ANNO SEPTIMO

GEORGII IV. REGIS.

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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 the Regulations hereinafter made for establishing a general System of Police, and for accomplishing the Purposes of this present Act, shall extend over the whole and every Part of the said District, comprehending the said Burgh of *Anderston*, with the Lands of *Lancefield* and *Parsonshaugh*, and the Lands betwixt *Cranstonhill* and the Highway to *Dumbarton*, all adjoining the said Burgh.

District of the Act.

Commissioners appointed.

II. And be it enacted, That in order to facilitate the Plan of Police to be established by this Act, and assist the Execution thereof, the Provost, Bailies, Treasurer, and Councillors of the said Burgh for the Time being, shall always be *ex Officiis* Commissioners for carrying into Effect the whole Purposes of this Act, with Power to subdivide the foresaid District into Wards, and appoint One or more of their Number as Commissioners therein, and to alter, vary, add to, or diminish the said Wards, in such Manner as the State of the Population or other Circumstances shall to the said Magistrates, Treasurer, and Councillors appear from Time to Time to be expedient; and the said Commissioners shall have Power to take Lists of Persons residing within their respective Wards, and to warn away poor Persons not entitled to Relief, so as to prevent them from being entitled to the Benefits and Charities thereof; and such Commissioners are hereby invested with the whole Powers known in the Law of *Scotland* to belong to the Office of Constable: Provided also, that no Person above the Age of Seventy Years shall be compelled to act as a Commissioner under this Act.

Proprietors, &c. in Parsonshaugh and Lancefield eligible to the Office of Magistrate and Councillor.

III. And be it further enacted, That every Male Person being above Twenty-one Years of Age who shall be Feuar or Proprietor, Tenant or Occupier of Heritable Property within the Limits of the said Lands of *Parsonshaugh* and *Lancefield*, shall after being admitted a Burgess be eligible to the Office of Magistrate, Treasurer, and Councillor, provided he has resided within the foresaid District from the Term of *Whitsunday* previous to his Election, and is otherwise qualified in Terms of the Charter of Erection of the said Burgh of *Anderston*.

Qualification of Votes in Election of Magistrates, &c.

IV. And be it further enacted, That no Person who shall be admitted as Burgess in the said Burgh after the passing of this Act shall be entitled to vote in the Election of the said Provost, Bailies, Treasurer, or Councillor, unless he is Proprietor or Liferenter of Heritable Subjects within the Bounds comprehended by this Act, or shall be Tenant or Occupier of Heritable Property therein of the fixed Yearly Rent of Twenty Pounds Sterling at least.

Penalty on Commissioners refusing to act.

V. And be it further enacted, That in case any of the said Magistrates, Treasurer, and Councillors, not labouring under such bodily Infirmity as shall render him incapable of executing the Duties of a Commissioner, and not being above Seventy Years of Age, shall refuse to act without assigning a just and reasonable Cause, he shall forfeit the Sum of Ten Pounds Sterling, to be levied in

in Manner hereinafter directed, and applied for the Purposes of this Act; provided that the Person paying the same shall be exempted from acting as Commissioner for the Three succeeding Years.

Quorum of Commissioners.

VI. And be it further enacted, That any Seven of the said Commissioners shall be a Quorum for transacting ordinary Business; but no Assessment shall be made or imposed, nor the Master of Police, Collector, or Clerk appointed, nor their Salaries fixed by virtue of this Act, except at Meetings where a Majority of the Commissioners who have accepted of their Offices are present: Provided always, that all the Commissioners shall be summoned to attend every Meeting of the said Commissioners, by written or printed Notices delivered to them personally or left at their Dwelling Places Twenty-four Hours at least previous to such Meeting; and that the Provost, eldest Bailie, or any of the other Bailies present, or in his or their Absence the oldest Councillor present, shall preside at all the Meetings of the said Commissioners; and such Preses shall have both a deliberative and a casting Vote in all Matters and Questions which shall come before them.

