Advertiſement which he or ſhe ſhall give out, diſtribute, or publiſh, the Words "Licenſed Hawker," together with the Number, Name, or other Mark or Marks of Diſtinction ſo written or printed upon his or her Licence as aforeſaid; and that every ſuch Perſon in any reſpect making Default herein ſhall forfeit for every Offence the Sum of Ten Pounds.

Penalty on Perſons not licenſed uſing ſuch Words.

VIII. And be it further enacted, That if at any Time, from and after the ſaid Firſt Day of *Auguſt* next, any Perſon, other than to whom ſuch Licence ſhall have been ſo granted as aforeſaid, ſhall write, paint, or print, or cauſe to be written, painted, or printed, or kept or continue written, painted, or printed upon any Pack, Bag, Box, Trunk, Caſe, Cart, Waggon, or other Vehicle or Conveyance for any Goods, Wares, or Merchandize, or in any Room or Shop in which he or ſhe ſhall ſell or expoſe to Sale, or keep for Sale any Goods, Wares, or Merchandize, the Words "Licenſed Hawker" or "Licenſed Pedlar," or any other Word or Words to that Effect, every Perſon offending herein ſhall forfeit for each Offence the Sum of Ten Pounds.

Hawkers dealing in Smuggled Goods ſhall forfeit their Licence, &c.

IX. And be it further enacted, That if any Hawker, Pedlar, Petty Chapman, or other trading Perſon as aforeſaid, ſhall, from and after the ſaid Firſt Day of *Auguſt* next, be convicted of knowingly dealing in, vending, or ſelling any Kind of ſmuggled, contraband, or prohibited Goods, Wares, or Merchandize, or knowingly dealing in, vending, or ſelling any Goods, Wares, or Merchandize fraudulently or diſhoneſtly procured, either by themſelves or through the Medium of others with their Privity and Knowledge, every ſuch Hawker, Pedlar, Petty Chapman, or trading Perſon, ſhall, from and after ſuch Conviction, forfeit his or her Licence, and for ever thereafter be incapable of obtaining or holding any new Licence, or dealing, trafficking, or trading under the ſame, and that over and above all ſuch Forfeitures and Incapacities, Fines and Penalties, to which he or ſhe is or ſhall be by Law ſubject and liable for ſuch illicit and illegal Trafficking and Dealing,

X. And

Penalty on Hawkers trading contrary to Licence.

X. And be it further enacted, That if any such Hawker, Pedlar, or Petty Chapman, or other trading Person so travelling as aforesaid, shall, from and after the said First Day of *August* next, trade as aforesaid, without or contrary to or otherwise than as shall be allowed by such Licence, such Person shall for each and every such Offence forfeit the Sum of Ten Pounds, to be recovered and applied as herein-after mentioned; and that if any Person trading under or by virtue of any Licence to him or her granted as aforesaid, upon Demand made by any Person or Persons authorized or appointed to demand any such Licence by the Commissioners appointed by this Act, or any Two of them, under their Hands, and upon producing or shewing such Authority or Appointment to such Person so trading as last aforesaid, or upon Demand made by any Sheriff or Stewart Depute or Substitute, Justice of the Peace, Provost, Constable, or other Officer of the Peace of any County, Stewartry, Burgh, or Place where he or she shall so trade, or by any Officer of the Customs or Excise, or by any Person to whom such Hawker, Pedlar, or Petty Chapman shall offer any Goods to Sale, shall refuse to produce and shew his or her Licence for so trading as aforesaid, or shall not have his or her Licence ready to produce and shew unto such Person authorized or appointed as last aforesaid, or unto such Sheriff, Stewart, Justice of the Peace, Provost, Baillie, Constable, or other Officer of the Customs or Excise, that then the Person so refusing, or not having his or her Licence ready to produce and shew as aforesaid, shall forfeit Ten Pounds, to be recovered and applied as herein-after mentioned, and for Non-payment thereof shall be treated as a common Vagrant, and be committed to the neareſt Gaol or House of Correction.

