CHAPTER cxxi.

An Act for preventing and repressing Juvenile Delinquency in the city of Glasgow. [4th July 1878.]

A.D. 1878.

WHEREAS an Act (herein-after called the Act of 1841) was passed in the 4th and 5th years of the reign of Her present Majesty, intituled "An Act for repressing Juvenile Delinquency "in the city of Glasgow," by which a Board of Commissioners, styled "The Commissioners for the Repression of Juvenile Delin- "quency in the City of Glasgow" (herein-after called the Commissioners of 1841), was constituted; and the Commissioners so constituted were empowered to complete and maintain, and, if necessary, from time to time to remove, alter, rebuild, and extend, certain buildings called "The Houses of Refuge for Male and "Female Delinquents in the City of Glasgow," and to receive, support, instruct, employ, remunerate, regulate, and control such young persons as might be admitted inmates thereof, in manner mentioned in that Act, and to raise such sums as should be sufficient to defray the costs and expenses of carrying the said Act into execution, by annual assessments upon the tenants or occupiers of all dwelling-houses, shops, warehouses, counting-houses, cellars, stables, stalls, mills, factories, mines, quarries, lands, tenements, and other heritages, excepting as therein mentioned, within the limits of the city of Glasgow, as defined in an Act passed in the 3rd year of the reign of His late Majesty King William the Fourth, intituled "An Act to amend the representation of the people in Scotland," not exceeding in any year one penny per pound on the rent or annual value of such heritages:

4 & 5 Vict. c. xxxvi.

2 & 3 W. 4. c. 65.

And whereas another Act (herein-after called the Act of 1866) was passed in the 29th year of the reign of Her present Majesty, intituled "An Act to amend an Act for repressing Juvenile "Delinquency in the city of Glasgow," by which the constitution of the said Board of Commissioners of 1841 was altered, and their powers were in certain respects enlarged:

29 & 30 Vict. c. lxvi.

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33 & 34 Vict. c. xlii.

And whereas another Act (herein-after called the Act of 1870) was passed in the 33rd and 34th years of the reign of Her present Majesty, intituled "An Act to amend two Acts for re-" pressing Juvenile Delinquency in the city of Glasgow," by which it was, inter alia, provided (section 4), subject to the conditions therein set forth, that the Commissioners constituted by the Act of 1866 (herein-after called the Commissioners of 1866) should annually, out of the net proceeds of the assessment received by them during the preceding year, make a grant to the managers of each reformatory and industrial school established or to be thereafter established within the limits and places therein mentioned, of such sum as should be equal to fifty-two shillings per head of the average number of the youthful inmates of such school during the said year, who should, immediately previous to having become inmates thereof, have been for not less than six months resident in the city of Glasgow, as its limits are defined in the Act of 1841, and have been sentenced or ordered, as the case may be, to be sent to such school by a sheriff or magistrate or justice of the peace sitting within the said city :

And whereas it was further provided by the Act of 1870 (section 5) that in case at the end of any financial year it should be found that there is any money raised by such assessment remaining on hand, after providing for the purposes to which the same is authorised to be applied under the provisions of the Act of 1841, the Act of 1866, and section 4 of the Act of 1870, the Commissioners of 1866 might apply such remaining money to the general purposes of the said houses of refuge, or reformatory schools or industrial schools, other than the maintenance of the youthful inmates thereof, as the circumstances should appear to them to require :

40 & 41 Vict. c. lxii.

And whereas another Act (herein-after called the Act of 1877) was passed in the 40th and 41st years of the reign of Her present Majesty, intituled "An Act to amend the Glasgow Juvenile Delin-" quency Repression Acts Amendment Act, 1870," by which, inter alia, section 4 of the Act of 1870 was partially repealed, and section 5 of the said Act was wholly repealed, and it was provided, subject to the conditions therein set forth, that if in any year the net proceeds of the assessment levied by the Commissioners of 1866 shall be such that the portion thereof which would be equivalent to the net proceeds of an assessment at the rate of one halfpenny per pound (being one half of the maximum assessment leviable by them) would be insufficient to pay the aggregate amount of the grants to be made by them to reformatory schools and industrial

schools under section 4 of the Act of 1870, so far as not repealed by the Act of 1877, then the amount of such grants respectively shall be reduced, so that the aggregate amount of the whole of them shall not exceed such portion as aforesaid of the said net proceeds for such year, and a proportionate reduction shall be made upon the grants to the several schools aforesaid; and it was further provided that the Commissioners of 1866 may apply the proceeds of the said assessment remaining on hand at the end of any year, after providing for the purposes to which such assessment is authorised to be applied under the provisions of the Acts of 1841, 1866, and 1870, as amended by the Act of 1877, including the general purposes of the said houses of refuge, and the maintenance of the youthful inmates thereof, to the general purposes of any of the said reformatory or industrial schools, and the maintenance of the youthful inmates of any of such schools, as the circumstances shall appear to them to require:

And whereas it was further provided by the Act of 1877 that unless in the then next or the immediately following session of Parliament an Act shall be applied for and obtained for the purpose of securing the most beneficial application of the said assessment towards the repression of juvenile delinquency in the city of Glasgow, all the property, funds, and revenue of the Commissioners of 1866, and all their power of levying and recovering assessments under the Acts of 1841, 1866, and 1870, subject to all their debts and liabilities, shall, on the first Thursday in the month of December 1879, be transferred to and vested in the lord provost, magistrates, and council of the said city, who shall thereafter be the Commissioners for the repression of juvenile delinquency in the said city, and shall apply the said property, funds, revenue, and assessments in such manner as they shall consider best fitted for repressing juvenile delinquency, and for better carrying out the objects of the recited Acts, and the several Acts of Parliament relating to industrial and reformatory schools in the said city:

And whereas it is expedient that the Acts of 1841, 1866, 1870, and 1877 should be repealed, and that provision should be made for more effectually preventing and repressing juvenile delinquency in the said city:

But these objects 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,

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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 Juvenile Delinquency Prevention and Repression Act, 1878.

Interpretation of terms.

2. In this Act the several words and expressions following shall, unless there be something in the subject or context repugnant to such construction, have the meanings hereby assigned to them respectively:

The expression "houses of refuge" shall mean and comprehend the houses of refuge which have been established under the provisions of the Acts of 1841, 1866, 1870, and 1877, or any of them, and are known as (1) the House of Refuge for Males, in Duke Street, Glasgow, and (2) the House of Refuge for Females at Lochburn, near Maryhill, Glasgow; and shall also mean and comprehend any other houses and grounds which shall hereafter be established or occupied by the Directors as houses of refuge for the purposes of this Act:

The expression "Protestant reformatory schools" shall mean and comprehend the schools which have been established within the houses of refuge, and have been duly certified as reformatory schools by one of Her Majesty's Principal Secretaries of State, under the provisions of the Reformatory Schools Act, 1866, and any schools which shall hereafter be established by the Directors within the city of Glasgow or within an area of ten miles around the same, measured from the Cross of the said city, for the better training of youthful offenders according to the Protestant faith, and which shall be duly certified as reformatory schools by one of Her Majesty's Principal Secretaries of State, under the provisions of the Reformatory Schools Act, 1866, or of any Public Act which has been passed or which may be passed for amending that Act or in substitution therefor:

29 & 30 Vict. c. 117.

29 & 30 Vict. c. 117.

The expression "Roman Catholic reformatory schools" shall mean and comprehend the schools which have been duly certified as reformatory schools by one of Her Majesty's Principal Secretaries of State, under the provisions of the Reformatory Schools Act, 1866, and are known as (1) the Boys' Reformatory School, Parkhead, Glasgow, and (2) the Girls' Reformatory School, Dalbeth, Glasgow; and shall also mean and comprehend any other schools, with the ground attached thereto, which shall hereafter be established within the city of Glasgow, or within an area of ten miles around the same,

29 & 30 Vict. c. 117.

measured from the Cross of the said city, for the better training of youthful offenders according to the Roman Catholic faith, and which shall be duly certified as reformatory schools by one of Her Majesty's Principal Secretaries of State, under the provisions of the Reformatory Schools Act, 1866, or of any Public Act which has been passed or may be passed for amending that Act or in substitution therefor: 29 & 30 Vict. c. 117.