Meetings to be held.

VII. And be it further enacted, That Four Meetings of said Commissioners for the said District shall be held annually, on the First *Monday* in the Months of *August*, *November*, *February*, and *May*, at Ten of the Clock in the Forenoon, for putting this Act into Execution; the First of the said Quarterly Meetings to be held on the First *Monday* of *August* after the passing of this Act; the said Meetings of the Commissioners to be held in the Court House of *Anderston*, or in such other Place within the said District as shall be appointed by the said Commissioners, to be summoned to attend the said Quarterly Meetings in Manner before mentioned, Twenty-four Hours at least previous to the Time of Meeting; and at such Annual and all other Meetings the said Commissioners shall pay their own Expences.

Meetings may be adjourned.

VIII. And be it further enacted, That the said Commissioners, or a Majority of those present at any of the said Quarterly Meetings or other Meetings held in virtue of this Act, may adjourn to the Court House aforesaid, or any other Place within the said District which they may think necessary and proper for executing the Powers vested in them by this Act.

Special Meetings.

IX. And be it further enacted, That the said Provost or any One of the said Bailies, or in his or their Absence the Councillor who may have presided at the last Meeting of the Commissioners for the said District, shall, when required to do so by a Writing under the Hand of any Three of the said Commissioners, appoint a Special Meeting of the said Commissioners to be held within Forty-eight Hours after such Requisition, and shall cause all the Commissioners to be summoned to such Meeting in Manner aforesaid; and it shall be in the Power of the said Provost and Bailies, or in their Absence the oldest Councillor present at any Meeting as aforesaid, to appoint other Meetings of the said Commissioners to be held at such Places and Times and within the said District as may to them seem neces-

sary

sary for the above Purposes, the whole Commissioners being always summoned to attend the same Twenty-four Hours previous to such Meetings.

Power to appoint Master of Police, &c.;

X. And be it further enacted, That it shall and may be lawful for the said Commissioners or a Majority of them, and they are hereby empowered, to appoint a Master of Police, Collector, Clerk, Servants, and other proper Officers during their Pleasure, to act under the Authority of the said Provost and Bailies or any One of them, for executing the Matters committed to them by this Act, and for regulating the Police and preserving Peace and good Order in the said District.

and Watchmen.

XI. And be it further enacted, That it shall and may be lawful for the said Commissioners and a Quorum of them, and they are hereby authorized and required, to appoint such a Number of Serjeants, Patrolmen, Watchmen, and other inferior Servants, as they shall judge necessary for guarding, patrolling, and watching the Streets, Lanes, and other Passages of the said District, in such Manner and under such Rules and Regulations as to the said Commissioners shall appear proper and expedient.

Power to appoint Collector, Clerk, &c.

XII. And be it further enacted, That the said Commissioners or a Majority of them shall have Power to appoint a Collector or Collectors, Treasurer or Treasurers, Clerk or Clerks, or any other Officer or Officers, for levying, receiving, and paying away the Monies to be raised by virtue of this Act, and for keeping their Books and Records, and for other Purposes aforesaid; and to rent, hire, build, or purchase a sufficient Office for holding their Meetings and transacting their Business; and also to appoint suitable Salaries to the said Collectors, Treasurers, or Clerks, and to agree for and pay a reasonable Price or Rent for the said Office out of the said Funds; and the said Collectors and Treasurers shall find sufficient Security to the said Commissioners for their respective Intromissions with the Funds which they shall be empowered to levy or collect; and the Monies so collected as soon as they amount to Twenty Pounds, exclusive of a Sum necessary for the Disbursements of the Establishment for Fourteen Days, shall be deposited in the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British* Linen Company, or the Branch of any of the said Banks in *Glasgow*; and no Sum shall be drawn from the said Bank without the written Consent of Two of the Commissioners appointed for that Purpose.