Penalty on Persons forging or using forged Licences.

XI. And be it further enacted, That if any Person or Persons whatsoever shall forge or counterfeit any Licence or Licences by this Act directed to be granted, or travel with or produce or shew any such forged or counterfeited Licence or Licences, for any of the Purposes aforesaid, every such Person shall for every such Offence forfeit the Sum of Three hundred Pounds, to be recovered and applied as herein-after directed; or shall be punished according to Law, as guilty of the Crimes of Forgery or of using forged Writings knowing them to be such.

Penalty on Persons hiring or lending Licence.

XII. And be it further enacted, That in case any Person shall let out, or hire or lend any Licence to him or her granted as aforesaid, or shall trade with or under Colour of any Licence granted unto any Person whatsoever, or of any Licence in which his or her own real Name shall not be inserted as the Name of the Person to whom the same is granted, the Person letting out to hire or lending any such Licence, and the Person so trading with or under Colour of any Licence granted to any other Person, or any Licence in which his or her own real Name shall not be inserted as the Name of the Person to whom the same is granted, shall each of them forfeit the Sum of Twenty-five Pounds, to be recovered and applied as herein-after mentioned; and in case any Person shall be convicted or have Judgment against him for lending his or her Licence to any other Person or Persons contrary to this Act, such his or her Licence shall be from henceforth forfeited and void, and he or she shall be utterly incapable of having any Licence again granted to him or her to trade as aforesaid.

Persons trading without a Licence, or

XIII. And be it further enacted, That it shall be lawful for any Person or Persons whatsoever, to seize and detain any such Hawker, Pedlar, Petty

Chapman,

Chapman, or other trading Person as aforesaid, who shall be found travelling from Place to Place, or trading without a Licence contrary to this Act, or who being so found shall refuse or neglect to produce to such Person or Persons a Licence according to this Act, after being required so to do for a reasonable Time, in order to give Notice to a Constable or other Peace Officer or Officers, who are hereby required to carry such Person so seized, unless they shall in the mean Time produce their respective Licences, before the Sheriff or Stewart Depute or Substitute, or some one of His Majesty's Justices of the Peace of the County, Stewartry, or Place where such Offence or Offences shall be committed; which said Sheriff or Stewart or Justice of the Peace is hereby authorized and strictly required to examine into the Fact or Facts charged; and upon the Proof, either by Confession of the Party offending, or by the Oath of One or more credible Witness or Witnesses, that the Person so brought before him had so traded as aforesaid, and no such Licence being produced by such Offender before the said Sheriff, Stewart, or Justice, to convict the Offender so trading without a Licence; and thereupon, it shall be lawful for such Sheriff or Stewart or Justice, and he is hereby required, by Warrant under his Hand, to cause the said Sum of Twenty-five Pounds to be levied by Poinding and Sale of the Goods, Wares, or Merchandize of such Offender or Offenders, or of the Goods which such Offender or Offenders shall be found trading as aforesaid, rendering the Overplus, if any be, to the Owner or Owners thereof, after deducting the reasonable Charges of such Poinding and Sale, and out of the said Sale to pay the said respective Penalties and Forfeitures aforesaid; and in the mean Time to commit such Offender to the Common Gaol or House of Correction for the County, Stewartry, City, or Place where the said Offence shall be committed, there to remain until the said Penalties and Forfeitures, and the reasonable Charges of such Poinding and Sale, shall be levied as aforesaid, or until the same shall be otherwise paid or satisfied by such Offender.

refusing to produce How may be ascertained and taken before a Justice.

Penalty for trading without a Licence.

XIV. And be it further enacted, That if any Constable or other Officer or Officers of the Peace shall refuse or neglect upon due Notice, or on his or their own view, to be aiding and assisting in the Execution of this Act, being thereunto required, and each and every such Officer or Officers being thereof convicted upon his Confession, or by the Oath of One or more credible Witness or Witnesses before the Sheriff or Stewart Depute or Substitute, or Justice of the Peace for the County, Stewartry, or Place where the Offence shall be committed, shall forfeit for each and every such Offence the Sum of Ten Pounds, to be recovered and applied as hereafter mentioned.

