of those Acts should be conveyed to Her Majesty, Her heirs and successors, for those purposes or for such other purposes of public utility as might be sanctioned by Parliament:

And whereas it is expedient to appropriate for the purposes of a national portrait gallery a piece of land so acquired or appropriated as aforesaid, and an adjoining piece of land which is vested in Her Majesty and is under the management of the Commissioners of Woods:

And whereas the said pieces of land are delineated on a plan signed by the Right Honourable David Plunket, First Commissioner of Her Majesty's Works and Public Buildings, and deposited at the office of the Commissioners of Her Majesty's Works and Public Buildings, and are thereon coloured pink and blue respectively:

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:

Appropriation of lands for purposes of national portrait gallery.

1.—(1.) The lands delineated on the plans so deposited as aforesaid, and thereon coloured pink and blue respectively, shall be appropriated for the purposes of a national portrait gallery.

(2.) The management of the piece of land coloured blue on the said plan shall be transferred from the Commissioners of Woods to the Commissioners of Her Majesty's Works and Public Buildings.

(3.) Nothing in this Act shall prevent the Commissioners of Woods from treating the value of the piece of land coloured blue as being part of the hereditary revenues of the Crown under their management.

Short title.

2. This Act may be cited as the National Portrait Gallery Act, 1889.

CHAPTER 26.

An Act to extend and amend the Law relating to the recovery of Small Debts in Scotland.

[12th August 1889.]

7 Will. & 1 Vict. c. 41. 16 & 17 Vict. c. 80.

WHEREAS by an Act passed in the first year of Her Majesty's reign, chapter forty-one, and by another Act passed in the sixteenth and seventeenth years of Her Majesty's reign, chapter eighty, provision was made for the more effectual recovery of small debts in the sheriff courts of Scotland, and for the trial of small debt causes, and the provisions contained in the said Acts have been found to be very beneficial, but by certain alterations their utility may be increased:

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:

Short title.

1. This Act may be cited for all purposes as the Small Debt Amendment (Scotland) Act, 1889, and shall be construed as one with the recited Acts first Victoria, chapter forty-one, and sixteenth and seventeenth Victoria, chapter eighty, so far as consistent with the tenor of these Acts respectively; and these Acts together may be cited as the Small Debt (Scotland) Acts, 1837 to 1889.

Actions for delivery of goods.

2. Where a party claims to be owner, or to be entitled to the possession, of any corporeal moveables, the value of which shall be proved to the satisfaction of the sheriff not to exceed twelve pounds, and which are wrongfully withheld from him, he may apply in the small debt court for an order for delivery thereof, and the sheriff may grant such order accordingly; and the application therefor and the extract of the decree, if granted, to follow thereon shall be as nearly as may be in the form of Schedules A. and B. respectively; but in other respects the procedure shall be conform, as nearly as may be, to the provisions of the said first-recited Act, so far as agreeable hereto: Provided always, that if delivery of any of the subjects sued for shall have become impossible, or if their value be alternatively concluded for, the sheriff may give decree for their value to an amount not exceeding twelve pounds.

Jurisdiction where defenders reside in different counties.

3. Where the summons in any small debt cause concludes against two or more defenders, and such defenders reside in different counties of Scotland, the sheriff of any county in which one or more of such defenders reside may, on the motion of the pursuer and on being satisfied that such course is expedient, grant warrant for the summons to be issued against any or all of the defenders to appear and answer at such time and place as he shall appoint; and thereafter the cause shall proceed in like manner as if all such defenders were amenable to his jurisdiction, and they shall thereon be amenable to such jurisdiction accordingly.

Sisting of a party's representatives, assignee, or trustee.

4. Where the pursuer of a small debt cause dies, or assigns his right to pursue the same, or is divested of his estates under the bankruptcy or cessio Acts, his representatives, assignee, or trustee, may, if the sheriff shall see fit, be sisted in his stead, on a verbal application to that effect being made in court by or on behalf of such representatives, assignee, or trustee, and the sheriff may thereupon write on the original summons the names and designations of such representatives, assignee, or trustee, and the character in which he or they are sisted; and where a defender dies or is divested of his estates under the bankruptcy or cessio Acts his representatives or trustee may, in like manner, be sisted in his stead.

Incorporation of 39 & 40 Vict. c. 70. ss. 7, 9, 11, 12, 13, 24, 46; 1 & 2 Vict. c. 114. s. 12.

5. The provisions contained in sections seven, nine, eleven, twelve, thirteen, twenty-four, and forty-six of the Sheriff Courts (Scotland) Act, 1876, and in section twelve of the Act first and second Victoria, chapter one hundred and fourteen, shall apply to all causes in the small debt court competent under this or the before-recited Acts, the word "summons" being read for the word "petition" and the word "appear" for the words "enter appear-

ance" wherever they occur in the said sections of the Act first above mentioned.

Warrant may be got to eject from displenished premises and to relet.

6. Where the officer executing, or charged with executing, a sale of a tenant's effects under a decree for rent obtained in the small debt court shall report to the court that the premises for the payment of the rent of which the sale took place, or warrant for sale was granted, are displenished, the landlord may obtain from the sheriff warrant to eject the tenant and relet the premises; but such warrant shall not be granted unless notice of the diet appointed by the sheriff for hearing the application be given to the tenant forty-eight hours beforehand, which notice may be given by registered letter addressed to the tenant's last known address; and the sheriff may at such or any adjourned diet pronounce such order as to ejection, reletting, security, expenses, or otherwise as he shall think just; and if warrant to relet be granted the rent accruing thereafter shall not be exigible from the tenant except for such period as he shall continue to occupy the premises.

Power to open lock-fast places implied in all warrants and decrees.