The expression "Protestant industrial schools" shall mean and comprehend the schools which have been duly certified as industrial schools by one of Her Majesty's Principal Secretaries of State, under the provisions of the Industrial Schools Act, 1866, and are known as (1) the Boys' Industrial School, Mossbank, Hogganfield, Glasgow, and Boys' Home connected therewith; and (2) the Girls' Industrial School, Rottenrow, Glasgow; and shall also mean and comprehend any other schools, with the grounds attached thereto, which shall hereafter be established by the Directors within the city of Glasgow, or within an area of ten miles around the same, measured from the Cross of the said city, for the industrial training of children according to the Protestant faith, and which shall be duly certified under the provisions of the Industrial Schools Act, 1866, or of any Public Act which has been passed or may be passed for amending that Act or in substitution therefor, or under the provisions of this Act or of any Public Act which may be passed for the establishment and regulation of day industrial schools: 29 & 30 Vict. c. 118

29 & 30 Vict. c. 118.

29 & 30 Vict. c. 118.

The expression "Roman Catholic industrial schools" shall mean and comprehend the schools which have been duly certified as industrial schools by one of Her Majesty's Principal Secretaries of State, under the provisions of the Industrial Schools Act, 1866, and are known as (1) the Boys' Industrial School, Slatefield House, Gallowgate, Glasgow; and (2) St. Mary's Industrial Schools and Orphanage, embracing (*a*) the Boys' Industrial Schools, Abercromby Street, Glasgow, and (*b*) the Girls' Industrial Schools, Abercromby Street, Glasgow; and shall also mean and comprehend any other school, with the grounds attached thereto, which shall hereafter be established within the city of Glasgow, or within an area of ten miles around the same, measured from the Cross of the said city, for the industrial training of children according to the Roman Catholic faith, and which shall be duly certified under the provisions of the Industrial Schools Act, 1866, or of any Public Act which has been passed or may be passed for amending that Act or in substitution therefor, or under the provisions of this Act or of 29 & 30 Vict. c. 118.

29 & 30 Vict. c. 118.

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any Public Act which may be passed for the establishment and regulation of day industrial schools:

The expression "training ship" shall mean the Clyde Industrial School Ship "Cumberland," which has been duly certified as an industrial school ship by one of Her Majesty's Principal Secretaries of State, under the provisions of the Industrial Schools Act, 1866, and shall also mean and comprehend any other industrial school ship which shall hereafter be established on the river or Firth of Clyde, or in any loch adjacent thereto, and which shall be duly certified as an industrial school ship by one of Her Majesty's Principal Secretaries of State, under the provisions of the Industrial Schools Act, 1866, or of any Public Act which has been passed or may be passed for amending the said Act or in substitution therefor:

29 & 30 Vict. c. 118.

The word "Commissioners" shall denote "The Commissioners "for the Prevention and Repression of Juvenile Delinquency in "the City of Glasgow," constituted for carrying this Act into execution, in so far as the execution of the same is intrusted to the Commissioners; and the expression "a Commissioner" shall denote one of the Commissioners:

The word "Directors" shall denote the Directors constituted for carrying this Act into execution as regards the houses of refuge and Protestant reformatory schools and Protestant industrial schools, in so far as the execution of this Act is intrusted to the Directors; and the expression "a Director" shall denote one of the Directors:

The expressions "managing committee of the Glasgow Industrial Schools" and "managing committee" shall denote the directors, committee of management, or other managing body of the Boys' Industrial School, Mossbank, Hogganfield, Glasgow, and the Girls' Industrial School, Rottenrow, Glasgow:

The word "managers," when used in relation to any Roman Catholic reformatory schools, or Roman Catholic industrial schools, or to any training ship, shall mean and include the directors, board, committee of management, or other managing body, who, according to the constitution of such school or ship, have the management and control thereof; and the expression "a manager" shall denote one of the managers:

The word "city" shall mean the city and royal burgh of Glasgow, within the limits described and defined in any Act passed in the present session defining and fixing the said limits, and in the event of no such Act passing, the said words shall mean the

city and royal burgh of Glasgow as defined by the Glasgow Municipal Act, 1872: 35 & 36 Vict. c. xli.

The expression "Corporation of Glasgow" shall mean the lord provost, magistrates, and council of the city:

The expression "the lord provost" shall mean the lord provost of the city:

The expression "the senior bailie" shall mean the senior bailie of the city:

The expression "the city treasurer" shall mean the treasurer of the city:

The expression "the town clerk" shall mean the town clerk of the city:

The word "sheriff" shall mean the sheriff of the county of Lanark, and shall include the sheriffs substitute thereof:

The expression "magistrates of the city" shall mean the lord provost and bailies of the city, and the expression "magistrate" shall mean the lord provost or any one of the bailies of the city:

The expression "police magistrate" shall mean the police magistrate of the city appointed and acting, or who may be appointed and act, under section 3 of the Act 38 and 39 Victoria, chapter 81:

The expression "judge of police" shall mean any one or more of the magistrates of the city, and police magistrate, acting as judge of police under and in virtue of the Glasgow Police Act, 1866, or any Act amending the same: 29 & 30 Vict. c. cclxxiii.

The expression "justice of the peace" shall mean a justice of the peace of the county of Lanark sitting within the city:

The expression "heritages," or "lands and heritages," shall have the same meaning and include the same subjects as are meant by and included in these expressions in the Acts for the valuation of lands and heritages in Scotland in force for the time being:

The expression "qualified persons" shall denote persons who are inhabitants of or carry on business within the city:

The expression "the elected Commissioners" shall mean the Commissioners elected by the Corporation, exclusive of the lord provost, senior bailie, and city treasurer.

3. This Act shall come into operation on the first Friday in August one thousand eight hundred and seventy-eight, and on and from and after that date the Act of 1841, the Act of 1866, the Act of 1870, and the Act of 1877 shall be and the same are hereby repealed. Commencement of Act, and Acts of 1841, 1866, 1870, and 1877 repealed.

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Board of Commissioners constituted.

4. From and after the first Friday in August one thousand eight hundred and seventy-eight, the lord provost, the senior bailie, and the city treasurer, all for the time being, and nine qualified persons to be elected by the Corporation of Glasgow, shall be and are hereby appointed Commissioners for carrying this Act into execution, in so far as the execution of the same is intrusted to the Commissioners, and shall be called "The Commissioners for the "Prevention and Repression of Juvenile Delinquency in the City of "Glasgow," and by that name shall be a body corporate, with perpetual succession and a common seal: Provided that no person who is a member of the Board of Directors elected under this Act, manager of any Roman Catholic reformatory school, or Roman Catholic industrial school, or of any training ship, shall be elected a Commissioner; and provided further, that if any person who is a Commissioner shall be elected a Director or manager, and shall accept such office, he shall thereupon cease to be a Commissioner. The lord provost shall be chairman of the Commissioners.

Board of Directors constituted.

5. From and after the first Friday in August one thousand eight hundred and seventy-eight, thirty-six qualified persons, to be elected by the Corporation of Glasgow, shall be and are hereby appointed Directors for carrying this Act into execution, in so far as the execution of the same is intrusted to the Directors, and shall be called "The Directors of Houses of Refuge and Reformatory and "Industrial Schools in the City of Glasgow," and by that name shall be a body corporate, with perpetual succession and a common seal: Provided that no person who is a Commissioner shall be elected a Director or a manager; and provided further, that if any person who is a Director or a manager shall be elected a Commissioner, and shall accept such office, he shall thereupon cease to be a Director or a manager.

Mode of appointment of elected Commissioners and Directors.