Penalty on Constables refusing to assist in Execution of this Act.

XV. Provided further, and be it enacted, That nothing herein contained shall extend or be construed to extend to hinder any Person or Persons from selling or exposing to sale any Sorts of Goods or Merchandize in any public Fair or Market legally established and held within *Scotland*, but such Persons may do therein as they lawfully might have done before the passing of this Act; any Thing herein contained to the contrary notwithstanding.

Goods may be exposed to Sale in public Markets.

XVI. Provided always, and it is hereby enacted, That nothing in this Act shall extend to prohibit any Person or Persons from selling within Twenty Miles of his or her usual Place of Residence any printed Papers licensed by

Act not to affect Persons selling certain Articles; nor Tinkers, &c.

by Authority, or any Fiſh, Fruit, or Victuals; nor to hinder the real Worker or Workers, or Maker or Makers of any Goods, Wares, or Manufactures of *Great Britain*, or his, her, or their Children, Apprentices, or known Agents or Servants uſually reſiding with ſuch real Workers or Makers only, from carrying Abroad or expoſing to ſale, and ſelling by retail or otherwiſe, any of the ſaid Goods, Wares, or Manufactures of his, her, or their own making, in any Mart, Market, or Fair, and in any City and Market Town.

Penalties above 25l. where to be recovered.

XVII. And be it further enacted, That all pecuniary Penalties which ſhall be incurred under this Act, of a greater Sum than Twenty-five Pounds, ſhall be recovered, together with Expences, in the Court of Exchequer in *Scotland*, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoign, Protection, Privilege, or Wager of Law, or more than One Imparlance, ſhall be allowed; and one Moiety of every ſuch Penalty or Forfeiture ſhall belong to His Majeſty, His Heirs and Succeſſors, and the other Moiety thereof to the Perſon or Perſons who ſhall inform or ſue for the ſame.

Penalties not exceeding 25l. how to be recovered.

XVIII. And be it further enacted, That in all Caſes where the pecuniary Penalty by this Act impoſed does not exceed the Sum of Twenty-five Pounds, it ſhall be recoverable before the Sheriff or Stewart Depute or Subſtitute, or before One of His Majeſty's Juſtices of the Peace, of the County, Stewartry, City, Burgh, or Place wherein the Offence ſhall be committed, on proof of the Offence, either by voluntary Confeſſion of the Party or Parties accuſed, or by the Oath of One or more credible Witneſs or Witneſſes; and one Moiety of every ſuch laſt-mentioned Penalty ſhall belong to His Majeſty, His Heirs and Succeſſors, and the other Moiety to the Informer or Informers proſecuting for the ſame; and in caſe of Non-payment, the ſaid Sheriff or Stewart or the ſaid Juſtice, by Warrant under his Hand, ſhall cauſe the ſame to be levied by Poinding and Sale of the Offender's Goods and Effects, or of the Goods and Effects with which ſuch Offender ſhall be found trading, and the Overplus of the Money raiſed, after deducting the Penalty and Expence of the Poinding and Sale, ſhall be rendered to the Owner, and ſhall alſo commit the Offender to the Priſon of ſuch County, Stewarty, City, Burgh, or Place, there to remain until the ſaid Penalties and the reaſonable Charges of the ſaid Poinding and Sale ſhall be levied as aforeſaid, or until the ſame ſhall be paid or ſatisfied by ſuch Offender; and it ſhall be lawful for any ſuch Sheriff or Stewart or ſuch Juſtice of the Peace, by his Warrant to cauſe ſuch Offender to be apprehended and brought before him, to anſwer to any Charge or Complaint for any ſuch Penalty, and to commit ſuch Offender to Priſon as aforeſaid, until the Hearing of ſuch Charge or Complaint, unleſs he or ſhe ſhall and do enter into a Bond before ſuch Sheriff, Stewart, or Juſtice, with Two ſufficient Sureties in a ſufficient Sum, to be ordered by ſuch Sheriff, Stewart, or Juſtice, to appear at the Hearing of ſuch Charge or Complaint.

