ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

Cap. xcix.

An Act for constructing a Harbour at *Leck Robie*, and for maintaining the Harbour of *Little Ferry*, both in the County of *Sutherland*.

[22d *July* 1848.]

WHEREAS it would be of great Advantage to the Public if a Harbour was constructed at *Leck Robie* near the Mouth of the River *Brora* in the Parish of *Clyne* and County of *Sutherland*, and the Most Noble *George Granville* Duke and Earl of *Sutherland* is willing to make such Harbour, and Works connected therewith, at his own Expense: And whereas the Estuary of *Loch Fleet* has been rendered of great Benefit and Convenience to the Public as a Harbour by the Erection and Maintenance of a Pier or Quay at *Little Ferry* on the North Side thereof, at the Expense of the said Duke and Earl of *Sutherland* and his Predecessors: And whereas it is expedient that Powers should be granted and Regulations made and established for the Repair, Maintenance, and Government of the said Harbours of *Little Ferry* and *Leck Robie*: And whereas the said Duke and Earl of *Sutherland* is Heritable Proprietor of the Earldom of *Sutherland*, within which the said

Harbours are situated: And whereas, in consideration of the Expense which the said Duke and Earl of *Sutherland* has incurred and will incur in making and maintaining the said Harbours, it is reasonable that he and his Heirs and Successors should be authorized to levy and receive the Rates and Duties herein-after mentioned; but these Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, in so far as not inconsistent with or not otherwise provided for, or not altered and varied by this Act, "The Lands Clauses Consolidation (*Scotland*) Act, 1845," and also "The Harbours, Docks, and Piers Clauses Act, 1847," shall be incorporated with and form Part of this Act: Provided always, that nothing in this Act, or in the said Harbours, Docks, and Piers Clauses Act, contained, shall extend or be construed to extend to compel the said Duke and Earl of *Sutherland* to erect and keep any Watch-house, Boat-house, Hut, or weighing Materials for the Use of the Officers of Revenue, or provide or keep a Tide or Weather Gauge and Barometer, until he shall be required so to do by the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, in Writing under the Hand of the Secretary of the Admiralty; and upon such Requisition being made the Clauses relating thereto contained in the said Harbours, Docks, and Piers Clauses Act shall, as regards this Act, be in full Force.

10 & 11 Vict. c. 27. incorporated with this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, Deeds, and Proceedings, it shall be sufficient to use the Expression "The *Leck Robie* and *Little Ferry* Harbours Act, 1848."

Works to be constructed according to deposited Plans.

III. And whereas a Plan and Sections of the Harbour and Works at *Leck Robie*, showing the Situation and Levels thereof respectively, and the Limits within which the same are to be constructed, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers of the Lands in, upon, or through which the same are intended to be made, have been deposited with the Sheriff Clerk of the County of *Sutherland*: Be it enacted, That, subject to the Provisions contained in this Act and in the Acts incorporated herewith, it shall be lawful for the said Duke and Earl of *Sutherland*, and his Heirs and Successors, to make and maintain the said Harbour at *Leck Robie* in the Situation and upon the Lands delineated upon the said Plan and described in the said Book of Reference, and within the Limits aforesaid to make and maintain such Quays, Wharfs, Piers, Jetties, Landing Places, Approaches, and other Works and Conveniences as may be deemed necessary for the Purposes of the said Harbour at *Leck Robie*, and to enter upon and take and use such of the said Lands as shall be necessary for the Purposes aforesaid.

Limits of Leck Robie Harbour.

IV. And be it enacted, That the Limits of the said Harbour at *Leck Robie* shall be deemed and are hereby declared to be from the East

East Point of *Kintradwell* to the Burn of *Golspie* (the whole of the Property on the Shore between these Two Points being Part of the said Earldom of *Sutherland*), and shall extend from the East Point of *Kintradwell* to the West Point of the Burn of *Golspie*, One Mile into the Sea in the *Moray* Frith, and the Harbour so bounded shall be called "*Leck Robie* Harbour."

Period for Purchase of Lands.

V. And be it enacted, That the Powers granted by this Act and the Acts incorporated herewith for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing of this Act.

Time for Completion of Works.

