



ANNO QUINTO & SEXTO

GULIELMI IV. REGIS.

Cap. lx.

An Act for providing in or near the Burgh of *Cupar* more extensive Accommodation for holding the Courts and Meetings of the Sheriff, Justices of the Peace, and Commissioners of Supply of the County of *Fife*, and for the Custody of the Records of the said County.

[3d July 1835.]

WHEREAS the Accommodation at the Town of *Cupar*, which is the Head Burgh of the County of *Fife*, for holding the Courts of the Sheriff, and the Courts and Meetings of the Justices and Commissioners of Supply of the said Shire, is inadequate and ill adapted therefor, and for the conducting and transacting the public Business of the said Courts and of the said County, and there are no proper and sufficient Places appropriated to the Custody of the Records of the said Courts and Meetings, and the other Records of the said County, or for the Accommodation of the several Clerks and other Officers or Persons employed in the Discharge of the public Business of the said County; and it is therefore requisite that the necessary Buildings and Accommodation should be provided therefor: But as these Objects cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

[*Local.*]

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assembled,

Commissioners appointed.

assembled, and by the Authority of the same, That the Lord Lieutenant of the County of *Fife*, the Member of Parliament for the said County, the Convener of the said County, and the Sheriff or in his Absence the principal Sheriff Substitute of the said County, and their Successors, together with Twelve Commissioners of Supply, to be named and chosen in manner herein-after directed, shall be and they are hereby nominated and appointed Commissioners for making, erecting, and providing the Buildings and Accommodation suitable and proper for holding the Courts of the Sheriff and the Courts and Meetings of the Justices of the Peace and Commissioners of Supply, and for transacting the public Business, and for the keeping and preserving the Records of the said Courts and of the said Shire, together with suitable Offices and Accommodation for the several Clerks and other Officers and Servants therewith connected, either by making Additions to or acquiring additional Buildings contiguous to the Buildings presently belonging to the said County, or by erecting a new Court House, Offices, and such other Buildings as may be thought requisite for the Purposes aforesaid, in such Situation within or near the said Burgh of *Cupar*, and with such Materials, as they shall think fit, according to a Plan and Estimates of the Expence thereof, to be authenticated by a Quorum of the said Commissioners, and to be deposited with the Sheriff Clerk of the said Shire; and also for repairing, managing, and regulating such Court House, Offices, and Accommodations when erected and completed, and for making all necessary Contracts and Agreements for and concerning the same, and for executing all the Powers by this Act committed to them.

Election of Commissioners.

II. And be it enacted, That the Commissioners of Supply of the said County of *Fife* shall meet within the Court House of the said County at *Cupar* between the Hours of Twelve and Two of the Clock in the Afternoon on the Third *Thursday* of the Month next after the Month in which this Act shall be passed (of which Meeting Ten Days previous Notice shall be given by Advertisement, to be inserted by the Sheriff Clerk in the Newspapers published or circulated in the said County, or any Two of them), and at such Meeting shall elect from among the Commissioners of Supply Twelve Individuals to be (along with the permanent Commissioners herein-before named) Commissioners for the Execution of this Act; and the said Commissioners so elected shall continue in Office till the next General Meeting on the Thirtieth Day of *April* thereafter, when the said Commissioners of Supply then assembled shall of new proceed to elect Twelve Persons, being Commissioners of Supply, to be Commissioners under this Act for the ensuing Year, and so on annually thereafter.

Sheriffs, &c. may act though Commissioners.

III. And be it enacted, That neither the Sheriff or the Sheriff Substitute, nor any Justice of the Peace, shall be disqualified from acting as a Justice of the Peace in the Execution of this Act by reason of being a Commissioner for the Purposes thereof.

Meetings of Commissioners.