Commiſſioners may act as Juſtices or Sheriffs.

XIX. Provided always, and be it enacted, That it ſhall and may be lawful for the Lord Provoſt of the City of *Edinburgh*, the Sheriffs Depute and Subſtitute of the County of *Edinburgh*, and the Sheriffs Depute of the Counties of *Haddington* and *Linlithgow*, to grant Convictions, and to do every other Matter or Thing which a Juſtice of the Peace or Sheriff or Stewart may do under this Act, notwithſtanding they are hereby appointed Commiſſioners for carrying the ſame into Execution.

XX. Pro-

XX. Provided always, and be it further enacted, That no Perſon committed to any Gaol or Houſe of Correction for any Offence committed againſt this Act, ſhall be detained in ſuch Gaol or Houſe of Correction for any longer Space of Time than Three Calendar Months. Time of Commitment not to exceed Three Months.

XXI. And be it further enacted, That if any Perſon or Perſons ſhall find himſelf, herſelf, or themſelves aggrieved by the Judgment of any ſuch Juſtice, then he, ſhe, or they ſhall or may, upon entering into a Bond with Two ſufficient Sureties, to be approved by ſuch Juſtice, to the Amount of the Value of ſuch Penalty and Forfeiture, together with a Sum which in the Judgement of ſuch Juſtice ſhall be adequate to the Amount of the Expences which may be awarded, conditioned to pay the Amount of ſuch Penalties, Forfeitures, and Expences as ſhall be adjudged in caſe ſuch Judgment ſhall be affirmed, appeal to the Juſtices of the Peace at the next General Seſſions for the County, Stewartry, or Place, who are hereby empowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the ſame, or at their Diſcretion to ſtate the Facts ſpecially, for the Determination of the Court of Exchequer; and in caſe the Judgment of ſuch Juſtice ſhall be affirmed, it ſhall be lawful for ſuch Court to award the Perſon or Perſons to pay ſuch Expences, occaſioned by the Proceedings before them, as to them ſhall ſeem meet. Appeal may be made to Quarter Seſſions.

XXII. And be it further enacted, That no Conviction made or Decree given under or by virtue of this Act, by any Sheriff or Stewart Depute or Subſtitute, ſhall be removed to the Court of Seſſion by Advocation, nor ſhall the ſame be ſuſpended; but any Sheriff or Stewart, upon being required by the Party or Parties, after they ſhall have granted Bond with Two ſufficient Sureties in the Manner above directed in the Caſe of an Appeal to the Quarter Seſſions, ſhall ſtate the Facts ſpecially for the Determination of the Court of Exchequer; and in caſe the Judgment of ſuch Sheriff or Stewart ſhall be affirmed, it ſhall be lawful for the ſaid Court to award the Perſon or Perſons to pay ſuch Expences occaſioned by the Proceedings before them, as to them ſhall ſeem meet. Conviction not to be removed.

XXIII. And be it enacted, That every Sheriff, Stewart, or Juſtice before whom any Perſon ſhall be convicted for any Penalty under the Authority of this Act, ſhall take and receive His Majeſty's Share of the Penalty levied or paid under or by virtue of ſuch Conviction, and ſhall pay the ſame to the Collector of the Ceſs of the County or Stewartry wherein the ſame ſhall have been paid or levied; which Collector ſhall forthwith tranſmit every Sum ſo paid to him to the Receiver General of *Scotland*, in the ſame Manner that he tranſmits to ſuch Receiver General other Public Monies received by him, but diſtinguiſhing the ſame in ſuch Manner as to enable the ſaid Receiver General to tranſmit to the Clerk of the ſaid Commiſſioners, on the Firſt Day of *Auguſt* in every Year, an Account of all ſuch Monies ſo received by him in the preceding Year, which Account the ſaid Receiver General is hereby required to tranſmit to the Clerk of the ſaid Commiſſioners; and every Sheriff, Stewart, or Juſtice, before whom any ſuch Conviction ſhall be had, ſhall tranſmit an Account of the Amount of the Penalty therein to the Clerk of the ſaid Commiſſioners, within One Calendar Month after the Date of every ſuch Conviction. Fines for the Uſe of His Majeſty to be received.