VI. And be it enacted, That the said Harbour and Works at *Leck Robie* shall be completed within Five Years after the passing of this Act; and on the Expiration of such Period the Powers granted by this Act and the Acts incorporated herewith to the said Duke and Earl of *Sutherland*, for constructing the said Harbour and Works, shall cease to be exercised, except as to so much of the said Harbour and Works as shall then be completed.

Plans of Works to be deposited at the Admiralty Office.

VII. And be it enacted, That before commencing any of the said Works hereby authorized the said Duke and Earl of *Sutherland* shall deposit at the Admiralty Office, *Whitehall*, Plans and Sections of the Works proposed to be constructed, for the Approval of the Lord High Admiral of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral; and no Part of the said Works shall be commenced until the same shall be approved of by the said Lord High Admiral or the said Commissioners, such Approval to be signified by Writing under the Hand of the Secretary of the Admiralty.

If Admiralty deem a local Survey necessary, Duke of Sutherland to pay Expense of the same.

VIII. And be it enacted, That if, after working Drawings of the Works hereby authorized shall have been submitted to the Lord High Admiral of the United Kingdom, or to the Commissioners for executing the Office of Lord High Admiral, it shall be deemed expedient by him or them to order a local Survey and Examination of such Works or of the intended Site thereof, the said Duke and Earl of *Sutherland* shall defray the Costs of such local Survey and Examination; and the Amount thereof shall be a Debt due to Her Majesty from the said Duke and Earl of *Sutherland*, and if not paid, upon Demand, may be recovered as a Debt due to the Crown, with the Costs of Suit, or may be recovered, with Costs, as a Penalty is or may be recoverable from the said Duke and Earl of *Sutherland*.

Limits of Little Ferry Harbour.

IX. And be it enacted, That the Limits of the said Harbour of *Little Ferry* shall be deemed and are hereby declared to extend along the Shore on the North Side of the Estuary of *Loch Fleet* for Three Quarters of a Mile on either Side of the said Pier or Quay at *Little Ferry*, and also along the Shore on the South Side of the said Estuary for Three Quarters of a Mile on either Side of a Point of Land directly opposite the said Pier or Quay, (the whole of the Property on the Shores between the said Two Points respectively being Part of

of the said Earldom of *Sutherland*,) and shall include the whole of that Portion of the said Estuary which lies within Two straight Lines drawn across the said Estuary between the Two most Eastern Points and the Two most Western Points above specified respectively.

Works abandoned may be removed by Admiralty, at Cost of Duke of Sutherland.

X. And be it enacted, That if any Work to be constructed by the said Duke and Earl of *Sutherland* in or across any tidal Water or navigable River within the Limits of the said Harbours of *Leck Robie* and *Little Ferry*, or if any Portion of the Works hereby authorized which affects any such Water or River, or Access thereto, shall be abandoned, or suffered to fall into Disuse or Decay, by the said Duke and Earl of *Sutherland*, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the said Duke and Earl of *Sutherland*; and the Amount thereof shall be a Debt due from the said Duke and Earl of *Sutherland* to the Crown, and be recoverable accordingly.

Rates to be levied on Vessels.

XI. And be it enacted, That it shall be lawful for the said Duke and Earl of *Sutherland* to demand, for every Vessel using or entering the said Harbours of *Leck Robie* and *Little Ferry*, within the Limits thereof respectively, any Sum for every Ton Measurement of such Vessel not exceeding the Rates specified in Schedule (A.) hereunto annexed; and all such Rates shall be payable by the Master of such Vessel.

Rates on Goods.

XII. And be it enacted, That it shall be lawful for the said Duke and Earl of *Sutherland* to demand, for all Goods specified in Schedule (B.) hereunto annexed, which shall be shipped or unshipped, received or delivered, within the Limits of the said Harbours of *Leck Robie* and *Little Ferry* respectively, any Sums not exceeding the Rates in the said Schedule (B.) specified with respect to such Goods respectively; and as to all such Goods as shall not be specified in the said Schedule, the said Duke and Earl of *Sutherland* may demand a Rate equal to the Rate for the Time being payable in respect of Goods of a similar Nature, Package, and Quality; and all such Rates shall be payable by the Owners of such Goods.

Rates for Cranes and Weighing Machines.