6. On the first Friday in August one thousand eight hundred and seventy-eight, or as soon thereafter as may be, the Corporation of Glasgow shall, at a meeting to be called by the town clerk for the purpose, proceed to the election of and shall elect Commissioners and also Directors under this Act; and the Corporation of Glasgow shall determine the order in which the names of the persons elected Commissioners and Directors respectively shall be arranged and placed on a list of Commissioners and Directors respectively, which shall be kept by the town clerk, and the order in which they are so placed on the said list shall regulate the order in which the Commissioners and Directors respectively shall retire from office; and the Commissioners and Directors elected in manner herein

provided shall respectively hold office till they fall to retire as herein-after provided. A.D. 1878.

Subsequent elections of Commissioners and Directors.

7. On the first Friday immediately succeeding the first Tuesday in November in the year one thousand eight hundred and seventy-nine, and in every succeeding year, the Corporation of Glasgow shall, at a meeting to be called by the town clerk for the purpose, proceed to the election of and shall elect one-third part, or as nearly as may be one-third part, of the elected Commissioners, and also one-third part, or as nearly as may be one-third part, of the Directors, in the place of the third of such elected Commissioners and Directors respectively as shall go annually out of office in manner herein-after provided.

One third of elected Commissioners and Directors to go out of office annually.

8. On the first Friday immediately succeeding the first Tuesday in November in the year one thousand eight hundred and seventy-nine, and in every succeeding year, one third or a number as near as may be to one third of the whole elected Commissioners and of the whole Directors respectively shall go out of office, and in the year one thousand eight hundred and seventy-nine, and in every succeeding year, the third of the elected Commissioners and Directors respectively who shall go out shall consist of the elected Commissioners and Directors respectively who at the time stand at the top of the lists of the elected Commissioners and the Directors respectively; and whenever any doubt or question may arise as to the persons to be included in the retiring third, every person who may consider that he ought to have been so included may lodge a complaint in writing, signed by him or by some other person duly authorised on his behalf, with the town clerk, and the Corporation shall thereupon remit to a committee of three or five of their number to inquire into the merits of such doubt or question, and to report thereon to a subsequent meeting of the Corporation, and such report shall be final. Any elected Commissioners and any Directors so going out of office shall be capable of being immediately re-elected.

Retiring elected Commissioners and Directors may be re-elected.

Provisions in case of default to elect Commissioners or Directors.

9. If by reason of any neglect or other cause there shall be any default in the election of any of the Commissioners or Directors respectively, or in case any person so elected shall decline to accept, or shall die, resign, or become disqualified, it shall, notwithstanding, be competent to the other Commissioners or Directors to carry this Act into execution, in so far as the execution of the same is entrusted to the Commissioners or Directors respectively, until the vacancies so arising shall have been supplied in manner herein-after provided.

Provisions in case of death, &c.

10. In case of such non-election or non-acceptance, or of the death, resignation, or disqualification of any of the Commissioners or

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Directors to be so elected, it shall be lawful for the Corporation of Glasgow to elect a Commissioner or Commissioners, or a Director or Directors respectively, to supply the vacancy or vacancies thence arising, and with a view to such vacancy or vacancies being so supplied, the clerk of the Commissioners or Directors respectively, as the case may be, shall immediately after the occurrence thereof, or as soon thereafter as may be, intimate the same to the town clerk, and the names of the persons elected by the Corporation of Glasgow to supply such vacancies shall be placed at the bottom of the list of Commissioners or Directors respectively to be kept by the town clerk as aforesaid.

Elected Commissioners or Directors may resign.

11. Any person elected and accepting the office of a Commissioner or Director under the provisions of this Act may resign his said office at any time upon giving not less than two weeks notice of his intention to do so by a written intimation to the clerk of the Commissioners or Directors respectively, as the case may be; and in the event of such resignation being intimated as to take effect at the period of the annual retirement of one third of the elected Commissioners or Directors respectively, as the case may be, and likewise in the event of a vacancy or vacancies occurring from any other cause falling then to be supplied, such additional number of elected Commissioners or Directors shall then be elected as may be necessary to complete the number of elected Commissioners or Directors.

Commissioners and Directors not to hold offices of profit.

12. No Commissioner or Director shall derive any profit from or emolument for the discharge of the duties of his office, nor shall he hold any office or place of profit under the Commissioners or Directors respectively, or enter into contracts with them.

Transfer of property, &c. of Commissioners of 1866, and of Directors of industrial schools at Mossbank and Rottenrow to Directors under this Act.

13. The House of Refuge for Males in Duke Street, Glasgow, and the Protestant Reformatory School therein, and the whole buildings and land connected therewith, the House of Refuge for Females at Lochburn, near Maryhill, Glasgow, and the Protestant Reformatory School therein, and the whole buildings and land connected therewith, as also the whole other property, heritable and movable, real and personal, moneys, bonds, goods, furniture, and effects, rates, assessments, debts, decreets, and diligence, rights, claims, demands, and effects of every kind vested in, held by, due, and belonging to and pronounced in favour of the Commissioners of 1866, or any person or persons on their behalf, under or by virtue or in pursuance of the recited Acts, or any of them, and all claims and rights hereafter emerging to which they may become entitled, are by this Act transferred to and vested in the Directors, but subject to all bonds, mortgages, securities, debts, liabilities, and obligations affecting the same respectively; and the Boys'

Industrial School, Mossbank, Hogganfield, Glasgow, and the whole buildings and land connected therewith, and the Girls' Industrial School, Rotterow, Glasgow, and the whole buildings and land connected therewith, as also the whole other property, heritable and movable, real and personal, moneys, bonds, goods, furniture, and effects, debts, decreets, and diligence, rights, claims, demands, and effects of every kind vested in, held by, due, and belonging to and pronounced in favour of the managing committee of the Glasgow Industrial Schools, known as the Boys' Industrial School, Mossbank, aforesaid, and the Girls' Industrial School, Rottenrow, aforesaid, or any persons on their behalf, and all claims and rights hereafter emerging to which they may become entitled, are by this Act transferred to and vested in the Directors, but subject to all bonds, mortgages, securities, debts, liabilities, and obligations affecting the same respectively, and the whole property and rights of every description by this Act transferred to the Directors shall be applied by them in carrying out the purposes of this Act, in so far as the execution thereof is intrusted to the Directors.

Deeds and conveyances to be binding on the Directors.

14. All mortgages, bonds, assignments, leases, grants, conveyances, and other deeds or securities made or granted by the Commissioners of 1866 for carrying into effect the recited Acts, or any of them, and all claims for payments, debts, interests, or demands for which they were liable under or by virtue or in pursuance of the recited Acts, and all contracts and agreements entered into by or with the Commissioners of 1866, and all judgments or decreets-arbitral pronounced in any suit or arbitration to which they were parties, shall be good, valid, and effectual to all intents and purposes, and may be enforced by or against the Directors to the same extent and effect that they might have been enforced by or against the Commissioners of 1866; and all mortgages, bonds, assignments, leases, grants, conveyances, and other deeds or securities made or granted to or by the managing committee of the Glasgow Industrial Schools, or to which the managing committee had acquired right, and all claims for payments, debts, interest, or demands for which they were liable, and all contracts and agreements entered into by and with the said managing committee, and all judgments or decreets-arbitral pronounced in any suit or arbitration to which they were parties, shall be good, valid, and effectual, and may be enforced by or against the Directors to the same extent and effect that they might have been enforced by or against the managing committee.

Arrears of assessment may be recovered by the Directors.

15. All rates and assessments, debts, claims, and demands of any kind imposed under or due by virtue or in pursuance of the recited Acts, and remaining unpaid to the Commissioners of 1866 at the

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date when this Act comes into operation, and all debts, claims, and demands of every kind due to and recoverable by the managing committee of the Glasgow Industrial Schools, may be levied and recovered by the Directors, or the officers appointed and acting under them in the execution of this Act, in the same way and by the same means as they would have been recoverable if they had been due and payable to the Commissioners or Directors under and in terms of this Act.

Actions, &c. not to abate.

16. All actions, suits, and proceedings at law or in equity, and all arbitrations to which the Commissioners of 1866, and the officers appointed and acting under them in the execution of the recited Acts, or the managing committee of the Glasgow Industrial Schools, were parties at the time of this Act coming into operation may be proceeded with by or against the Directors, or the corresponding officers appointed or acting under them in the execution of this Act, without the necessity of any formal intimation to or by the Directors or said officers.