IV. And be it enacted, That the said Commissioners shall meet within the present Sheriff Court Room at *Cupar* on the next *Thursday*

Thursday Fourteen Days after their Election, between the Hours of Twelve and Two, to carry this Act into execution, of which First Meeting the Sheriff Clerk of the said Shire is hereby directed and required to give Notice by Advertisement once in any Two Newspapers usually circulated in the said Shire, at least Ten Days before the Day of such Meeting; and the said Commissioners shall and may, at such Meeting, and at their several subsequent Meetings to be holden for the Purpose of carrying this Act into execution, from Time to Time adjourn to such Time and such Place as to them shall seem proper; and if it shall so happen that a Quorum of the said Commissioners as after mentioned shall not attend any such Meeting, the Commissioner or Commissioners then present, or the Clerk of the said Commissioners, shall from Time to Time, as often as the same shall happen, adjourn such Meeting to some other Day within Fourteen Days thereafter: Provided always, that it shall be in the Power of the Sheriff or Sheriff Substitute or Convener of the said Shire to call a Special Meeting, giving Ten Days previous Notice of such Meeting once in any Two Newspapers usually circulated in the said Shire.

V. And be it enacted, That it shall be lawful for the said Commissioners to hold any other and such Meetings as shall be necessary for carrying the Purposes of this Act into execution; and all Meetings of the said Commissioners for the Purposes of this Act, other than those hereby appointed, shall be called by the Sheriff or by the Clerk to the said Commissioners (on being required so to do by any Two of the Commissioners), and that by Ten Days previous Notice by public Advertisement in any Two Newspapers usually circulated in the said County of *Fife*, and by such further Intimation as the said Commissioners may, by any Rule or Order to be made and published by them, direct to be given.

Meetings
how to be
called.

VI. And be it enacted, That at all the Meetings to be held under the Authority of this Act the Commissioners shall bear their own Expences; and no Person appointed by or under the Authority of the same a Commissioner for putting this Act into execution shall hold the Office of Clerk, Treasurer, or Superintendant under the said Commissioners, or shall hold any Place of Profit arising out of or by reason of any Assessment hereby authorized to be levied.

Commission-
ers to defray
their Ex-
pences,
and not to
accept of
Place of
Profit.

VII. And be it enacted, That in the Event of the Death or Refusal of any of the before-named Commissioners to act in the Execution of this Act, the Commissioners of Supply for the said Shire shall be and they are hereby authorized and empowered, from Time to Time, at any General Meeting specially called on the Requisition in Writing of any Two of the Commissioners hereby appointed, to nominate and appoint a Commissioner or Commissioners in the Room of such of them as shall so die or refuse to act as aforesaid; and the Person or Persons so to be nominated and appointed shall from thenceforth have the same Power and Authority to act in the Execution of this Act as if he and they had been specially named therein: Provided always, that such Person or Persons so to be appointed shall at the Time be a Commissioner or

Vacancies to
be filled up.

Com-

Commissioners of Supply for the said Shire; and that the Number of Commissioners for the Purposes of this Act shall at no Time exceed the Number hereby appointed.

No Act of Commissioners to be valid unless done at their Meetings.

VIII. And be it enacted, That no Act of the said Commissioners shall be good, valid, or effectual, unless the same shall be done at some Meeting to be holden in pursuance of this Act (except as is herein-after provided); and all the Powers and Authorities hereby granted to the said Commissioners shall and may be exercised from Time to Time by the major Part of them attending at any Meeting to be holden as aforesaid, the Number of Commissioners present at such Meeting not being less than Three, which is hereby declared to be a Quorum.

Quorum.

Commissioners may appoint a Committee.

IX. Provided always, and be it enacted, That the said Commissioners hereby appointed may, if they think fit, from Time to Time appoint a Committee of their Number, not consisting of less than Three, to superintend the Progress of the said Buildings, or to carry into effect any of the Purposes of this Act; but the Proceedings of such Committee shall be subject to the Control of the said Commissioners at their Meetings to be held in manner herein-before directed.

Commissioners to elect a Chairman;

X. And be it enacted, That the said Commissioners shall, at every Meeting to be holden under the Authority of this Act, elect a Chairman, who shall, in Cases of Equality, besides his deliberative Vote, have a casting Vote, and shall authenticate the Proceedings of such Meeting, and cause the Minutes thereof to be entered in a Book or Books to be kept for that Purpose; and it shall be lawful for the said Commissioners, at their First or any subsequent Meeting, to appoint a Collector or Collectors, Clerk and Treasurer, with reasonable Allowances for their Trouble respectively, who shall hold and exercise his or their Offices during the Pleasure of the said Commissioners, and at all Times obey the Commands of the said Commissioners in the Execution of this Act.

and appoint a Clerk and Treasurer.