XIII. And be it enacted, That it shall be lawful for the said Duke and Earl of *Sutherland* to demand, for the Use of any of the Sheds, Cranes, and Weighing Machines which he may provide or erect at either of the said Harbours, of and from the Owner or Person having the Charge of any Goods deposited therein, or loaded, unloaded, or weighed by means thereof, any Sums not exceeding the Rates specified in the Schedule (C.) hereunto annexed.

Application of Rates.

XIV. And be it enacted, That separate Accounts shall be kept for the said Harbours of *Leck Robie* and *Little Ferry* respectively; and it shall not be lawful for the said Duke and Earl of *Sutherland* to apply any of the Rates levied at the said Harbour of *Leck Robie* to any Purpose connected with the said Harbour of *Little Ferry*, or any of

the Rates levied at the said Harbour of *Little Ferry* to any Purpose connected with the said Harbour of *Leck Robie*.

Meters and Weighers to be licensed.

XV. And be it enacted, That it shall be lawful for the said Duke and Earl of *Sutherland* to appoint and license a sufficient Number of Persons to be Meters and Weighers within the said Harbours of *Leck Robie* and *Little Ferry* respectively.

Pilots may be licensed.

XVI. And be it enacted, That it shall be lawful for the said Duke and Earl of *Sutherland* and he is hereby authorized to license, appoint, and regulate a sufficient Number of Pilots for the said Harbours of *Leck Robie* and *Little Ferry* respectively, and also for conducting Vessels out of and into the *Dornoch* or *Moray* Frith, and to fix the Rate of Pilotage to be paid to such Pilots, and to remove and displace them at pleasure; and such Pilots shall, before being licensed, be examined as to their Fitness and Capacity to be such Pilots, by Three competent Persons being Shipmasters well acquainted with the Coast, and shall be certified by such Persons to be fully qualified; and if any Person shall act as a Pilot within the Limits of the said Harbours without having obtained such Certificate, or without being licensed and appointed as aforesaid, every Person so offending shall forfeit and pay for each Offence a Penalty not exceeding Twenty Pounds: Provided always, that nothing herein contained shall be deemed or construed to exempt the said Harbours of *Leck Robie* and *Little Ferry* from the Provisions of any general Act relating to Pilots which may hereafter pass during the present or any future Session of Parliament.

Vessels not taking Pilots to pay Pilotage.

XVII. And be it enacted, That all Masters of Vessels inward bound, of such Tonnage as are by Law required to take Pilots, who shall refuse to take or receive a licensed Pilot, shall be liable to pay the full Pilotage in respect of such Vessels respectively, which shall be recoverable summarily; and it shall be in the Power of the said Duke and Earl of *Sutherland* to award to Pilots who may have rendered extraordinary Assistance to any Vessel bound for or departing from the said Harbours of *Leck Robie* and *Little Ferry* respectively such Compensation as may appear to him to be just, to be paid by the Owner or Owners of such Vessels.

Power to lease Rates.

XVIII. And be it enacted, That it shall be lawful for the said Duke and Earl of *Sutherland* to let on Lease, by private Contract or Agreement or by public Roup or Sale, as he may deem most expedient, all or any of the Rates and Duties hereby authorized to be levied, for any Term not exceeding Three Years; and in case of all or any of the said Rates and Duties being so let the Tenants or Lessees thereof shall have the same Powers and Privileges as to levying, collecting, and recovering the same as are by this Act conferred on the said Duke and Earl of *Sutherland*.

Officers to account.

XIX. And be it enacted, That every Officer appointed and employed by the said Duke and Earl of *Sutherland* in the Execution of this Act shall from Time to Time, when required by him, make out and deliver to him, or to any Person appointed by him for that Pur-

pose, true and perfect Accounts in Writing under his Hand of all Monies received by such Officer on behalf of the said Duke and Earl of *Sutherland*, which Accounts shall state how and to whom and for what Purpose such Monies have been disposed of, and together with such Accounts such Officers shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the said Duke and Earl of *Sutherland*, or to any Person appointed by him to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Remedy against Officers failing to account.

