per Centum; and in the event of their not repaying the same on the said First of January will, so long as the same remains unpaid, pay Interest thereon at the Rate of Five Pounds per Centum by equal half-yearly Payments on the First Day of July and the First Day of January in every Year:

Therefore, for securing the said Advance and Interest, the said Company hereby dispone to the said "John Smith," and his Heirs and Assignees whomsoever, all and whole (describe the Lands); and it is hereby declared that if the Company fails in paying the whole of the Principal and Interest Monies hereby secured on the said First of January, the said "John Smith," or any Person for the Time entitled to such Monies, may, at any Time thereafter, upon giving to the Company Three Months Notice, sell the said Lands, and reimburse himself out of the Monies arising from the Sale all Sums due on this Security, and all Expenses incurred by him in respect of such Sale, rendering the Surplus, if any, to the Company or their Assigns: The Condition as to Notice shall apply only between the Parties to this Indenture, and shall not affect a Purchaser, a Sale to whom shall be valid notwithstanding such Notice may not have been given.

In witness whereof.

(To be tested and signed in common Form.)

CAP. XLVIII.

An Act for amending the Procedure before Magistrates and Justices of Peace in *Scotland*. [14th *July* 1856.]

'WHEREAS an Act was passed in the Ninth Year of the Reign of King *George* the Fourth, Chapter Twenty-nine, intituled *An Act to authorize additional Circuit Courts of Justiciary to be held, and to facilitate Criminal Trials, in* Scotland; and another Act was passed in the Eleventh Year of the Reign of His said Majesty and the First Year of the Reign of King *William* the Fourth, Chapter Thirty-seven, intituled *An Act to amend an Act of the Ninth Year of His late Majesty King* George *the Fourth, to facilitate Criminal Trials in* Scotland, *and to abridge the Period now required between the pronouncing of Sentence and Execution thereof in Cases importing a Capital Punishment:* And whereas it is expedient to facilitate the Procedure in Prosecutions for Offences before the Magistrates of Royal Burghs and before Her Majesty's Justices of the Peace in *Scotland:*' Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

9 G. 4. c. 29.

11 G. 4. & 1 W. 4. c. 37.

Pleadings, &c. need not be reduced to Writing in certain Cases.

I. Where the Prosecutor shall in his Libel conclude for a Fine not exceeding Five Pounds, exclusive of the Costs of the Prosecution, which the said Magistrates and Justices are hereby empowered to give, or for Imprisonment not exceeding Thirty Days, accompanied, when necessary, with Caution for good Behaviour or to keep the Peace for a Period not exceeding Three Months, and under a Penalty not exceeding Ten Pounds, it shall be lawful to try such Offences without the Pleadings or Evidence being reduced into Writing: Provided always, that a Record shall be preserved of the Charge and of the Judgment, including the Names of the Witnesses examined on Oath, unless where the accused pleads Guilty, which shall be made to appear on such Record.

Forms of Procedure, &c. in such Cases.

II. The Forms of Procedure and Regulations applicable to such Trials shall be those which are established by the said recited Acts in regard to the summary Trial of Offences before the Sheriffs of Counties, and the Note of the Evidence to be taken on such Trials shall be made by the Clerk of Court, and shall be initialed at the End of each Witness's Evidence by the presiding Magistrate or Justice.

Part of 14 & 15 Vict. c. 27. and 17 & 18. Vict. c. 86., to apply to this Act.

III. The Provisions of the Act Fourteen and Fifteen *Victoria*, Chapter Twenty-seven, in regard to the Whipping of Juvenile Offenders, and in regard to Sentences to Hard Labour, and the Provisions of the Act Seventeen and Eighteen *Victoria*, Chapter Eighty-six, shall extend and apply to Sentences pronounced under this Act.

IV. Any

Writers elected to Office of Magistrates may act as Justices of the Peace.

IV. Any Writer, Attorney, Procurator, or Solicitor who may be elected to the Office of Magistrate or Dean of Guild of any Burgh, the Magistrates or Dean of Guild of which are *ex officiis* Justices of the Peace by virtue of their Election to such Offices, shall, so long as he holds any such Office, be entitled to act as a Justice of the Peace, provided he intimates to the Clerk of the Peace for the County in which such Burgh is situated that he and any Partner or Partners in Business with him cease to practise before any Justice of the Peace Court in such County, so long as he continues to hold such Office as aforesaid; and it shall not be lawful for him or them thereafter, and during his Continuance in Office, so to practise.

Act not to supersede Local Acts.

V. Nothing in this Act contained shall be held to supersede the Provisions of any Local Act regulating the Procedure before Magistrates or Justices of the Peace in any Burgh or County.

CAP. XLIX.

An Act to continue certain Turnpike Acts in *Great Britain*. [14th *July* 1856.]

'WHEREAS it is expedient to continue for limited Times the Acts herein-after specified:' 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:

All Turnpike Acts which will expire on or before the End of next Session continued to 1st Oct. 1857, &c., with certain Exceptions.

I. Every Act now in force for regulating, making, amending, or repairing any Turnpike Road in *Great Britain* which will expire on or before the End of the next Session of Parliament shall be continued until the First Day of *October* One thousand eight hundred and fifty-seven, and to the End of the then next Session of Parliament, except an Act of the Ninth Year of King *George* the Fourth, Chapter Sixty-eight, "for more effectually repairing the Road from *Great Grimsby Haven* to *Wold Newton* Church, and from *Nunns Farm* "to the *Mill Field* in the Parish of *Irby*, in the County of *Lincoln*," and except as hereinafter mentioned.

Acts in Schedule to this Act continued till 1st Nov. 1857.

II. The Acts mentioned in the Schedule to this Act annexed shall continue in force until the First Day of *November* One thousand eight hundred and fifty-seven, and no longer, unless Parliament shall in the meantime continue the same respectively.

Short Title.

III. In citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The Annual Turnpike Acts Continuance Act, 1856."

Extent of Act.

IV. This Act shall not apply to *Ireland*.

SCHEDULE.

53 G. 3. c. cxxxiii. An Act for enlarging the Term and Powers of an Act of His present Majesty, for repairing the Road from the Neat Enstone and Chipping Norton Turnpike Road, through Bicester, to Weston-on-the-Green in the County of Oxford, and for making a new Branch of Road to communicate therewith.

54 G. 3. c. xv. An Act for enlarging the Term and Powers of Two Acts of His present Majesty, for repairing the Road from the Warwick Road near Solihull to the Guide Post in Kenilworth, and from Stonebridge to meet the aforesaid Road at Balsall Common in the County of Warwick, so far as respects the said Road from Stonebridge to Balsall Common, and from thence to the said Town of Kenilworth.

54 G. 3. c. xxx. An Act for continuing the Term and enlarging the Powers of an Act of the Thirty-third Year of the Reign of His present Majesty, for repairing and widening the Road from Selby Ferry in the Parish of Hemingbrough to the Town of Market Weighton in the East Riding of the County of York.

54 G. 3. c. xlix. An Act to continue the Term and alter and enlarge the Powers of Three Acts of His present Majesty, for amending the Road from Besselsleigh through Wantage to Hungerford in the County of Berks, and other Roads in the said Acts mentioned, in the said County and in the County of Wilts.

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