7. All warrants to sequestrate and inventory for rent, and all warrants to sell, eject, or relet, and all decrees granted or pronounced in any small debt cause under this or the before recited Acts, shall be held to include authority to open, if need be, shut and lock-fast places for the purpose of carrying such warrants and decrees into lawful execution.

Attendance of agents.

8. Any party may appear by or with a duly qualified agent, and where such agent appears and the sheriff is of opinion that his employment was necessary in the circumstances, then it shall be lawful to include his reasonable remuneration in the expenses of the cause to such an amount, not exceeding five shillings per hour, as the sheriff shall by an act of court or in the decree allow.

Decree for instalments to become due.

9. Where the debt or demand in question is such that if sued for in the ordinary sheriff court decision could competently have been pronounced for instalments to become due, it shall be lawful for the sheriff to make the like decerniture in the small debt court in the cause before him for any period not exceeding twelve months.

Procedure where avizandum made.

10. Where the sheriff finds it expedient to make avizandum with the cause he may pronounce decree in usual form, either on such day as he shall appoint, though any or all of the parties fail to attend, or on such day not later than seven days from the hearing of the cause, as he shall think fit, without requiring any party to attend; and any sheriff of the county or sheriffdom may, at the request of the sheriff who heard the cause, pronounce such decree as he may direct; and it shall not be competent for any sist of diligence on any decree pronounced under the provisions of this section to be issued.

Witness to a charge and indorsation of a warrant not required.

11. A charge on a decree pronounced under this or the before-recited Acts may be validly executed by a sheriff officer alone without a witness, and all warrants granted under this or the before-recited Acts may be executed by any sheriff officer of any

county without the necessity of any indorsation or warrant of concurrence: Provided always, that where no sheriff officer resides within a distance of twelve miles of the place where the warrant is to be served the full travelling expenses of the sheriff officer residing nearest to such place shall be allowed against the party upon whom the warrant is served, anything contained in the tenth section of the Act first and second Victoria, chapter one hundred and nineteen, notwithstanding.

Provisions as to extracts and expenses.

12. Any party to a cause, or any claimant in a multiple-poinding, or the agent of any such party or claimant, may, on payment of a fee of one shilling, obtain from the clerk of court an extract of the decree pronounced in the cause to the extent of his interest therein; and the sheriff may, if he shall think fit, on the application of the agent of any party to whom expenses may be awarded, made at or before the time of the decree in the cause being pronounced, decern in his favour for the expenses of the cause to the extent of his interest therein.

Form and effect of the extract.

13. The extract hereby authorised may be written either on the copy of the principal summons or separately in the form, as nearly as may be, of Schedule C., and for the purpose of enforcing the decree or the part thereof contained in the extract, such extract shall have the like force and effect as if it had been made on the principal summons.

Commencement of Act.

14. This Act shall come into operation on the first day of October, one thousand eight hundred and eighty-nine.

SCHEDULES.

Section 2.

SCHEDULE A.

A.B. sheriff of the shire of to officers of court, jointly and severally.

Whereas it is humbly complained to me by *C.D.* [*design him*], that *E.F.* [*design him*], defender, ought to deliver to the complainer the subjects specified in the list hereto annexed [*enumerate the subjects and specify shortly the ground of action and, whenever possible, the date of its occurrence*], which subjects do not exceed twelve pounds, in value, and which the said defender refuses or delays to deliver; and, therefore, the said defender ought to be decerned and ordained to deliver the said subjects to the complainer, with expenses: Herefore it is my will that on sight hereof ye lawfully summon the said defender to compear before me or my substitute in the court house at upon the day of at of the clock, to answer at the complainer's instance in the said matter, with certification, in case of failure, of being held as confessed; requiring you also to deliver to the defender a copy of any list of subjects pursued for, and that ye cite witnesses and havers for both parties to compear at the said place and date, to give evidence in the said matter.

Given under the hand of the clerk of court at the day of

G.H., Sheriff Clerk.

SCHEDULE B.

Section 2.

At the day of one thousand eight hundred and the sheriff of the shire of decerns and ordains the within designed , defender, to deliver to the pursuer [the subjects within referred to, *or state to what extent the order for delivery is granted*]; and finds the said defender liable to the pursuer in [the sum of, *any sum decerned for in lieu of others of the subjects that cannot be delivered*, with] of expenses; and grants warrant for all lawful execution hereon.

G.H., Sheriff Clerk.

SCHEDULE C.

Section 13.

At the day of one thousand eight hundred and , in an action before the sheriff small debt court at , at the instance of *pursuer*, against , *defender*, the sheriff of the shire of finds the said liable to the said in the sum of , with of expenses; and further finds the said liable to , writer, the agent, in of expenses, and grants warrant for all lawful execution hereon.

CHAPTER 27.

An Act to amend the Law with respect to rating Places used for Advertisements. [12th August 1889.]

WHEREAS difficulties have arisen in relation to the assessment to poor and other rates of land used for exhibition of advertisements and it is expedient to remove the same:

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:

Short title.

1. This Act may be cited as the Advertising Stations (Rating) Act, 1889.

Definitions.

2. In this Act the term "owner" means the person for the time being receiving or entitled to receive the rackrent of the lands or premises in connection with which the word is used, whether on his own account or as agent or trustee for any other person, or who would so receive or be entitled to receive the same if such lands or premises were let at a rackrent; and the word "person" shall be deemed to include any body of persons whether corporate or unincorporate.

Rating land used for advertisements and not otherwise occupied.

3. Where any land is used temporarily or permanently for the exhibition of advertisements, or for the erection of any hoarding frame post wall or structure used for the exhibition of advertisements but not otherwise occupied, the person who shall permit the