

Police Act, 1895, and which Petition, *inter alia*, represents that the petitioners are desirous that the procedure for the trial of offences should be the same in all the Magisterial Courts in the City; that the mode of procedure at present in use in the Court of the Bailie of the River and Firth of Clyde is that authorised to be followed under section 124 of the Clyde Navigation Consolidation Act, 1858, namely, either the procedure prescribed in an Act passed in the ninth year of the reign of George the Fourth, formerly known as Sir William Rae's Act, and now as the Circuit Courts (Scotland) Act, 1828, or by certain of the clauses of the Railway Clauses Consolidation (Scotland) Act, 1845; that the procedure so prescribed is cumbrous and vague and ill-adapted for use in a Court exercising summary jurisdiction; that the forms sanctioned by their Lordships as aforesaid for the Police Courts of the City of Glasgow have been found to work efficiently; and that the said forms can, with certain necessary alterations, be rendered suitable for use in the Court of the Bailie of the River and Firth of Clyde; and which Petition prays their Lordships, after consideration of the facts therein set forth, and of certain forms contained in an Appendix thereto altered in accordance with the suggestions in the body of the Petition, to pass an Act of Adjournal sanctioning the said forms as the forms of complaints, warrants, convictions, and other forms of procedure to be used in the Court of the Bailie of the River and Firth of Clyde, or to do otherwise in the premises as to their Lordships should seem proper; which Petition having been remitted to the Clerk of Justiciary to examine and report, and the Clerk of Justiciary having reported thereon and on the forms contained in said Appendix, the said Lords having taken the said Petition, forms annexed thereto, and Report by the Clerk of Justiciary, with relative Appendix to said Report, into consideration, DO ENACT and DECLARE as follows:—

I. In virtue of the power contained in the before recited enactment the forms appended hereto, or forms as near thereto as may be convenient and suitable, are sanctioned as forms of complaints, warrants, convictions, and other forms of procedure, which may be used in all prosecutions and proceedings in the Court of the Bailie of the River and Firth of Clyde.

II. This Act of Adjournal shall come into operation on the first day of September Nineteen hundred and two, and shall be forthwith printed and circulated among all concerned.

(Signed) J. B. BALFOUR, *I.P.D.*

Forms of Complaint, Conviction, Warrants, and other Forms of Procedure for the Court of the Bailie of the River and Firth of Clyde, sanctioned by the High Court of Justiciary, by Act of Adjournal, dated 18th July 1902.

STATUTORY CHARGE.

1.—Form of Complaint for Statutory Offence.

Under the Glasgow Police Acts and the Summary Jurisdiction (Scotland) Acts, 1864 to 1881, and the Criminal Procedure (Scotland) Act, 1887.

Unto the Bailie of the River and Firth of Clyde.

The Complaint of A. B., Procurator-Fiscal of Court.

Humbly Sheweth,—

That [*name of Accused, and, when not in his designation or address if known*] did *insert date, locus, and particulars of the offence* contrary to the Clyde Navigation Acts, particularly [*here insert reference to Act and Section, or Bye-law or Regulation infringed, and Act on which the Bye-law or Regulation is founded*] whereby the Accused is liable [*state shortly the nature of the penalty*].

May it therefore please your Honour to grant Warrant to Officers of Law to apprehend and bring said Accused [*or to summon said Accused to appear personally*] before the Bailie officiating in the River Bailie Court, Glasgow, to answer to this Complaint; to grant Warrant to cite Witnesses for both Parties; to convict said Accused of the aforesaid offence; and to adjudge said Accused to suffer the penalties provided by said Acts. [*Where a warrant ad factum prestandum is required, it must be specially prayed for.*]

According to Justice.

A. B., Procurator-Fiscal.

[*Or in his absence*] for Procurator Fiscal,

C. D., Acting Fiscal.

Where the offence charged is an infringement of any statute, other than the Clyde Navigation Acts, say "contrary to the" [Act, specifying section, or Bye-law, or Regulation infringed, and Act on which the Bye-law or Regulation is founded].

In all cases where it is required, change the final word in the prayer—"Acts"—into the singular.

Where the offence charged has been committed by a company, association, or incorporation, alter as follows:—

Humbly Sheweth—

That [*name and designation of representative who is accused*] is [*partner, manager, or person locally in charge in case of an ordinary company*], [*or director, or directors, or persons managing the affairs, or clerk, secretary, principal officer, or person in charge or locally in charge of the affairs in case of an association, incorporation, or incorporated company*] of [*name and designation of company, association, or incorporation*], and as such is liable to be dealt with for any offence, competent to be tried in the River Bailie Court, committed by said [*company, association, or incorporation*], and that said [*company, association, or incorporation*] did [*describe offence ut supra*] whereby said Accused [*name of representative*] is liable [*and so on, ut supra*].

When accused is in custody, alter as follows:—
Humbly Sheweth—

That [*name of Accused*], presently in custody, did [*and so on, ut supra*].

May it therefore please your Honour, on the said Accused being brought before the Bailie officiating in the River Bailie Court, Glasgow, to answer to this Complaint, to convict [*and so on, ut supra*].

COMMON LAW CHARGE.

2.—Form of Complaint for Crime or Offence at Common Law.

Under the Glasgow Police Acts and the Summary Jurisdiction (Scotland) Acts, 1864 to 1881, and the Criminal Procedure (Scotland) Act, 1887.

Unto the Bailie of the River and Firth of Clyde.