Treasurer to give Security.

XI. And be it enacted, That the said Commissioners shall (unless where all the Monies collected shall be lodged, in an Account to be opened in the Names of the said Commissioners, or a Quorum thereof, with the Bank of *Scotland*, the Royal Bank of *Scotland*, or the Bank of the *British Linen Company of Scotland*, or the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, or any of the Branches of the said Banks) take sufficient Security from every Treasurer to be appointed by them for the Purposes of this Act, for the due and faithful Execution of his Office, before such Treasurer shall enter on his Office, and if they shall so think proper shall also take such Security from any other Officer to be appointed under or by virtue of this Act, and shall limit the Sum beyond which he shall not retain any Money belonging to the said Commissioners.

Commissioners may sue and be sued

XII. And be it enacted, That the said Commissioners may sue and be sued for any Matter or Thing to be done in execution of this Act in the Name of any One of their own Number, or of their Clerk

Clerk for the Time being, and not otherwise; and no Action or Suit to be brought or instituted by or against him by virtue of this Act shall abate by the Death or Removal of such Clerk, any Law or Practice to the contrary thereof notwithstanding; but the Clerk to the said Commissioners for the Time being shall be deemed to be the Pursuer or Defender in every such Action; and neither the said Commissioners nor their Clerk shall be personally answerable for what they or any of them shall do in the Execution of the Powers vested in them by this Act.

in Name of
their Clerk.

XIII. And be it enacted, That it shall not be lawful for the said Commissioners to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk to the said Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered with full Costs of Suit in the same Manner as any of the Penalties by this Act imposed may be sued for and recovered.

Clerk and
Treasurer
not to be the
same Person.

XIV. And be it enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times hereafter, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money assessed, received, paid, laid out, and expended by virtue or in pursuance of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been so disbursed, laid out, and paid; which Books shall be made up to the First Day of *March* in each Year, and shall be presented to and audited by the Commissioners at their first Meeting after the same shall be so made up, and shall by them be presented to the Commissioners of Supply at their Annual Meeting on the Thirtieth Day of *April*, and shall at all reasonable Times be open to the Inspection of the said Commissioners, and of all and every Person and Persons rated and assessed for the Purposes of this Act, or paying the

Books to be
kept.

Rates imposed by this Act, or otherwise affected thereby, without Fee or Reward; and the said Commissioners, or any of them, shall and may take Copies of or Extracts from the said Book or Books, and any other Book or Books by this Act directed to be kept by such Clerk, or any Part or Parts thereof respectively, without paying for the same; and in case the said Clerk shall omit or neglect to make up the said Accounts, or refuse to permit the said Commissioners, or any of them, or others, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding One hundred Pounds, to be levied, recovered, and applied in manner herein-after provided.

Officers to
account.

XV. And be it enacted, That every Officer and Person who shall be appointed or employed under the Authority of this Act shall from Time to Time, when thereunto required by the said Commissioners, or others having their Authority, by Writing under the Hands of a Quorum or Committee thereof, make out and deliver to the said Commissioners, or to such Person or Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under his or her Hand of all Monies which shall have been by him or her had, collected, or received, and how, and to whom, and for what Purpose the same and every Part thereof hath or have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to such Person or Persons as the said Commissioners shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render and deliver such Accounts, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required, in manner aforesaid, or shall refuse or neglect to deliver up to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, or by such other Person or Persons, all Books, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by any of the said Commissioners, or by any Person on their Behalf, to any Justice of the Peace of the County of *Fife*, such Justice may, and he is hereby authorized and required, by Warrant under his Hand, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Accounts, if produced, in such Manner as the said Commissioners might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, it shall appear to such Justice that any of the Monies which shall have been collected or received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found, sufficient

sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Accounts in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the Justice may and he is hereby authorized and required, by Warrant under his Hand, to commit such Officer or Person to the Gaol of the said Burgh of *Cupar*, there to remain, without Bail, until he or she shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charges of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Commissioners for such Money and Charges, and paid the Composition Money to the said Commissioners (and which Composition the said Commissioners are hereby empowered to make), and shall have delivered up all such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be committed for Want of sufficient Distress or Means of Payment shall be detained in Prison for any longer Space of Time than Three Calendar Months.