XX. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and Receipts relating thereto in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the said Duke and Earl of *Sutherland*, or to any Person appointed by him to receive the same, all Papers and Writings, Property, Effects, Matters, or Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the said Duke and Earl of *Sutherland*, then, on Complaint thereof being made to the Sheriff, or to any Justice acting within the Jurisdiction where such Officer may be found, such Sheriff or Justice shall summon such Officer to appear before such Sheriff or any Two or more Justices respectively at a Time and Place to be set forth in such Summons, to answer to such Charge; and upon the Appearance of such Officer, or, in his Absence, upon Proof that such Summons was served upon such Officer personally, or left at his last known Place of Abode, such Sheriff or Justices may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it shall appear, either upon the Confession of such Officer or upon Evidence, or upon Inspection of the Accounts, that any Monies of the said Duke and Earl of *Sutherland* are in the Hands of such Officer, or owing by him to the said Duke and Earl of *Sutherland*, such Sheriff or Justices may order such Officer to pay the same forthwith; and if he shall fail to pay the Amount it shall be lawful for such Sheriff or Justices to grant a Warrant to levy the same by Poinding or Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for any Time not exceeding Three Calendar Months; and in any of the following Cases; (that is to say,)

If such Officer do not appear before such Justices or Sheriff at the Time appointed; or

If such Officer appear, but fail to make out Accounts in Writing; or

If such Officer refuse to produce and deliver to the Sheriff or Justices the several Vouchers and Receipts relating to such Accounts in his Possession or Power; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of this Act, or belonging to the said Duke and Earl of *Sutherland*, in his Possession or Power,

such Sheriff or Justices may lawfully commit such Officer to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he have made out such Accounts, and de-

livered up the Vouchers and Receipts (if any) relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things (if any) in his Possession or Power.

Proceedings against Officers not to discharge Sureties.

XXI. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the said Duke and Earl of *Sutherland* of any Remedy which he might otherwise have against any Surety of such Officer.

Form of Proceedings against Offenders.

XXII. And be it enacted, That the Complaint and Proceedings before the Sheriff or Justice or Justices before whom any Person shall be complained of or proceeded against for any Offence under the Provisions of this Act or the Acts incorporated herewith, and the Sentence or Conviction thereon, may be in the Form of the Schedule (D.) hereunto annexed, or as near as may be, and, except that such Complaint, and the Sentence to be pronounced in relation thereto, shall be in Writing, no other Writing or written Record of Evidence or Procedure shall be necessary, unless the Sheriff or Justices, at the hearing of the Complaint, shall cause or allow the Procedure or Evidence to be taken down in Writing, or shall themselves take Notes of the same.

For apprehending transient Offenders.

XXIII. And whereas Persons committing Offences against this Act may be transient Persons, unknown to the Harbour Master or other Officers appointed and acting under the Authority of this Act: Be it enacted, That it shall be lawful for such Harbour Master and other Officers respectively to seize and detain any such unknown Persons committing any Offence against the Provisions of this Act, and to convey them before the Sheriff or any One or more of the Justices of the said County, without any other Warrant than this Act for so doing, and such Sheriff and Justice or Justices respectively are hereby empowered to proceed, with all convenient Despatch, and without the Necessity of serving a Copy of the Complaint, to the summary hearing and determining of the same.

Saving the Rights of the Crown.

XXIV. And be it enacted, That nothing contained in this Act or in the Acts incorporated herewith shall extend to authorize the said Duke and Earl of *Sutherland* to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners, or any Two of them, are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Interpretation of Act.

XXV. And be it enacted, That in addition to the Words and Expressions incorporated from the said "Lands Clauses Consolidation (*Scotland*) Act," and "Harbours, Docks, and Piers Clauses Act," the Expression "Duke and Earl of *Sutherland*" in this Act shall extend

extend to and include the Heirs and Successors of the said Duke and Earl of *Sutherland*, and to the Trustees, or Tutors or Curators, or Administrators in Law of any of such Heirs or Successors in Minority, or under legal Incapacity or Disability, Proprietors of the said Harbours of *Leck Robie* and *Little Ferry* for the Time being.

Public Act. XXVI. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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SCHEDULES to which this Act refers.

SCHEDULE (A.)

TONNAGE DUTIES on VESSELS entering or using the HARBOUR.

	£	s.	d.
For every decked or partly decked Vessel under the Burden of Twenty Tons, and not registered, per Ton of Measurement	0	0	1½
For every registered decked or partly decked Vessel under the Burden of Twenty Tons, per Ton Register	0	0	1½
For every decked or partly decked Vessel of the Burden of Twenty Tons and under Fifty Tons, per Ton Register	0	0	2
For every Vessel of the Burden of Fifty Tons and upwards, per Ton Register	0	0	3
For Vessels wind-bound, per Ton Register	0	0	2

HERRING BOATS.