General saving of rights under recited Acts, &c.

17. Everything before the date of this Act coming into operation done, suffered, and confirmed respectively under or by virtue or in pursuance of the recited Acts, or any one of them, shall be as valid as if this Act had not been passed, and this Act shall accordingly be subject and without prejudice to everything so done, suffered, and confirmed respectively, and to all rights, liabilities, claims, and demands, both present and future, which if this Act had not been passed would be incident to or consequent on any and every thing so done, suffered, and confirmed respectively, and with respect to all such things so done, suffered, and confirmed respectively, and with respect to all such rights, liabilities, claims, and demands, the Directors shall to all intents and for all purposes represent the Commissioners of 1866 acting under the recited Acts; and this Act shall not affect the force or operation of any certificate, rule, order, or sentence made or passed before this Act came into operation.

Existing byelaws to remain in force till recalled.

18. All byelaws and rules made by the Commissioners of 1841 or 1866 and by the managing committee of the Glasgow Industrial Schools respectively, and actually in force at the date of this Act coming into operation, shall, so far as not inconsistent with the terms of this Act, remain in force, and be operative and binding, and shall be held and taken as if they had been made by the Directors until the said byelaws shall be recalled.

Act not to revive claims which have lapsed.

19. Nothing in this Act contained shall revive in favour of or against the Commissioners of 1866, or any officer appointed or acting under the recited Acts, or any other person, any claim or cause of

action which at the date of this Act coming into operation had lapsed or had been waived or discharged, or shall confer any new claim or cause of action, right, privilege, liberty, or exemption in reference to any matter or thing done or suffered before the date of this Act coming into operation which did not exist immediately previous in favour of or against the Commissioners or Directors respectively, or such officer or person.

Officers to continue and be subject to provisions of this Act.

20. The several officers or servants of the Commissioners of 1866 acting in the execution of the recited Acts, and the several officers or servants of the managing committee of the Glasgow Industrial Schools, shall remain in office during their appointment or until removed, and shall be subject to the provisions of this Act as regards their acts and intromissions to the same extent as they would have been if they had been respectively appointed by the Directors, and all bonds or securities for such acts and intromissions granted to the Commissioners of 1866 or to the managing committee of the Glasgow Industrial Schools shall enure to and may be enforced by the Directors.

Books of Commissioners, &c. to be deemed books of the Directors.

21. The books, accounts, and other documents and vouchers and minutes of proceedings of the Commissioners of 1866, and their committees and sub-committees, for carrying into effect the recited Acts, and the books, accounts, and other documents and vouchers, and minutes of the proceedings of the managing committee of the Glasgow Industrial Schools, and their committees and sub-committees, shall be deemed the books, accounts, documents, vouchers, and minutes of the Directors, and their committees and sub-committees, and shall receive effect in the same way and to the same extent as they would have done in any question or proceeding to which the Commissioners of 1866 or the managing committee of the Glasgow Industrial Schools might have been parties if this Act had not been passed.

First meeting of Commissioners.

General and special meetings of Commissioners how to be called.

22. The Commissioners shall hold their first general meeting within the City Chambers, Glasgow, on or before the last Monday in August one thousand eight hundred and seventy-eight, and shall thereafter hold general meetings at such places and times as they may from time to time fix; and the chairman shall have power to authorise special meetings of the Commissioners to be called by the clerk to the Commissioners at such time or times as he may think fit for carrying the purposes of this Act into execution, in so far as the execution of the same is intrusted to the Commissioners; and all meetings, other than the first, shall be called by intimation either sent by post or delivered to each of the

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Commissioners not less than forty-eight hours before such meetings are held. Special meetings may also be called by the clerk to the Commissioners, upon a requisition addressed to him by three or more of the Commissioners; and such special meetings shall be convened in manner before provided. At all meetings of Commissioners the chairman, or, in his absence, the preses of the meeting to be chosen by the Commissioners present, shall have a deliberative as well as a casting vote in case of equality; and any five or more of the Commissioners shall be a legal quorum. It shall be lawful for the Commissioners present at any meeting to adjourn the same to any day which they may fix to hold adjourned meetings, and to appoint committees of their number with such of the powers hereby conferred on the Commissioners as they may think fit, except that of levying assessments.

Power of Commissioners to adjourn and to appoint committees.

First meeting of Board of Directors.

23. The Directors shall hold their first general meeting on or before the last Monday in August one thousand eight hundred and seventy-eight, and shall thereafter hold general meetings at such places and times as they may from time to time fix; and at the first or at any subsequent meeting the Directors shall elect a chairman, and the chairman shall have power to authorise special meetings of the Directors to be called by the clerk to the board at such time or times as he may think fit; and all meetings, other than the first, shall be called by intimation either sent by post or delivered to each of the Directors not less than forty-eight hours before such meetings are held. Special meetings may also be called by the clerk to the Directors, upon a requisition addressed to him by three or more of the Directors, and such special meetings shall be convened in manner before provided. At all meetings the chairman of the Directors, or, in his absence, the preses of the meeting to be chosen by the Directors present, shall have a deliberative as well as a casting vote in case of equality; and any seven or more of the Directors shall be a legal quorum. It shall be lawful for the Directors present at any meeting to adjourn the same to any day which they may fix to hold adjourned meetings, and to appoint committees of their number with such of the powers hereby conferred on the Directors as they may think fit.

General and special meetings of Directors how to be called.

Power of Directors to adjourn and to appoint committees.

Commissioners and Directors may appoint or dismiss clerk, &c.

24. The Commissioners shall have power to appoint a clerk, treasurer, inspector, and such other officers as they may consider necessary for executing the purposes of this Act, in so far as the execution of the same is intrusted to the Commissioners; and the Directors shall have power to appoint a clerk, treasurer, and such governors, matrons, assistants, chaplains, teachers, medical officers, and other officers and servants, as shall seem to them necessary for

executing the purposes of this Act, in so far as the execution of the same is intrusted to the Directors. And the Commissioners and Directors may pay to the several officers and servants appointed by them respectively such salaries and allowances as they may think proper, and may make rules, orders, and regulations for the procedure of all such persons appointed by them respectively in the discharge of their several duties, and may suspend, remove, and dismiss any person who may be so appointed, or may be otherwise in their employment, at pleasure and without reason assigned.

Separation of offices of clerk and treasurer to Commissioners and Directors respectively.

25. The persons who shall be appointed to the office of clerk to the Commissioners and Directors respectively, and the partners of such clerks, and all persons in the service or employment of such clerks, and of their partners respectively, shall not be eligible to be treasurer to the Commissioners or Directors respectively; and the persons who shall be appointed to the office of treasurer to the Commissioners and Directors respectively, and the partners of such treasurers, and all persons in the service or employment of such treasurers, and of their respective partners, shall not be eligible to be clerks to the Commissioners or Directors respectively; and if any persons offend in any of the following cases they shall for every such offence forfeit one hundred pounds; (that is to say,)

(A.) If any person accept both the offices of clerk and treasurer to the Commissioners or Directors respectively:

(B.) If any person, being the partner of the clerk to the Commissioners or Directors respectively, or in the employment of such clerk or of his partner, accept the office of treasurer, or act as deputy of the treasurer, or in any manner officiate for the treasurer to the Commissioners or Directors respectively:

(C.) If any person, being the partner of the treasurer to the Commissioners or Directors respectively, or in the service or employment of such treasurer or of his partner, accept the office of clerk, or act as deputy of the clerk, or in any manner officiate for the clerk to the Commissioners or Directors respectively:

(D.) If any clerk to the Commissioners or Directors respectively hold any place of profit or trust under the Commissioners or Directors respectively other than that of law agent or actuary.

Commissioners and Directors to take security from all officers intrusted with money.