XVI. And be it enacted, That the said Commissioners shall have Power, and they are hereby authorized and empowered either to contract and agree for the Purchase of and to acquire the Building (adjoining to the present Court House, and others belonging to the said County of *Fife*) formerly occupied as an Inn, and known by the Name of the *Tontine*, and the Stables and Offices attached thereto, and to alter such Building so as to render the same, and the Buildings now belonging to the said County, sufficient for the Purposes aforesaid; or, if they shall judge it more advisable, to build and erect a Court House and other Accommodations for the Purposes aforesaid in such Situation as they shall think proper, in or near the said Burgh of *Cupar*, together with all such Public Offices and Buildings, and Yards, Courts, and Out-offices, and to purchase suitable Furniture for such new or enlarged Court House, Offices, and Buildings, as the said Commissioners may find necessary, and to make all requisite Passages, Roads, and Avenues leading to and from the same; and afterwards to repair and maintain such Court House, Offices, and Buildings, and other Places, when so altered, or built and erected, and supply the same with Water, and to make and enter into all Contracts and Agreements necessary for effecting the above Purposes or any of them, or of and concerning the same, or for lighting the said Court House, Offices, and Buildings, and to appoint and pay the Servant or Servants necessary for the Charge and keeping of the same, and generally for effecting and executing all the Powers and Purposes of this Act, and hereby committed to and appointed to be executed by the said Commissioners.

Powers of
Commis-
sioners.

XVII. And

Commissioners may sell the present Court House.

XVII. And be it enacted, That in case the said Commissioners shall find it most expedient to erect a new Court House, Offices, and other Buildings in any Situation within or near the said Burgh of *Cupar*, other than the said Tontine Buildings, then and in that Case it shall be lawful to and in the Power of the said Commissioners, with Concurrence of the Heritors of the County, to sell, dispose, and convey the whole Buildings, Rooms, or other Accommodation presently belonging to the County, to such Person or Persons as may be found to purchase the same, and that either by public Roup or private Sale, and on such Terms and Conditions as the said Commissioners may think proper.

Commissioners may employ Persons not Freemen.

XVIII. Provided always, and be it enacted, That it shall be lawful to the said Commissioners to employ, in the Erection, Alteration, and Completion of the said Court House and other Offices, any Workmen, Tradesmen, Artificers, or others, although not Freemen of the said Burgh of *Cupar*, or Members of any of the Incorporations or Crafts of the said Burgh; and it shall be lawful for such Workmen, Tradesmen, Artificers, or others to execute any Work hereby authorized to be done under the said Commissioners, without being subject or liable to the Payment of any Fees or Admission Money to the said Burgh or Incorporations, or Craftsmen thereof.

Property how to be held.

XIX. And be it enacted, That the said Commissioners shall be entitled to acquire all Rights of Property and Servitude necessary for the Erection of the said Court House, Offices, and Buildings, and for making Avenues leading to the same; and for that Purpose they are hereby authorized and empowered to treat and agree with all Persons being Owners and Occupiers or reputed Owners and Occupiers of any Lands, Houses, Tenements, and Heritages necessary for the above-mentioned Purposes, and upon Payment of the Price or Value of such Lands, Houses, Tenements, and Heritages respectively, to enter into or on Possession thereof as herein-after mentioned, and the Rights and Conveyances thereof shall be taken and held in favour of the said Commissioners, and shall be and are hereby vested in them for the Purposes of this Act.

Sellers to grant Conveyances.

XX. And be it enacted, That the Conveyance or Conveyances to such Lands, Houses, Tenements, or other Heritages shall be made and granted in the following Words, or other Words to the like Effect:

Form of Conveyance.

