



# Tweed Fisheries Act 1857

1857 CHAPTER cxlviii 20 and 21 Vict

## XCVI As to Appeals in Scotland.

It shall be lawful for the Complainer or for any Party charged to appeal against any Adjudication or Conviction pronounced by any Sheriff or Justice or Justices in *Scotland*, with respect to any Complaint or Penalty or Forfeiture under the Provisions of this Act, by which he thinks himself aggrieved; and in case such Adjudication or Conviction shall be pronounced by any Sheriff, the Appeal therefrom shall be made to the next Circuit Court of Justiciary in the Manner and by and under the Rules, Limitations, Conditions, and Restrictions contained in the <sup>M</sup>Heritable Jurisdictions (Scotland) Act 1746; and in case such Adjudication or Conviction shall be pronounced by any Justice or Justices, the Appeal therefrom shall be made to the next General, Stated, or Adjourned Meeting of the Justices of the County, Burgh, or Place for which such Justice or Justices shall act, in Quarter Sessions assembled, but no such Appeal to the Quarter Sessions shall be entertained unless it be made within Four Months next after the pronouncing of such Adjudication or Conviction, nor unless Ten Days Notice in Writing of such Appeal, stating the Nature and Grounds thereof, be given to the Party against whom the Appeal shall be brought: Provided, that with every such Appeal against the Adjudication or Conviction pronounced by any Sheriff or Justice or Justices a Bond of Caution for the Payment of any Penalty or Costs which may have been awarded against the Appellant by the Adjudication or Conviction appealed from, together with the Costs of the Appeal, shall be lodged with the Sheriff Clerk or Clerk of the Peace, and the Sufficiency of the Cautioner in such Bond shall be judged of and determined by the Sheriff Clerk or Clerk of the Peace, as the Case may be; and it shall not be competent to appeal from or bring any Adjudication or Conviction pronounced by any Sheriff or Justice or Justices acting under this Act under Review in any other Way than as herein provided; and the Decisions of the Circuit Court of Justiciary and of the Justices in Quarter Sessions assembled in any of the Matters aforesaid shall be final, and not subject to Review by Advocation, Suspension, Reduction, or any other Process whatsoever.

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### Modifications etc. (not altering text)

- C1 Functions of clerk of the peace now exercisable by officer of local authority: [District Courts \(Scotland\) Act 1975 \(c. 20\), s. 18](#)

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**Changes to legislation:** There are currently no known outstanding effects for the Tweed Fisheries Act 1857, Section XCVI. (See end of Document for details)

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**Marginal Citations**

**M1** 1746 c. 43.

**Changes to legislation:**

There are currently no known outstanding effects for the Tweed Fisheries Act 1857, Section XCVI.