Clerk and Treasurer to be different Persons

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner of any such Treasurer or Treasurers, the Clerk or Clerks to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer

surer for the Purposes of this Act, or if any Person being the Partner of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, shall accept the Office of Treasurer, or being the Partner of any such Treasurer or Treasurers shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer shall have or accept any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every such 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 any of the Courts of Law by a regular or summary Action.

Collector to keep Books.

XIV. And be it further enacted, That a Book shall be prepared and kept by the said Commissioners, or by such Person or Persons as they shall appoint, wherein shall be fairly entered an Account of all Monies levied and paid by virtue of this Act, and how the same have been applied; and the said Books shall be regularly balanced and docqueted yearly, on the last *Monday* of *September*, the first Balance to be struck on the last *Monday* of *September* in the Year One thousand eight hundred and twenty-seven, from which a Statement of the Receipts and Disbursements for the Year preceding shall be made out and printed on or before the Second *Monday* of *October* annually after the Books are balanced; and a Copy thereof shall be delivered to each of the said Commissioners, and lodged in the Police Office and Court House of the said District, where the said Books and Copies shall remain Six Weeks, for the Inspection (without Fee or Reward) of all Persons contributing to the aforesaid Assessments; and the said Statement shall also be published once at least in any One or more of the *Glasgow* Newspapers.

Books to be kept by Clerk.

XV. And be it further enacted, That the said Commissioners shall cause the Clerk or Clerks to be appointed by them to keep a Book or Books, in which shall be engrossed or written Minutes of all their Proceedings and Transactions, with an Account of the Salaries and Emoluments of Surveyors, Master of Police, Clerks, Servants, Watchmen, Collectors, and other Officers appointed by them; which Book or Books shall at all reasonable Times be open for the Inspection of every Person contributing to the aforesaid Assessments, who shall and may peruse the same without Fee or Reward.

Officers to account.

XVI. And be it further enacted, That every Officer and other Person who shall be appointed by virtue of this Act shall from Time to Time, when thereunto required by the said Commissioners by Notice in Writing to him or them respectively given, or left at his or their usual Place of Abode, or within Seven Days next afterwards, make out and deliver to the said Commissioners, or to such Person or Persons as they shall appoint to inspect and examine the same, 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 Purposes the same and every Part thereof hath been disposed of, together with the Vouchers

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 Accounts shall appear to be owing from him or her to the said Commissioners, to such Person or Persons as the said Commissioners shall appoint to receive the same; and if any Officer or Person shall neglect or refuse to render or deliver such Account as aforesaid, 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 and within the Time aforesaid, or shall neglect or refuse on such Requisition as aforesaid to deliver up to the said Commissioners, or to such Person or Persons as they shall appoint, all Books, Papers, Writings, Matters, and Things in his or their Custody or Power relating to the Execution of this Act, or which they shall have disposed of without the Consent of the said Commissioners, then and in every such Case, Complaint being made by the said Commissioners where such Neglect or Refusal shall happen, or by any other Person or Persons on their Behalf, of any Neglect or Refusal, to any Justice of the Peace for the County where the Officer or Person so neglecting or refusing shall live or reside, such Justice 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 Account, 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 or Oaths of any Witness or Witnesses, or upon the said Account if produced, it shall appear to such Justice that any of the Monies which shall have been collected or received by virtue of this Act shall be in the Hands of or owing from such Officer or Person to the said Commissioners, the said Justice may and he is hereby authorized, upon Nonpayment thereof within such Time as such Justice shall direct, 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 respectively; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Monies, and the Charges of taking, making, keeping, and selling such Distress, or if such Officer or Person shall not appear (without having sufficient Excuse) before the said Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to the said Justice such Account in Writing as aforesaid, or to produce and deliver up to the said Justice the several Vouchers and Receipts relating to such Account, or to deliver up to him all such Books, Papers, Writings, Matters, and Things as aforesaid, to be by him delivered over to the said Commissioners, then and in any of the Cases aforesaid the said Justice is hereby authorized and required by Warrant under his Hand to commit such Officer or other Person to the Common Gaol or House of Correction for the County, Burgh, or Place where he or she shall live or reside, there to remain without Bail until he or she shall have delivered in and settled such Account as aforesaid, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Monies that shall appear to be in the Hands of or owing from him or her to the said Commissioners,