‘ IN pursuance of an Act passed in the Year of the
 ‘ Reign of His Majesty King *William* the Fourth, intituled
 ‘ [*here set forth the Title of this Act*], I [*or we*]
 ‘ of , in consideration of the Sum of
 ‘ to me [*or us*] paid by the Commissioners appointed
 ‘ by the said Act [*or other Consideration, as the Case may be*], do
 ‘ hereby assign, dispo, and convey to and in favour of the said
 ‘ Commissioners and their Successors in Office, for the Purposes of
 ‘ the said Act, all and whole [*here describe the Subjects conveyed*],
 ‘ together with all my [*or our*] Right, Title, and Interest in and to
 ‘ the said Subjects above conveyed, and any Part, Pertinent, and
 ‘ Portion

' Portion thereof, to be holden by the said Commissioners and their
 ' Successors in Office, but in Trust for the Purposes of the said Act,
 ' from the Day of , and from thenceforth in all Time
 ' thereafter [*here insert the Conditions of Sale (if any), and a Clause*
 ' *of Warrandice and Registration*]. In witness whereof these Pre-
 ' sents, written upon this and the preceding Pages by
 ' , are subscribed by me [*or us*] at
 ' the Day of in the Year One thousand
 ' eight hundred and , before these Witnesses
 ' and

And every such Conveyance to the said Commissioners, being registered in the particular Register of Sasines, Reversions, *et cetera*, kept in and for the said County of *Fife*, (and the Keeper of such Register is hereby authorized and required to record the same,) shall have and receive the same Effect, and be as valid and effectual, to all Intents and Purposes, as if a formal, absolute, and irredeemable Disposition, or other Deed of Conveyance known in Law, had been granted and executed, and been followed by Infestment and Sasine thereon duly recorded according to the Law and Practice of *Scotland*; any Law, Custom, or Usage to the contrary notwithstanding.

Convey-
ances to be
recorded.

XXI. And be it enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and required, at their First or any subsequent Meeting, to assess or cause to be assessed, by one Sum or by Instalments, upon all Lands, Teinds, and Feu Duties of every Description, and other Heritages contained in the Valuation Books of the said Shire of *Fife*, a Sum not exceeding Five thousand Pounds Sterling; to be applied to the Purposes of this Act, which Assessment shall be levied proportionally, according to the respective valued Rents of the said Lands, Teinds, Feu Duties, and other Heritages, and shall be recovered by the Collector to be appointed by the said Commissioners, in the same Manner, at the same Time, and by such summary Process as the Cess or Land Tax is usually levied and recovered; and the said Collector shall account for and pay over the Money arising from such Assessment, under Deduction of his Commission, to the said Commissioners or their Treasurer for the Time being.

Commission-
ers to assess
the Shire in
a Sum not
exceeding
5,000*l.*

XXII. And be it enacted, That the said Commissioners of Supply, at their Annual General Meeting on the Thirtieth Day of *April* in each Year after the Erection or Completion of the said Court House, Offices, and Buildings, shall be and they are hereby authorized and required to impose an Assessment on the valued Rent of the said Shire of *Fife* a Sum not exceeding in any One Year One hundred and fifty Pounds Sterling, for the Purpose of paying the Feu Duty, for maintaining and keeping the said Court House, Offices, and Buildings in repair, and paying the Servant or Servants in the Charge or Keeping of the same, which Assessment shall be raised, levied, accounted for, and paid over to the Commissioners under this Act, in such and the like Manner as the Assessment on the valued Rent of the said County first hereby imposed is authorized and directed

Assessment
for Repair of
the Court
House, &c.

and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time hereby limited for bringing the same, then and in such Case the Defender or Defenders shall be assoilzied from such Action or Suit, and the Pursuer or Pursuers therein shall be found liable to pay the whole Expence of Process incurred by the Defender or Defenders.

