CHAPTER lxxxii.

An Act to amend the Acts relating to the Court Houses in the City of Glasgow. [3rd July 1882.] A.D. 1882.

WHEREAS an Act was passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An "Act for erecting and maintaining a Justiciary Court Hall and other "apartments for the use of the Justiciary Court at Glasgow, and "also public offices for the City of Glasgow and the Lower Ward "of the County of Lanark, and for other purposes therein men- "tioned"; and another Act was passed in the nineteenth and twentieth years of the reign of Her present Majesty, intituled "An "Act for enlarging and improving the Justiciary Court House, "and Court Houses and Public Buildings of the City of Glasgow "and County of Lanark, for erecting additional buildings, for "amending the Act relating thereto, and for other purposes"; and another Act was passed in the thirty-first and thirty-second years of the reign of Her present Majesty, intituled "An Act for "enlarging and improving the Court Houses and Public Buildings "of the City of Glasgow and County of Lanark, and erecting addi- "tional Court Houses, Halls and Buildings, and for other pur- "poses" (herein-after called the Act of 1868); and another Act was passed in the thirty-fifth year of the reign of Her present Majesty, intituled "An Act to incorporate the Glasgow Court "Houses Commissioners, and to authorise them to borrow a further "sum of money, and for other purposes" (herein-after called the Act of 1872); which several Acts are herein-after referred to as the Court Houses Acts:

6 & 7 W. 4. c. xxiv.

19 & 20 Vict. c. xxxv.

31 & 32 Vict c. lxxxix.

35 & 36 Vict. c. vi.

And whereas under and by virtue of the Court Houses Acts, Commissioners (herein-after called the Commissioners) were appointed for carrying the same into execution and were incorporated:

And whereas the Commissioners, under the powers of the Court Houses Acts, erected court houses, offices, and buildings for

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the accommodation of the Justiciary and Sheriff Courts at Glasgow the same being situate at the foot of Saltmarket, and herein-after called the old courts, and also erected court houses, offices and buildings, herein-after called the new courts, for the accommodation of the sheriffs and justices of the peace of the county of Lanark and their officials, and also offices for the accommodation of the magistrates and town council of the city of Glasgow and their officials:

41 & 42 Vict. c. lxxix.

And whereas by an Act (herein-after called the Act of 1878) passed in the forty-first year of the reign of Her present Majesty, intituled "An Act to provide for the erection of municipal buildings "in the City of Glasgow, and for other purposes," it was (among other things) enacted that on certain debts and liabilities, due or incurred by the corporation of the city of Glasgow (herein-after called the corporation) being paid and discharged within two years from the passing of the Act, those portions of the buildings which had been erected by the Commissioners under the powers of the Court Houses Acts, for the accommodation of the corporation, should be conveyed and made over by the Commissioners to the corporation, subject to certain conditions and provisions therein specified; and it was also, by the Act of 1878, enacted (section 5) that the corporation should, on the passing of that Act, have the sole charge and management of the portion of the buildings appropriated exclusively to municipal purposes:

And whereas the said debts and liabilities having been paid and discharged, the Commissioners have conveyed and made over, or are about to convey and make over to the corporation the portions of buildings aforesaid, and there now remain under the management of the Commissioners only the old and new courts:

And whereas by the Act of 1878, on the recital that the only amount which the Commissioners would require to levy under the Court Houses Acts would be the amount necessary to defray the expenses of maintaining the buildings occupied by the Justice of Peace Court and the buildings occupied by the Justiciary Court and their several officials, and the expenses connected with the management of the Commissioners, estimated not to exceed one thousand five hundred pounds per annum, and that it was expedient that the powers of the Commissioners to levy rates and assessments under the Court Houses Acts should be amended, it was (among other things) enacted (section 6) that on the passing of the said Act the power of the Commissioners to levy assessments should cease and determine, and in lieu thereof the Commissioners were

thereby authorised to estimate, apportion, assess and charge in manner therein provided the amount necessary to meet the costs, charges and expenses of conducting the business of the Commissioners, and of maintaining and repairing the buildings apportioned to and occupied by the Sheriff Courts, Justice of Peace Court, Justiciary Court, and their several officials, and generally in carrying into effect the purposes of the Court Houses Acts as amended by the Act of 1878, so far as such costs, charges and expenses should not be borne by the Commissioners of Her Majesty's Treasury:

And whereas by the Act of 1872 the provisions of the Sheriff Court Houses Act, 1860, and of the Act twenty-ninth and thirtieth Victoria, chapter fifty-three, amending that Act, were made applicable to the new courts, being the court houses, offices and buildings for the accommodation of the Sheriff Courts in Glasgow to be erected, enlarged, altered or improved by the Commissioners under the authority of the Act of 1872: 23 & 24 Vict. c. 79.