missioners, 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 Monies and Charges, and paid the Composition Money to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, and which Composition the said Commissioners are hereby empowered to make, and shall have delivered up as aforesaid such Books, Papers, Writings, Matters, and Things as aforesaid, or have given to the said Commissioners Satisfaction in respect thereof; provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Time than Six Calendar Months; and provided also, that if the Money shall remain due from such Officer or Person, the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety or Sureties, but such Officer or Person, and his Surety or Sureties, shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

Power to give Salaries to Master of Police, &c.

XVII. And be it further enacted, That it shall and may be lawful for the said Commissioners or the Majority of them, and they are hereby authorized and empowered, to order suitable Salaries or Allowances to be made to the said Master of Police, Clerk, and Collector, and for a Quorum of the said Commissioners to order suitable Wages or Allowances to Serjeants, Patrolmen, Watchmen, and other inferior Servants, and to pay the necessary Expences of the aforesaid Establishment from the Assessment and other Funds hereby appointed to be levied, and from no other Fund whatever.

Duties of Master of Police, Clerks, &c.

XVIII. And be it further enacted, That the Duty of the said Master of Police, Clerks, Servants, Watchmen, and other Officers, shall be and they are hereby authorized to aid and assist the Provost and Bailies of the said Burgh in apprehending, detecting, and bringing to Justice Persons guilty within the said District of Street Robberies, Housebreaking, Assaults, Theft, Reset of Theft, Shoplifting, picking Pockets, Gambling, Pugilism, and other Crimes, by apprehending or causing the Parties accused to be apprehended and imprisoned upon legal Warrants, and proceeded against in Terms of Law; in apprehending and putting the Law into Execution against Vagabonds, Vagrants, public and sturdy Beggars, and other idle and disorderly Persons who follow no lawful Employment or Occupation; in suppressing disorderly Public Houses, and other Houses frequented by Persons of the aforesaid Description; in suppressing Mobs and Riots; in assisting to extinguish Fires; in putting the Laws into Execution by which Owners and Drivers of Carts and other Carriages are prohibited from leaving the same on the Streets, Roads, and Passages, or riding on their Carts, or driving Carriages and Horses or Cattle furiously or improperly, so as to endanger His Majesty's liege Subjects, or wantonly and cruelly beating, abusing, or ill-treating any Horse or Cattle, or leaving Wheel or Hand Barrows, or any other Vehicles in or upon which Goods or Provisions are carried, upon the Streets or Pavements, or in the Closes or Passages, after Daylight; in seeing that the said Streets, Squares, Lanes, Passages, and other Places are properly lighted and cleaned;

guarding,

guarding, patrolling, and watching the Streets; and in general in aiding and assisting the said Provost and Bailies in all Matters relative to regulating the Police and preserving good Order and Tranquillity in the said District, and in carrying the different Purposes of this Act into Execution.

Provost and Bailies may dismiss and punish Officers, &c.

XIX. And be it further enacted, That nothing herein contained shall be construed so as to prevent the said Commissioners or a Majority of them from dismissing the Superintendant or Master of Police, or any of the Officers, Patrolmen, Watchmen, or Servants appointed by virtue of this Act, when the said Commissioners think proper; and no Person so dismissed shall be reinstated without the Consent and Approbation of the Whole of the said Commissioners for the Time being, or a Majority of them; and the said Provost and Bailies, or any Three of them, shall have Power to punish by Fine, not exceeding Five Pounds, or Imprisonment, not longer than Sixty Days, any of the said Officers, Patrolmen, Watchmen, or Servants, when they shall find Cause and see it proper so to do.