26. The Commissioners and Directors respectively shall take from their respective treasurers, and from all other officers in their employment who may be intrusted with the receipt or disbursement of money, sufficient security either from private individuals or from

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any guarantee association for the due execution of their respective offices, and for answering and paying as the Commissioners and the Directors shall from time to time respectively require all sums of money which shall be received by such treasurers and officers respectively, and also for their giving and stating true accounts in writing from time to time, when required by the Commissioners and Directors respectively so to do, of all moneys received or collected by such officers respectively.

Directors to carry on houses of refuge and schools transferred to or afterwards established by them.

27. The Directors may carry on and conduct under the existing certificates the houses of refuge and the Protestant reformatory schools and the Protestant industrial schools which are by this Act transferred to and vested in them, and shall carry on and conduct any houses of refuge, Protestant reformatory schools, and Protestant industrial schools which may be hereafter established by them, for the purposes of houses of refuge and industrial schools and reformatory schools, or one or other of such purposes, but subject always to the provisions of this Act, and of any Public Act under which the said houses of refuge and schools may be certified.

Directors may erect, maintain, and enlarge houses of refuge and schools, and receive inmates, &c.

28. The Directors may erect and establish such additional houses of refuge, Protestant reformatory schools, and Protestant industrial schools as they and the Commissioners may from time to time consider to be required, and the Directors may repair and maintain, and, if necessary, from time to time alter, rebuild, and enlarge, the houses of refuge, and the Protestant reformatory schools, and the Protestant industrial schools, and they may remove and transfer the houses of refuge and schools, or any of them, to other buildings; and the Directors may acquire lands and erect buildings for these purposes, or they may purchase, feu, lease, or rent other houses and buildings for the purposes of this Act, and in the exercise of the powers conferred by the thirty-first section of the Reformatory Schools Act, 1866, and by the forty-ninth section of the Industrial Schools Act, 1866, and by this Act, the Directors may continue and may receive and maintain in the houses of refuge, or the Protestant reformatory schools, or Protestant industrial schools, all such young persons and children as have been or may be sent thereto under the said Reformatory and Industrial Schools Acts respectively, or any Public Acts amending the same or in substitution therefor, or under the provisions of this Act, or of any Public Act relating to day industrial schools, and may pay such portion of the funds under their control as they may think proper for the training, maintenance, and disposal, either at home or abroad, of such young persons or children respectively; provided that such house of refuge or school is certified as a reformatory school or industrial school under the

29 & 30 Vict. c. 117.
29 & 30 Vict. c. 118.

said Reformatory or Industrial Schools Acts respectively, or of this Act, or of any Public Act relating to day industrial schools; and the Directors may also continue and receive as inmates in the houses of refuge such young persons as have been admitted at their own request or may desire to be admitted in manner herein-after mentioned, and out of the funds under their control may support and remunerate, and may instruct, employ, and regulate such inmates according to the rules and byelaws to be made and approved of as herein-after provided; and for the several purposes above specified the Directors may enter into all requisite contracts and agreements, and do all other things which may be necessary or desirable for rendering the houses of refuge, and the Protestant reformatory schools, and the Protestant industrial schools efficacious means of educating, training, and reclaiming from vice and crime the inmates thereof, and of thereby preventing and repressing juvenile delinquency in the city.

Inmates may be admitted to houses of refuge at their own request.

29. The Directors may continue and detain as inmates of the houses of refuge such young persons as are already inmates thereof for the period for which they have consented to remain inmates; and the Directors may receive as inmates of the houses of refuge such young persons as they shall think fit, and as shall request to be received into the same, and shall consent to become inmates thereof, for a specified period: Provided that such request shall be made and consent given in the presence of the sheriff, magistrate, judge of police, or justice of the peace, and the said sheriff, magistrate, police magistrate, judge of police, or justice of the peace shall certify such request and consent, and that he has been satisfied of the propriety of the admission of the applicant into said houses of refuge, and shall interpose his authority thereto by a writing under his hand, in the form or to the effect set forth in Schedule A. to this Act annexed, which certificate shall be conclusive evidence of the facts so certified therein, and full warrant and authority to the Directors to receive and detain in the houses of refuge the persons named in such certificates during the period therein specified. And the expression inmates shall mean and include young persons trained, educated, clothed, and fed wholly or partly in the houses of refuge, whether lodged therein or permitted to lodge at the dwelling of a parent or other person. And, as regards the inmates mentioned in this section of this Act, the Directors shall have the sole power of determining the fitness or unfitness of every person for admission into the houses of refuge; and it shall be lawful for the Directors, if and when they shall see cause so to do, to discharge and dismiss any inmate, as also entirely

Directors to judge of fitness of persons for admission.

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to cease and discontinue to receive the said inmates into the houses of refuge.

Establishment, &c. of day industrial schools.

30. If one of Her Majesty's Principal Secretaries of State, herein-after referred to as the Secretary of State, is satisfied that, owing to the circumstances of any class of population in the city, a school in which industrial training, education, and one or more meals a day, but not lodging, are provided for the children is necessary or expedient for the proper training and control of the children of such class, he may in like manner, as under the 29 & 30 Vict. c. 118. Industrial Schools Act, 1866, certify any such school in the city to be a certified day industrial school.

Any child authorised by the Industrial Schools Act, 1866, to be sent to a certified industrial school, and upon the request of the School Board of the city of Glasgow any child between five and thirteen years of age who is not being provided with elementary education, or is found habitually wandering, or not under proper control, and who is brought with his parent by summons before the sheriff, magistrate, judge of police, or justice of the peace, herein-after referred to as the court (and which summons the court is hereby authorised to issue on the application of an officer of the said school board duly authorised to that effect), or who is otherwise brought before the court, may, if the court think it expedient, be sent to a certified day industrial school in the city. Any child sent to such certified day industrial school by an order of the court may during the period specified in the order be there detained during such hours as may be authorised by the rules of the school approved by the Secretary of State.

There may be contributed out of moneys provided by Parliament towards the custody, industrial training, education, and meals of children so sent by an order of the court to a certified day industrial school such sums, not exceeding one shilling per head per week, and on such conditions, as the Secretary of State from time to time recommends.

Where the court orders a child to be sent to a certified day industrial school, the court shall also order the parent of such child, if liable to maintain him, to contribute to his industrial training, education, and meals in the school such sum, not exceeding two shillings per week, as is named in the order, and which sum may be recovered in a summary manner. It shall be the duty of the directors or managers of such school to obtain and enforce the said order, and every sum paid under the order shall be paid over to the said directors or managers in aid of their expenses under this Act. If a parent resident in any parish is unable to pay the sum

required by the said order to be paid, he, or the directors or managers, shall apply to the parochial board of the parish, who, if satisfied of such inability, shall pay out of the poor fund the said sum, or so much thereof as they consider him unable to pay.

The directors or managers of a certified day industrial school may, upon the request of the School Board of the city of Glasgow, and of the parent of a child, and upon the undertaking of the parent to pay towards the industrial training, education, and meals of such child such sum, not less than one shilling a week, as the Secretary of State from time to time fixes, receive such child into the school without an order of a court; and there may be contributed out of moneys provided by Parliament in respect of that child such sum not exceeding sixpence a week, and on such conditions as the Secretary of State from time to time recommends.

The expression "parent" in this clause shall mean and include guardian, and any person who is liable to maintain or has the actual custody of any child.

It shall be lawful for the Secretary of State from time to time by order under his hand to apply to a certified day industrial school in the city the provisions of the Industrial Schools Act, 1866, and the Acts amending the same, and the provisions of any order by Her Majesty in Council in pursuance of the enactments in section sixteen of the Elementary Education Act, 1876, and any recommendations by the Secretary of State given under sections sixteen and seventeen of the said last-mentioned Act, with such modifications as appear to the Secretary of State to be necessary or proper for adapting such provisions and recommendations to the day industrial school, and bringing them into conformity with this Act. 29 & 30 Vict. c. 118. 39 & 40 Vict. c. 79.

The Secretary of State may from time to time make, and when made revoke and vary, the forms of orders for sending a child to a day industrial school in the city, and the manner in which children are to be sent to such school.