Public Act. XXX. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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' Portion thereof, to be holden by the said Commissioners and their
 ' Successors in Office, but in Trust for the Purposes of the said Act,
 ' from the Day of , and from thenceforth in all Time
 ' thereafter [*here insert the Conditions of Sale (if any), and a Clause*
 ' *of Warrandice and Registration*]. In witness whereof these Pre-
 ' sents, written upon this and the preceding Pages by
 ' , are subscribed by me [*or us*] at
 ' the Day of in the Year One thousand
 ' eight hundred and , before these Witnesses
 ' and

And every such Conveyance to the said Commissioners, being registered in the particular Register of Sasines, Reversions, *et cetera*, kept in and for the said County of *Fife*, (and the Keeper of such Register is hereby authorized and required to record the same,) shall have and receive the same Effect, and be as valid and effectual, to all Intents and Purposes, as if a formal, absolute, and irredeemable Disposition, or other Deed of Conveyance known in Law, had been granted and executed, and been followed by Infestment and Sasine thereon duly recorded according to the Law and Practice of *Scotland*; any Law, Custom, or Usage to the contrary notwithstanding.

Conveyances to be recorded.

XXI. And be it enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and required, at their First or any subsequent Meeting, to assess or cause to be assessed, by one Sum or by Instalments, upon all Lands, Teinds, and Feu Duties of every Description, and other Heritages contained in the Valuation Books of the said Shire of *Fife*, a Sum not exceeding Five thousand Pounds Sterling, to be applied to the Purposes of this Act, which Assessment shall be levied proportionally, according to the respective valued Rents of the said Lands, Teinds, Feu Duties, and other Heritages, and shall be recovered by the Collector to be appointed by the said Commissioners, in the same Manner, at the same Time, and by such summary Process as the Cess or Land Tax is usually levied and recovered; and the said Collector shall account for and pay over the Money arising from such Assessment, under Deduction of his Commission, to the said Commissioners or their Treasurer for the Time being.

Commissioners to assess the Shire in a Sum not exceeding 5,000*l*.

XXII. And be it enacted, That the said Commissioners of Supply, at their Annual General Meeting on the Thirtieth Day of *April* in each Year after the Erection or Completion of the said Court House, Offices, and Buildings, shall be and they are hereby authorized and required to impose an Assessment on the valued Rent of the said Shire of *Fife* a Sum not exceeding in any One Year One hundred and fifty Pounds Sterling, for the Purpose of paying the Feu Duty, for maintaining and keeping the said Court House, Offices, and Buildings in repair, and paying the Servant or Servants in the Charge or Keeping of the same, which Assessment shall be raised, levied, accounted for, and paid over to the Commissioners under this Act, in such and the like Manner as the Assessment on the valued Rent of the said County first hereby imposed is authorized and directed

Assessment for Repair of the Court House, &c.

to be raised, levied, accounted for, and paid over : Provided always, that the said Court House, Offices, and Buildings shall not be subject to any County Rates, Burgh or Parochial Taxes whatsoever, from all which the said Court House, Offices, and Buildings are hereby declared to be exempted.

Commissioners may borrow Money.

XXIII. And be it enacted, That the said Commissioners shall have Power, and they are hereby authorized and empowered, to borrow and take up at Interest, on the Security of the Assessment hereby authorized to be levied, such Sum or Sums of Money as they shall judge requisite for defraying the Expence of enlarging and completing or erecting the said Court House, Offices, and Buildings, and procuring Plans and Estimates thereof, and furnishing the same, together with every other Expence attending the applying for and passing of this Act, and carrying the same into execution, provided that the whole Amount of the Money so to be borrowed shall not exceed the Sum of Four thousand Pounds ; and it shall be lawful for the said Commissioners and they are hereby empowered to assign or make over the Whole or any Part of the Assessment hereby authorized to be imposed and levied to any Person or Persons from whom the Money aforesaid or any Part thereof shall be borrowed, as a Security for Payment thereof, and the Interest arising thereon, at a Rate not exceeding Five Pounds *per Centum per Annum* ; and such Assignments in Security for Money to be borrowed as aforesaid shall be entered in a Book or Books to be kept by the said Commissioners or their Clerk for that Purpose, which Book or Books may be seen and perused by any Person or Persons in any way interested therein, without Fee or Reward ; and the Assignments in Security to be granted by the said Commissioners for the Purposes aforesaid shall be transferable by Indorsement, being duly subscribed by the Parties transferring in the Presence of One or more subscribing Witness or Witnesses ; which Assignments so to be granted by the said Commissioners shall be made and executed by their Clerk in their Name on their Behalf, he being specially authorized so to do by a General Meeting of Commissioners : Provided always, that the said Commissioners or their Clerk, or such Person as they may appoint to receive the Money to be borrowed as aforesaid, shall not be personally subject to pay the same by reason of their authorizing the Signature of or signing such Bonds as before directed.