Commissioners may sue and be sued in Name of Clerk or Collector.

XX. And be it further enacted, That the said Commissioners may sue and be sued for any Matter or Thing to be done by virtue of this Act in the Name of their Clerk or Collector for the Time being; and no Action or Suit wherein the said Commissioners shall be concerned in Name of their Clerk or Collector by virtue of this Act shall abate by the Death or Removal of any such Clerk or Collector, but the Clerk or Collector for the Time being shall be deemed to be the Party suing or defending in any such Action.

Gaol, Court-house, and other Property vested in the said Commissioners.

XXI. And be it further enacted, That the Right and Property of, in, and to the Gaol, Court-house, Bridewell, or House of Correction and other Buildings, with the Lamps, Lamp Irons, Posts, Fire Engines, Buckets, and all other Matters and Things purchased or provided by the said Commissioners, or by their Order, or under their Authority, by virtue of this Act, shall be held and deemed to belong to and be the Property of, and the same are hereby vested in the said Commissioners for the Time being.

Foot Pavements to be made.

XXII. And be it further enacted, That the Owners and Proprietors of all Houses and Buildings and of Gardens or Grounds adjoining to and fronting any Street, Square, or public Places already formed or to be formed within the said District, shall, at his, her, or their Expence, cause the Ground before their Properties respectively, where Houses or other Buildings are erected on the Sides of the said Streets, Squares, or other public or principal Places, to be brought to a proper Level so as to carry off the Water, and to be well and sufficiently paved with Flat Hewn Stone of such Breadth and Quality and in such Manner and Form as the said Commissioners (after visiting the Grounds and hearing the Parties) shall direct and appoint, the Foot Pavement in the said Street or Square being always of One Breadth, and the Breadth of the said Foot Pavement not to exceed Ten Feet in Streets of Sixty Feet wide and upwards, Eight Feet in Streets from Fifty to Sixty Feet wide, Seven Feet in Streets from Forty to Fifty Feet wide, Five Feet in Streets from Thirty to Forty

Forty Feet wide, Four Feet in Streets from Thirty to Twenty Feet wide, and in Streets less than Twenty Feet wide the Foot Pavements shall be laid in such Form and in such Width as the said Commissioners may think proper to order and appoint: Provided always, that where the Owners or Proprietors are bound by their Title Deeds to make Pavements of a certain Breadth, such Title Deeds shall regulate the Commissioners in fixing the Breadth of Pavements in those particular Streets; and it shall be in the Option of the Owners or Proprietors of such Gardens or Grounds within the said District on which no Buildings are erected, either to make the Foot Pavements in Manner aforesaid, or to pave opposite their Properties with Whin Stone, or lay the same with Gravel, leaving a sufficient Curb Freestone, until the same shall be built upon, but no longer; and such Parts of Footpaths as are opposite to Wynds, Lanes, and Cart or Carriage Entries, may also in the Option of the Proprietors be paved with Whin Stones.

In case Proprietors refuse, the Provost or Bailies may order Foot Pavements to be made.

XXIII. And be it further enacted, That in case any such Owner or Proprietor shall refuse or neglect to cause such Ground to be paved in Manner aforesaid within such Time as he, she, or they shall be required so to do by the said Commissioners, it shall and may be lawful to any One or more of the Provost or Bailies of the said Burgh of *Anderston* to cause the same to be done at the Expence of such Owner or Proprietor; and in case any such Owner or Proprietor shall refuse or neglect, when required, to pay the Expences of the said Foot Pavements, it shall and may be lawful to any One or more of the said Provost or Bailies to decern such Expence, together with the Charges of recovering the same, to be paid by such Owner or Proprietor, either to the Tradesmen doing the Work or to any Person authorized to receive the same, in Manner hereinafter mentioned: Provided always, that in every Case where such Owner or Proprietor shall be unable to pay the Expence of making the said Foot Pavement in One Sum, any One or more of the said Provost or Bailies may decern the same to be paid by such Instalments and at such Periods as to him or them shall seem proper.