If the Secretary of State is of opinion that by reason of a change of circumstances, or otherwise, any certified day industrial school in the city ceases to be necessary or expedient for the proper training and control of the children of any class of population in the city, he may after due notice withdraw the certificate of the school, and thereupon such school shall cease to be a certified day industrial school: Provided that the reasons for withdrawing such certificate shall be laid before both Houses of Parliament within one month after notice of the withdrawal is given, if Parliament be then sitting, or if not, within one month after the then next meeting of Parliament.

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The conditions of a parliamentary contribution to a certified day industrial school to be recommended by the Secretary of State shall provide for the examination of the children according to the standards of proficiency for the time being in force, for the purposes of a parliamentary grant to public elementary schools in Scotland, but may vary the amounts of the contributions to be made in respect of such standards respectively.

Rules, orders, and byelaws to be made for the government of inmates.

31. The Directors may make rules, orders, and byelaws for the proper classification and government of such inmates of the houses of refuge as have been admitted at their own request, or may desire to be admitted as before mentioned, for their instruction in religion, morals, and industrial arts, and their employment in useful trades, and for the encouragement of good conduct and industry, and the punishment for misconduct and neglect of duty among the said inmates, and for the proper and beneficial occupation of their time; and for the admission of parents, guardians, or other relations and friends to see and communicate with them, and for regulating their clothing, diet, exercises, and times of recreation; and for fixing the manner of their being discharged from the houses of refuge; and generally for the necessary and wholesome regulation and control of the said inmates of the houses of refuge, according to their several sexes, ages, dispositions, and habits, and for enforcing the observance of the rules, orders, and byelaws; and the Directors may from time to time alter or repeal such rules, orders, and byelaws, and make new rules, orders, and byelaws: Provided that no such rules, orders, and byelaws, and no alteration or repeal thereof, shall have any force or effect until the same shall have been submitted to and approved of and subscribed by two of the lords commissioners of justiciary.

Subject to approval of two lords commissioners of justiciary.

Rules, orders, and byelaws to be obligatory on inmates.

32. Such rules, orders, and byelaws being so made and being approved of and subscribed as aforesaid shall be binding and obligatory on every such inmate of the houses of refuge, and the said inmates shall be subject thereto and bound to conform to and obey the same in all respects as if such rules, orders, and byelaws were embodied and enacted in this Act.

Rules, &c. to be published.

33. Such rules, orders, and byelaws shall be printed in clear legible type, and posted or hung up and maintained at all times in conspicuous places within the houses of refuge, so that every such inmate thereof shall have easy access thereto for the purpose of perusing the same.

Directors may acquire and hold property, &c.

34. The Directors may acquire and hold heritable and movable property, moneys, goods, and effects, and all such property, moneys,

goods, and effects shall be deemed to be held by the Directors for the purposes of this Act, and shall pass and be transmitted to and vest in the Directors for the time being, without the necessity of any further conveyance or assignation; and the Directors may institute or enter into and defend all such judicial proceedings or references to arbitration as they may judge necessary, and may also sue and be sued in any judicial proceedings. A.D. 1878.

Directors may sell and dispose of property not wanted.

35. The Directors may, by public or private contract, from time to time sell, convey, or otherwise dispose of any lands and other heritages vested in them by this Act, or which may be hereafter acquired by them, and which they may deem unsuitable or unnecessary for the purposes of this Act, in one or more lots, and at such price or prices, feu duty or feu duties, redeemable or irredeemable, ground annual or ground annuals, redeemable or irredeemable, or on such other terms and conditions as the said Directors may think fit, and may execute all deeds and writings necessary for selling the said lands and heritages, and for conveying the same to a purchaser or purchasers; and may apply such sum or sums of money as they may obtain for such lands and heritages in the acquisition of other lands and heritages, or to any of the other purposes of this Act which they may deem expedient, and no purchaser or any other person shall have right to inquire into the sufficiency of the Directors reasons for selling, nor shall any purchaser have any concern with or right to inquire into, or any liability for, the application of any sum of money obtained as aforesaid.

Directors may borrow money.

36. The Directors may, from time to time, borrow for the purposes of this Act, so far as the execution thereof is intrusted to them, any sums not exceeding in whole ten thousand pounds, and may make and grant securities over the lands and heritages vested in them, exclusive of school houses or which they may afterwards acquire, for the payment of the money so borrowed, and interest thereon; and if the Directors pay off any of the moneys borrowed by them under this Act it shall be lawful for them again to borrow the amount so paid off from time to time, and they may make and grant all deeds and writings necessary or proper for completing the said securities. The Directors may also accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in their name, or in that of their treasurer, according to the usage of bankers in Scotland, to the extent of the sum which they are authorised to borrow as aforesaid, or any part thereof, and may convey the lands and heritages vested in them, or which they may

Provisions as to future borrowing.

Power to borrow money on cash credit.

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afterwards acquire, in security of the payment of the amount of such credit, or of the sums advanced from time to time on such cash account, with the interest thereon; provided that the whole sums due and owing by the Directors on such cash account, and for money borrowed by them on mortgages or assignations under this Act, shall not, when taken together, exceed the said sum of ten thousand pounds.

Mortgages, &c. granted by Directors how to be executed.

37. All bonds, mortgages, dispositions, assignations in security, and other writings to be granted in security of moneys to be borrowed by the Directors under the powers of this Act shall, when duly stamped, be valid and effectual if sealed with their corporate seal and subscribed by two of the Directors and their clerk.

Application of assessments to be levied by Commissioners.

38. The Commissioners shall, out of the assessments to be levied by them, and moneys in their hands, after paying all costs, charges, and expenses to be incurred by them in executing the purposes of this Act, in so far as the execution of the same is intrusted to them; in the first place, within one month after the thirty-first day of December one thousand eight hundred and seventy-eight, and within one month after the same day in each succeeding year, (first) pay to the Directors such sums as may have been required and expended by them during the year preceding the thirty-first day of December in executing the purposes of this Act, in so far as the execution thereof is intrusted to the Directors, including in the first year's payment such sums also as may have been required and expended by the Commissioners of 1866 and the managing committee of the Glasgow industrial schools in carrying on during the year one thousand eight hundred and seventy-eight the houses and schools under their charge respectively; (second) pay to the managers of each of the following Roman Catholic reformatory schools,—viz., (1) the Boys' Reformatory School, Parkhead, Glasgow, and (2) the Girls' Reformatory School, Dalbeth, Glasgow, and also to the managers of each of the following Roman Catholic industrial schools,—viz., (1) the Boys' Industrial School, Slatefield House, Gallowgate, Glasgow, and (2) St. Mary's Industrial Schools and Orphanage, embracing (A) the Boys' Industrial Schools, Abercromby Street, Glasgow, and (B) the Girls' Industrial Schools, Abercromby Street, Glasgow, or any other schools certified under the Reformatory Schools Act, 1866, or the Industrial Schools Act, 1866, respectively, which may be substituted for any of these schools respectively, within the distance of ten miles mentioned in the interpretation clause of this Act, and also to the managers of the training ship "Cumberland," or any other training ship certified under the Industrial Schools Act, 1866, which may be substituted for that

Contribution to houses of refuge and Protestant industrial schools.

Capitation grant to Roman Catholic schools and training ship.

29 & 30 Vict. c. 117.

29 & 30 Vict. c. 118.