	£	s.	d.
For each Herring Boat, for the Period of each Herring Fishing Season, to be paid at the Commencement of the Season, and in lieu of all other Tonnage Duties payable for such Herring Boat	0	5	0
For each Herring Boat not having paid such Duty, and every undecked Boat coming into the Harbour, whether on account of Stress of Weather or from any other Cause whatever, the following Tonnage Duties; viz.			
If under Twenty Tons each	0	1	0
If above Twenty and under Thirty Tons each	0	1	6
And all above Thirty Tons, the same Tonnage Duties as other Vessels.			
For all Foreign Vessels, double the above Rates and Duties respectively.			

SCHEDULE (B.)

Rates on Goods.

	£	s.	d.
Ale, Beer, or Porter, per Hogshead	0	0	6
Bark, in Bulk, per Ton	0	1	0
Beef, fresh or salted, or other Provisions, per Barrel	0	0	3
Bones and Bone Dust, per Ton	0	1	0
Bricks, per 1,000	0	1	0
Calves, per Score	0	2	6
Carriages, Four-wheeled, each	0	2	6
Ditto, Two-wheeled, each	0	1	0
Cattle, namely, Bulls, Cows, and Oxen, each	0	1	0
Chalk, per Ton	0	0	6
Coach or Cart Wheels, per Pair	0	0	6
Coals, per Ton	0	0	6
Copper, ditto	0	2	6
Cordage, ditto	0	5	0
Dogs	0	0	6
Empty Barrels, each	0	0	$0\frac{1}{2}$
Flax, per Ton	0	7	6
Grain; viz. Wheat, Barley, Bear, Peas, Beans, Oats, and all Descriptions of Grain, per Quarter	0	0	2
Guano and other Manure, per Ton	0	0	6
Hemp and Cotton, unwrought, per Ton	0	5	0
Herrings, per Barrel	0	0	1
Horses of all Ages, each	0	1	6
Iron of all Descriptions, per Ton	0	1	6
Kelp, per Ton	0	1	0
Lambs, per Score	0	1	8
Lathwood, per Fathom	0	1	0
Lead of all Kinds, per Ton	0	2	6
Lime, per Ton	0	0	6
Live Geese and Turkeys, each	0	0	1
Live Fowls and Ducks, per Dozen	0	0	2

	£	s.	d.
Malt, per Quarter	0	0	2
Meal and Flour, per Sack of 280 lbs.	0	0	2
Millstones, each	0	2	0
Oakum, per Ton	0	2	6
Oil Cake, ditto	0	1	0
Paving Stones and dressed Freestone, per Ton	0	0	6
Other Stones, ditto	0	0	3
Peats, per Ton	0	0	6
Pigs of all Ages, per Score	0	2	6
Potatoes, per Ton	0	0	10
Salt ditto	0	0	6
Sheep of all Ages, per Score	0	2	6
Slates, per 1,000	0	1	0
Spirits, per 10 Gallons	0	0	2
Stucco, per Ton	0	0	6
Tiles, per 1,000	0	1	0
Timber unwrought of all Kinds,—			
Hard Wood, per Load of 40 Cubic Feet	0	1	0
Soft Wood, per Load of 50 Cubic Feet	0	1	0
Wine, per 10 Gallons	0	0	3
Wool, per Stone of 24 lbs.	0	0	1
All other unenumerated Articles to pay at landing or shipping,			
If by Measurement, per Barrel Bulk	0	0	2
If by Weight, per $2\frac{1}{2}$ Cwt.	0	0	$1\frac{1}{2}$

Articles which can be measured to pay by Barrel Bulk; all others by Weight.

All Goods exported or imported in Foreign Vessels to pay Double the above Rates and Duties.

SCHE-

SCHEDULE (C.)

Rates for the Use of Sheds, Cranes, and Weighing Machines.

Sheds.

For each Ton of Goods of Eight Barrel Bulk, or for each Ton of Goods of Twenty Hundred Weight, which shall remain in any Shed erected at the Harbour for a longer Time than Forty-eight Hours, the Sum of Two-pence; and the Sum of One Penny per Ton for each Day during which such Goods shall remain after the first Forty-eight Hours.