And whereas the old courts are extensively used for Sheriff Court purposes, and form an essential part of the Sheriff Court Houses accommodation in Glasgow, without which the business of the Sheriff Courts could not be conducted, and it is therefore just and expedient that the provisions of the Sheriff Court Houses Act, 1860, and of the Act amending that Act, should be made applicable to the old courts, to the effect, and subject to the conditions herein-after expressed; and also that the provisions of the Act of 1878 with respect to the levying of assessments by the Commissioners should, for the purposes of this Act, be amended as herein-after provided:

And whereas the purposes aforesaid cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted, and 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:—

Short title.

1. This Act may be cited for all purposes as the Glasgow Court Houses Amendment Act, 1882.

Empowering inquiry with respect to court house accommodation provided by old courts.

2. One of Her Majesty's Principal Secretaries of State may remit to such persons as he may think fit, to report upon the state and sufficiency of the court house accommodation provided by the old courts for the purposes of the Sheriff Court and the Justiciary Court, and may make such other inquiry with respect thereto as he may think necessary.

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Section 16 of 23 & 24 Vict. c. 79. applied to old courts.

3. If it shall appear to the Secretary of State, on considering the reports made to him, that such accommodation is sufficient for the present, he shall intimate his decision to that effect to the clerk to the Commissioners, and thereupon the provisions of section 16 of the Sheriff Court Houses Act, 1860, shall be and are hereby held to be applicable to the old courts.

All the provisions of Sheriff Court Houses Acts applied to old courts if additional accommodation become necessary.

4. If it shall appear to the Secretary of State that the said accommodation is not sufficient at present, or in case additional accommodation, or alterations and improvements, shall hereafter become necessary as regards the old courts, for the purposes of the Sheriff Court or the Justiciary Court, all the provisions of the Sheriff Court Houses Act, 1860, and of the Act twenty-ninth and thirtieth Victoria, chapter fifty-three, amending that Act, shall be and are hereby made applicable to the old courts, to the effect of enabling such additional accommodation, alterations or improvements to be carried into effect under the provisions of those Acts; and the Commissioners shall have the same powers and be subject to the same obligations as Commissioners of Supply have or are subject to under the provisions of the said Sheriff Court Houses Acts; and the duties imposed by the said Act of 1860 on the convener of the county shall be performed by the Chairman of the Commissioners, and the duties imposed by that Act on the clerk of supply of the county shall be performed by the clerk to the Commissioners: Provided, that section 15 of the said Act of 1860 shall not be held to apply to any expenses which at the passing of this Act shall have been incurred by the Commissioners in or with respect to the erection or improvement, and fitting up and furnishing of the old courts: Provided also, that it shall not be lawful for the Commissioners to levy any assessment under the authority of the said Act of 1860, and that it shall not be necessary to call or hold any meeting of the Commissioners of Supply of the county of Lanark under the provisions of that Act with respect to the old courts.

Amendment of 41 & 42 Vict. c. lxxix.

5. Any costs, charges and expenses which may be incurred by the Commissioners in making and maintaining alterations or improvements of the old courts pursuant to the provisions of the said Sheriff Court Houses Acts and this Act, shall be deemed and held to form part of the costs, charges and expenses mentioned in section 6 of the Glasgow Municipal Buildings Act, 1878; and the powers of assessment by that Act conferred upon the Commissioners shall apply to and include all such costs, charges and expenses so far as the same shall not be borne by the Commissioners of Her Majesty's Treasury.

Expenses of Act.

6. All costs, charges and expenses of and incident to the preparing for, obtaining and passing of this Act, or otherwise in relation thereto, shall be paid by the Commissioners out of the assessments to be charged under the authority of the Act of 1878 and this Act.

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