29 & 30 Vict. c. 118.

ship on the river or Firth of Clyde, or in any loch adjacent thereto, such sums as shall be equal in the case of the said training ship to seventy-eight shillings per head, and in the case of the said schools to fifty-two shillings per head of the average number during the year preceding the thirty-first day of December of such of the youthful inmates of the said schools or training ship respectively as shall, immediately previous to having become inmates thereof, have been for not less than six months resident in the city, and have been sentenced or ordered, as the case may be, to be sent to any of the said schools or ship by the sheriff, magistrate, judge of police, or justice of the peace sitting at the date of such sentence or order within the city; and the said respective sums shall be so paid by the Commissioners as a contribution towards the expense of keeping, training, and maintaining such youthful inmates; provided always, that in the event of the Commissioners being satisfied that the said sum of seventy-eight shillings per head is not wholly required for the keeping, training, and maintaining of such youthful inmates of said training ship, the Commissioners may reduce the sum to be so paid to an amount not less than fifty-two shillings per head of the average number of such youthful inmates; and in the second place, after satisfying the objects severally above specified, the Commissioners may (third) pay to the managers of the Roman Catholic reformatory schools, and of the Roman Catholic industrial schools, and also to the managers of the training ship, such sum as the Commissioners may consider to be necessary or expedient in order to enable the managers to extend their operations or more effectually carry on the same, and for such last-mentioned purposes may pay to the Directors or managers aforesaid such capital sum as the Commissioners may consider expedient; and (fourth) may pay to the managers, directors, or committee of management of any feeding schools or places or other similar institutions within the city, dealing with and fitted to prevent and repress juvenile delinquency in the city, such sums as, after satisfying all the previous purposes above specified, the Commissioners may from time to time consider to be expedient, subject to such regulations or conditions as the Commissioners may from time to time see fit to prescribe. And it is provided that in the exercise of the discretionary power hereby conferred on the Commissioners to allocate, distribute, and pay the said several sums, their determination shall be final, and not subject to question or appeal in any manner of way. But it is hereby provided: first, that the Commissioners shall, before making any of the payments hereinbefore authorised to be made to the Directors, and to the managers, in respect of each Protestant reformatory school and Protestant industrial school, and of each Roman Catholic reformatory

Additional payments to above schools, &c.

Payments to feeding schools.

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school and Roman Catholic industrial school, and of each training ship, be satisfied by a report from one of Her Majesty's inspectors of reformatory or industrial schools respectively that such school is conducted in all respects in such a manner as to entitle it to receive the capitation grant from Her Majesty's Treasury; second, that the Commissioners shall, before making any of the payments herein-before authorised to be made to the Directors in respect of the houses of refuge, be satisfied by a report from one of Her Majesty's inspectors of reformatory or industrial schools, or from an inspector to be appointed by the Commissioners, that the houses of refuge are conducted in all respects in a satisfactory manner; third, that no payments out of the assessments levied under this Act shall be made for the support of any inmates of the houses of refuge, or of any reformatory or industrial schools or training ship, or children attending day industrial schools or feeding schools or other institutions, except such as shall have been resident in the city for at least six months previous to their having become inmates of the said houses, schools, or training ship, or having attended the said feeding schools or other institutions as aforesaid; and fourth, that in the case of payments by the Commissioners to the managers of Roman Catholic reformatory schools, and managers of Roman Catholic industrial schools, to be expended on lands or buildings, or purposes connected therewith, the Commissioners may, if they think proper, stipulate that such payments, or any portion thereof to be specified by them, shall be paid to the Commissioners whenever such lands or buildings shall be used for other purposes than for such schools, and the managers aforesaid shall grant and deliver to the Commissioners a written formal acknowledgment to that effect, describing shortly therein the lands or buildings upon the use of which for such other purposes the aforesaid payments or payment are to be repaid, and containing a consent to registration for publication, all to the satisfaction of the Commissioners, and upon such acknowledgment, with warrant of registration in usual form written thereon, being recorded in the appropriate register of sasines, the stipulation regarding repayment therein contained shall be constituted a real burden upon such lands or buildings.

Commissioners to obtain statements and prepare estimate of probable annual expenditure.

39. The Commissioners shall annually, on or before the last Monday in August, or at such other period as they may fix, obtain from the Directors a statement of the probable costs, charges, and expenses provided and to be provided by them during the year in executing the purposes of this Act, in so far as the execution thereof is intrusted to them, in supplement (1) of any revenue derived or to be derived by them from the means and estate vested in and

belonging to them, and (2) of any grant, contribution, or other allowances received or which may reasonably be expected to be received by them from the Commissioners of Her Majesty's Treasury, or from any other body or persons; and the Commissioners shall also annually, at the same period, obtain from the managers of the Roman Catholic reformatory schools, and the Roman Catholic industrial schools, and the training ship respectively, a statement of the probable average number of the youthful inmates of each of the said schools or ship during the year in respect of whom the capitation grant mentioned in the preceding section of this Act may be claimed; and the Commissioners may further require such information and statements regarding the revenues and estate, and the operations of the houses of refuge and of the several schools, training ship, feeding schools, and other institutions aforesaid which they may consider necessary; and having obtained the said several statements, the Commissioners shall annually, in the month of August in each year, or at such other period as they may fix, estimate and fix the sums which may be necessary to enable them to carry out during the year the purposes of this Act, in so far as the execution thereof is intrusted to them.

Power to Commissioners to levy assessment.

40. The Commissioners may assess and levy upon and from the occupiers of all lands and heritages situated within the city, except as herein-after provided, an annual assessment not exceeding one penny per pound on the rental or annual value of such lands and heritages, the first year's assessment to run as from Whitsunday one thousand eight hundred and seventy-eight; provided that such assessment shall not be entered upon or in respect of any lands or heritages of less rental or annual value than four pounds, nor upon or in respect of any lands and heritages which are wholly exempted from the payment of the police assessment in the city; provided also, that the occupiers of any land used as arable, meadow, or pasture ground, or woodland, market gardens, or nursery grounds, and the occupiers of any lands covered with water, or used only as a canal or towing-path for the same, or as a railway or tramway constructed under the powers of any Act of Parliament for public conveyance, shall be assessed in respect of the same in the proportion of one-fourth part only of the net annual value thereof.

Assessment to be recovered in the same manner as police assessment.

41. The said assessment shall be levied and recovered in the same way as the police assessments for the city are levied and recovered, and shall be collected by the collectors of such police assessments, or by a collector to be appointed by the Commissioners; and such collectors shall keep a separate and distinct account of the

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assessments received by them respectively under the authority of this Act, and shall pay over the amount of the said assessments when collected to the Commissioners, or to any treasurer to be appointed by them for that purpose.

Power to borrow on mortgage.

42. To enable the Commissioners to make such payments from time to time as they are by this Act authorised to make to the Directors and others, it shall be lawful for them, in anticipation of any one year's assessment, to borrow sums not exceeding in the whole ten thousand pounds, and to make and grant mortgages and assignations of the assessments to be levied by them under the provisions of this Act, in security of the payment of the money so borrowed and interest thereon; or the Commissioners may accept and take from any bank or banking company credit on a cash account to be opened and kept with such bank or banking company in their name, or in that of their treasurer, according to the usage of bankers in Scotland, to the extent of the sum which they are authorised to borrow as aforesaid, or any part thereof, and to make and grant mortgages and assignations of the said assessments to be levied under the provisions of this Act, in security of the payment of the amount of such credit, or sums advanced from time to time on such cash account, with the interest thereon: Provided always, that the whole sums so borrowed by them shall be paid out of the proceeds of the assessment for the year current at the time when such sums shall be so borrowed, and shall be a first and preferable charge upon such proceeds.

Mortgages, &c. granted by Commissioners, how to be executed and transferred.

43. All bonds, mortgages, assignations in security, and other deeds to be granted in security of money to be borrowed by the Commissioners under the powers of this Act may be in the form set forth in Schedule B. to this Act annexed, or to the like effect, and being duly stamped shall be valid and effectual if sealed with the common seal of the Commissioners and subscribed by two of the Commissioners and their clerk; and shall be transferable by the creditors from time to time by indorsation in writing duly stamped, and which transfer may be in the form set forth in Schedule C. to this Act annexed, or to the like effect; and all such bonds, mortgages, and assignations in security granted by the Commissioners, and all transfers thereof, shall be forthwith entered by the clerk to the Commissioners in a book or books to be kept for that purpose; and every such bond, mortgage, and assignation in security and transfer thereof shall entitle the assignee or transferee to the benefit of the principal sum and interest thereby assigned or transferred respectively; and the person or persons to whom any such principal money and interest borrowed by the Commissioners as aforesaid

shall be assigned or transferred, and their respective executors, representatives, or assignees, shall be creditors on the said assessments for the repayment of the money for which such bonds, mortgages, and assignations shall have been granted, or so much thereof as shall remain unpaid.