Cranes.

All Articles or Packages not exceeding One Ton, Three-pence.
„ „ exceeding One Ton and not exceeding Five Tons, Sixpence per Ton.
„ „ exceeding Five Tons and not exceeding Ten Tons, One Shilling and Sixpence per Ton.
„ „ Ten Tons and upwards, Two Shillings and Sixpence per Ton.
Besides the Men's Wages during the Time the Crane is employed.

Weighing Machines.

For weighing Goods, Two-pence per Ton.

SCHEDULE (D.)

Form of Complaint.

Unto the Honourable the Sheriff of [*or* Her Majesty's Justices of the Peace for] the County of Sutherland.

The Complaint and Information of *A. B.*

Humbly showeth,

That *C. D.* has been guilty of a Contravention of "The Leck Robie and Little Ferry Harbours Act, 1848," and of "The Harbours, Docks, and Piers Clauses Act, 1847," incorporated therewith, or one or other of the said Acts, in so far as [*here describe the Offence generally, and state the Time and Place when and where the same was committed*], whereby the said *C. D.* has incurred the Forfeiture [*or* Penalty] of provided by the Section of

of the said " Leck Robie and Little Ferry Harbours Act" [*or* of the said " Harbours, Docks, and Piers Clauses Act"].

May it therefore please your to grant Warrant to summon the said *C. D.* to appear before to answer to this Complaint, and to be dealt with in Terms of the said Acts, or one or other of them.

According to Justice, *&c.*
(*Signed by Complainer or Informer.*)

Form of Warrant.

[*Place and Date*]

HAVING considered the foregoing Complaint, grants Warrant to summon the said *C. D.* complained of to appear before [*Magistrate, and Place and Time*], and that by serving the said *C. D.* with a Copy of the foregoing Complaint, and of this Deliverance; and also grants Warrant for citing Witnesses, at the Instance of both Parties, to attend at the same Place and Time.

(*Sheriff or Justice of Peace.*)

Form of Sentence.

[*Place and Date.*]

THE [*Magistrate*] in respect of the Evidence adduced [*or* of the judicial Confession of the said *C. D.*, *as the Case may be*], convicts the said *C. D.* of the Offence charged, and therefore decerns and adjudges him to forfeit and pay to the Complainer the Sum of of Penalty, with the Sum of of Expenses; one Half of the said Penalty to be retained by the Complainer, and the other Half thereof [*or as the Case may be*] to be paid and accounted for by him to the Kirk Session, or Collector of the Funds for the Poor of the Parish of ; and failing Payment by the said *C. D.* forthwith,* grants Warrant for Recovery of the said Penalty and Expenses by Poinding of his Goods and Effects, and summary Sale thereof on the Expiration of not less than Forty-eight Hours after such Poinding; appoints a Return or Execution of such Poinding and Sale to be reported within Eight Days from this Date; and in the meantime grants Warrant for detaining the said *C. D.* in the Prison of until such Return be reported.

* [*If it shall appear at the Trial that no sufficient Poinding can be made within the Jurisdiction of the Magistrate, say here,* " and in respect it appears that no sufficient Poinding and " Sale can be had whereon to levy the said Penalty and " Expenses, grants Warrant to imprison the said *C. D.* in " the Prison of for the Space of " from this Date, unless the said " Penalty and Expenses be sooner paid, and decerns."]

Warrant of Imprisonment to be granted in case of a Return being made that no sufficient Goods and Effects could be found.

[*Place and Date.*]

THE [*Magistrate*], in respect of the Return made that no sufficient Effects can be found whereon to levy the said Penalty and Expenses, grants Warrant to imprison the said *C. D.* in the Prison of for the Space of from this Date, unless the said Penalty and Expenses be sooner paid, and decerns.

Warrant of Liberation.

[*Place and Date.*]

THE [*Magistrate*], in respect of the Return of a sufficient Poinding and Sale of the Effects of the said *C. D.* [*or* in respect of Payment having been made of the said Penalty and Expenses, *as the Case may be*,] grants Warrant to the Keeper of the Prison of for the immediate Liberation of the said *C. D.*, and decerns.

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Printers to the Queen's most Excellent Majesty. 1848.