XXIV. And be it enacted, That the Court of Exchequer by whom Judgment ſhall be given for any Penalty under and by virtue of this Act ſhall by the Judgment direct and authoriſe the Sheriff or Stewart within whoſe County or Stewartry the Offender may reſide, or within which his Goods Where recovered in the Courts of Exchequer.

may be ſituated, to collect and levy His Majeſty's Share of ſuch Penalty; and upon receiving the ſame, ſuch Sheriff or Stewart ſhall pay the Amount to the Collector of the Ceſs, who ſhall tranſmit the ſame to the Receiver General of *Scotland*, and ſend an Account thereof to the Clerk of the ſaid Commiſſioners, as in the Manner above directed in the Caſe of Penalties recovered upon Convictions made by any Sheriff, Stewart, or Juſtice of the Peace.

Penalty upon Perſons neglecting or omitting.

XXV. And be it enacted, That if any Perſon, who is hereby directed to tranſmit an Account of any Penalty in the Manner hereby directed, ſhall omit or neglect ſo to do, every Perſon guilty of ſuch Omiſſion or Neglect ſhall be liable in a Penalty not exceeding double the Amount of the Sum or Sums of which an Account ought to have been tranſmitted; and if any Perſon, who ought to pay any Sum or Sums of Money in the Manner hereby directed to any Collector or to the Receiver General of *Scotland*, ſhall omit or neglect ſo to do in the Manner directed by this Act, every ſuch Perſon ſhall be liable in a Penalty equal to the Amount of the Sums omitted or neglected to be paid; and if any ſuch Perſon ſhall appear to have wilfully omitted or neglected to make any ſuch Payment, every ſuch Perſon ſhall be deprived of his Office, and ſhall be incapable of ſerving His Majeſty, His Heirs and Succeſſors, in any Office of Truſt or Emolument; all which Penalties ſhall and may be recovered and applied in the Manner in which other Penalties may be recovered and are directed to be applied by this Act.

General Iſſue may be pleaded in the Court of Exchequer in Scotland.

XXVI. And be it enacted, That if any Perſon or Perſons ſhall at any Time be ſued, moleſted, or proſecuted, for any Thing by him or them done or executed in purſuance of this Act, or of any Clauſe, Matter, or Thing therein contained, ſuch Perſon or Perſons ſhall and may, in the Court of Exchequer in *Scotland*, plead the General Iſſue, and give this Act and the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become non-ſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs; and in the Court of Seſſion in *Scotland*, the Defender or Defenders ſhall and may deny the Libel, and ſhew that the Act complained of was done in purſuance of and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if the Action or Proceſs ſhall be found irrelevant or otherwiſe diſmiſſed, or the Purſuer or Purſuers ſhall not proſecute the Action or Proceſs or ſuffer the ſame to fall aſleep, or if Decree ſhall be given againſt the Purſuer or Purſuers, the Defender or Defenders ſhall have Treble Coſts or Expences, and ſhall have ſuch Remedy for recovering the ſame, as any Defender or Defenders hath or have for Expences in other Caſes in *Scotland*.

Limitation of Actions.

XXVII. And be it enacted, That all Suits, Actions, or Proſecutions, for any Thing done, or for Penalties incurred under or by virtue of this Act, ſhall be commenced within the Space of Three Calendar Months after the Cauſe of Complaint ſhall have ariſen, or the Penalty ſhall have been incurred, and not afterwards.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1815.