Deeds, &c. to be sealed and signed by two Commissioners or Directors.

44. All deeds and other writings granted by the Commissioners or Directors respectively shall be deemed validly and effectually subscribed if sealed with their corporate seal, and subscribed by two of the Commissioners or Directors respectively, and by their respective clerks, specially authorised by a minute of the Commissioners or Directors, and of which minute a copy certified by their clerks respectively shall be sufficient evidence.

Commissioners and Directors to keep books and accounts and publish abstracts.

45. The Commissioners and Directors respectively shall cause their whole proceedings to be entered in a book or books to be kept for that purpose, and shall keep separate and distinct accounts of all sums received and payments made by them, and shall balance such accounts once at least in every year.

Commissioners and Directors may invest funds.

46. The Commissioners and Directors respectively may invest any funds belonging to them in the purchase of heritable property, or of any of the Government stocks, public funds, or securities of the United Kingdom, or of the debenture or guaranteed stocks of railway companies in the United Kingdom at the time being paying dividends on their ordinary capital, or on heritable security, or on the mortgages of the Corporation of Glasgow, or of any trust under the administration of the lord provost, magistrates, and council of the city, or on the mortgages of any railway company in the United Kingdom at the time paying dividends as aforesaid.

Auditor to be appointed.

47. The Commissioners and Directors respectively shall annually appoint an auditor (being a person well skilled in accounts, and not being one of themselves or holding office under them) to audit the accounts to be kept in virtue of this Act, and in case the office of such auditor shall, before such accounts have been audited by him, become vacant by death, or from any other cause, the Commissioners and Directors respectively shall from time to time appoint an auditor to supply such vacancy. It shall be the duty of such auditor annually to audit the said accounts, and for such purpose the Commissioners and Directors respectively shall deliver to him their accounts and books, and the proper vouchers in support of the same, and the auditor shall examine such accounts and vouchers, and may either make a special report on such accounts, or simply authenticate the same; and such report or authentication shall be read to the Commissioners and Directors respectively at a

Accounts to be audited.

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meeting to be held by them as soon after such audit as may be, and the Commissioners and Directors respectively shall pay to such auditor for his trouble such sum as they may think reasonable.

Abstracts of accounts to be prepared and published.

48. After the said accounts as so reported and authenticated shall have been so submitted to the Commissioners and Directors respectively, they shall cause an abstract thereof to be made out, which shall be signed by two or more of the Commissioners and Directors respectively, and by their respective treasurers and auditors, and such abstracts shall be published yearly, as soon as conveniently may be after the same is made out, in one or more of the newspapers published in the city.

Books and accounts to be open to inspection.

The said books and accounts shall be open and patent at all reasonable times to all the Commissioners and Directors respectively, and to the members of the Corporation, who shall be entitled to make copies of or extracts from the same without fee or reward; and shall also be open and patent between the hours of twelve noon and two in the afternoon of every lawful day during the period in each year of one month after the publication of such annual abstract, by all persons desirous of inspecting the same, who shall be entitled to make copies thereof or extracts therefrom, such persons paying the sum of one shilling for each such inspection, and the sum of sixpence for every seventy-two words contained in such copies or extracts.

Annual account to be made up, and copy transmitted to town clerk.

49. The Commissioners and Directors respectively, and also the managers of each Roman Catholic reformatory and industrial school, and of each training ship and feeding school or other institution, who may receive annual payments from the Commissioners under the authority of this Act, shall every year cause to be prepared a detailed abstract of their accounts respectively as audited and authenticated by an auditor or auditors to be appointed by them respectively (such auditors being in every case persons well skilled in accounts, and not being one of themselves, or holding office under them), and such detailed abstract shall show the total receipts and expenditure of all funds received by the Commissioners and Directors, and by the managers respectively for the year to which the said accounts apply, under the several distinct heads of receipt and expenditure, with a statement of the balance of such account, and shall be certified by two or more of the Commissioners or Directors or managers respectively, and by their respective treasurer and auditor; and shall transmit a copy of the said detailed abstract free of charge to the town clerk on or before the thirty-first day of January then next; and the said detailed abstract shall be open to the inspection of the public at all seasonable hours on payment of the sum of one shilling for every such inspection; and if the

treasurer of the Commissioners or Directors or managers respectively omit to prepare or transmit such account duly certified as aforesaid, he shall forfeit for every such omission such sum as the sheriff may fix, not exceeding the sum of twenty pounds.

Commissioners or Directors not to be personally liable.

50. No Commissioner or Director by being party to or executing in his capacity of Commissioner or Director, any contract or other instrument on behalf of the Commissioners or Directors, or otherwise lawfully executing any of the powers given to the Commissioners or Directors, shall be subject to be sued or prosecuted either individually or collectively by any person whomsoever, and the bodies or goods or lands of the several Commissioners or Directors shall not be liable to execution of any legal process by reason of any contract or other instrument so entered into, signed, or executed by them, or by reason of any other lawful act done by them in the execution of any of their powers as Commissioners or Directors, and the Commissioners or Directors respectively, their heirs, executors, and administrators, shall be indemnified out of the rates and other moneys coming to the hands of the Commissioners or Directors respectively by virtue of this Act for all payments made or liability incurred in respect of any acts done by them, and for all losses, costs, and damages which they may incur in the execution of the powers granted to them.

Indemnification of Commissioners or Directors.

Expenses of Act.

51. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act shall be paid by the Commissioners of 1866 out of the funds in their hands at the passing of this Act.

A.D. 1878.

The SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

At Glasgow, the day of one thousand eight hundred and , in the presence of , sheriff of the county of Lanark (*or other magistrate, as the case may be*), appeared *A.B.* (*insert name, designation, and age of the applicant as far as known*), who requested that he (*or* she) may be admitted into the Glasgow House of Refuge for Males (*or* Females), and consented to become an inmate thereof for the period of , and the said (sheriff *or other magistrate*) being satisfied of the propriety of the admission of the said *A.B.* into the said house of refuge, interposes his authority thereto in pursuance of the Glasgow Juvenile Delinquency Prevention and Repression Act, 1878.

Signature of the sheriff *or other magistrate.*

SCHEDULE (B.)

BOND AND ASSIGNATION.

We, the Commissioners for the Prevention and Repression of Juvenile Delinquency in the City of Glasgow, acting under and in execution of the Glasgow Juvenile Delinquency Prevention and Repression Act, 1878, in consideration of the sum of (*here insert the sum in words*) advanced to us by (*here insert the creditor's name and designation*), do hereby bind and oblige ourselves as Commissioners foresaid, and our successors in office, out of the moneys to be raised by virtue of the said Act, to pay on the day of to the said (*creditor's name*), his executors or assignees, the said sum of (*insert the sum*), with interest thereon at the rate of per centum per annum, payable half yearly at the terms of Whitsunday and Martinmas in each year, so long as the said principal sum is unpaid, beginning the first term's payment thereof at and that in terms of the said Act, and in security thereof we hereby assign to the said (*creditor's name*) and his foresaids the whole assessments levied or that may be levied by us by virtue of the said Act, and we consent to registration hereof

for preservation and execution. In witness whereof (*here insert a testing clause according to the forms of the law of Scotland*). A.D. 1878.

Commissioner.
Commissioner.
Clerk to the Commissioners.

SCHEDULE (C.)

Transfer.

I (*here insert the name and designation of the granter of the transfer*), in consideration of the sum (*insert sum received*) paid to me by (*insert name and designation of the party to whom the transfer is to be made*), and in virtue of the Glasgow Juvenile Delinquency Prevention and Repression Act, 1878, do hereby assign and transfer to the said (*name of the party to whom the transfer is to be made*) all my right and interest in the within bond and assignation (*or other deed*) dated the day of granted by the Commissioners for the Prevention and Repression of Juvenile Delinquency in the City of Glasgow in my favour, (*or in favour of the original lender, as the case may be, mentioning any intermediate assignee or assignees,*) under the provisions of the said Act, together with the whole interest due and to become due thereon. In witness whereof (*here insert a testing clause according to the forms of the law of Scotland*).

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