Money to be lodged in Bank.

XXIV. And be it enacted, That the said Commissioners shall, in so far as the same is not otherwise directed by this Act, lodge all and every Sum or Sums which they shall receive on account of or in relation to the said Court House, Offices, and Buildings, with the Bank of *Scotland*, Royal Bank of *Scotland*, or Bank of the *British Linen Company*, or Commercial Bank of *Scotland*, or National Bank of *Scotland*, or with some Branch of one or other of the said Banks, therein to remain until the same shall be required for the Purposes committed to them by this Act.

Funds, &c. to be vested

XXV. And be it enacted, That the whole Funds and Property of every Description, Heritable and Moveable, to be raised and levied, purchased

purchased or acquired, or erected or built in pursuance of or for the Purposes of this Act, together with the Buildings at present belonging to the said County, in the Event of the same being retained and used for the Purposes aforesaid, shall to all Intents and Purposes be and be held and deemed to be fully vested in and belonging to the said Commissioners for the Purposes of this Act.

in Commis-
sioners.

XXVI. And be it enacted, That the said Assessment, and the Money to be borrowed on the Credit thereof, and the Price and Produce of any Property which may be sold by the said Commissioners, shall be applicable and be applied in defraying the Expences of procuring and passing this Act, and to the Purposes of this Act, and to no other Purposes whatever.

Application
of Monies to
be raised.

XXVII. And be it enacted, That all the Costs, Charges, and Expences attending the applying for, obtaining, and passing this Act shall be paid and discharged out of the first Monies to be collected and received under the Authority thereof, in preference to any other Payment whatsoever; and when the said Court House, Offices, and Buildings shall be erected or enlarged and completed, according to the Authority contained in this Act, an accurate Account of the whole Expence laid out shall be made up and attested by the said Commissioners or their Quorum aforesaid; which Account, with the Books, Papers, Receipts, and all other Writings and Vouchers, Plans, Drawings, and Designs relative to the Execution and Completion of the Building, and incidental thereto, shall be deposited with the Sheriff Clerk of the said County of *Fife*, for which a Receipt shall be given by him to the said Commissioners, within Six Months after the Buildings hereby authorized are erected and completed.

Account of
Expence to
be deposited
with Sheriff
Clerk of
Fife.

XXVIII. And be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Assessment imposed by virtue of this Act, it shall and may be lawful for such Person or Persons, within Three Months after any such Assessment shall have been demanded, but not afterwards, to appeal against the same to the Justices of the Peace at the Quarter Sessions of the said County, giving Ten Days Notice of such Appeal to the Collector of the Assessment, and lodging with such Appeal a Bond with sufficient Surety or Caution for fulfilling and implementing the Sentence to be pronounced, and for paying such Expences as shall be awarded by the said Justices of the Peace, who are hereby authorized to determine the Matter in dispute; and their Judgment shall be final and conclusive, without being subject to Revision, by Suspension, Advocation, Reduction, or otherwise, in any Court whatever.

Appeal.

XXIX. And be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance or by virtue of this Act, after Six Calendar Months from the Time the Fact was committed, or the Cause of Action occurred, for which such Action or Suit shall be brought; and the Defender or Defenders in any such Action or Suit may produce this Act, and plead that the same was done by Authority and in virtue thereof; and

Limitation
of Actions.

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and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time hereby limited for bringing the same, then and in such Case the Defender or Defenders shall be assoilzied from such Action or Suit, and the Pursuer or Pursuers therein shall be found liable to pay the whole Expence of Process incurred by the Defender or Defenders.

Public Act.

XXX. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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