Foot Pavements how to be kept in Repair.

XXIV. And be it further enacted, That it shall and may be lawful for the said Provost or Bailies or any One of them, after the said Foot Pavements or Paths are made by virtue of this Act, to ordain them to be kept in proper Repair; and for any One or more of the said Provost or Bailies, upon Complaint being made to him or them by the said Commissioners, to give Decrees for the Charges and Expence of repairing, relaying, and maintaining the same, together with the Expences of Recovery, against the Owners or Proprietors of Houses, Buildings, Gardens, and Grounds, in the same Manner as he or they are hereinbefore empowered to decern for the Expence of making the said Foot Pavements.

How Expences thereof to be apportioned.

XXV. And be it further enacted, That when Houses, Grounds, or Buildings belong to more Proprietors than One, the several Proprietors shall be bound to cause the Ground before their respective Properties to be paved, and the Pavement to be kept in repair in Manner afore-

aforesaid, the Expence being defrayed by such Proprietors in proportion to the Rents of the respective Parts of the Premises belonging to each of them, according as the same shall at the Time stand rated in the Rent Roll hereinafter mentioned; and in case any Dispute or Difference shall arise among the several Proprietors of the same House or Building relative to their Proportions of the said Expence, it shall and may be lawful for the said Provost or any One of the said Bailies to fix and ascertain the same according to the Rate of such Rents in the said Roll; and in case of any Difference between the said Commissioners and the Proprietors of the Premises, either with respect to making or keeping in repair such Foot Pavements, or as to the Expence of the same, it shall and may be lawful to the said Provost or Bailies or any One or more of them, on a Complaint to be made to him or them, (after visiting the Premises and hearing Parties concerned,) to determine any such Difference, which Determination shall be final and binding on all Parties.

Expences when paid by Tenants to be deducted from their Rents.

XXVI. And be it further enacted, That the Tenants or Occupiers of the Houses or other Buildings belonging to such Owners and Proprietors, in Default of the Proprietors paying such Expence, and in case such Tenants or Occupiers shall pay the same (which they are hereby authorized and required to do to the Amount of the Rents payable by them respectively), shall be at liberty, and they are hereby empowered to deduct and retain out of his, her, or their Rents such Sums of Money as they shall respectively pay on account of the said Pavements for their respective Landlords, Owners, or Proprietors, who are hereby required to admit of such Deductions, any Lease or Contract to the contrary notwithstanding.

Streets to be paved.

XXVII. And be it further enacted, That it shall be lawful for and in the Power of the said Commissioners to direct and cause to be paved, or causewayed, or laid with Road Metal, and kept in repair, such Parts of the Public Streets, Roads, Lanes, and Passages within the said District (other than the Roads falling under the Management and Direction of Trustees under any Turnpike Act) as may be necessary for the general Convenience of the Inhabitants of the said District, and which the Owners or Proprietors of the adjoining Houses or Buildings, Gardens or Grounds, are not required or obliged to pave or causeway, and to keep in repair, by the Terms of their Title Deeds, or by any of the Provisions of this Act; and for that Purpose the said Provost, Bailies, and other Commissioners after mentioned, shall have Power to assess and levy the County Statute Labour Assessment leviable within the said District.

Composition to be paid to the Statute Labour Trustees.

XXVIII. And be it further enacted, That the said Commissioners shall annually pay the Sum of Ten Pounds Sterling to the Trustees of the Statute Labour of the Barony Parish, as a Composition for the Right of levying and applying as aforesaid the Statute Labour Money of the said District upon the Roads and Streets within the same, and which the said Commissioners shall maintain out of the Monies so hereby authorized to be levied.

XXIX. And

Heritors to causeway in Terms of their Title Deeds.

XXIX. And be it further enacted, That the Owners or Proprietors of Grounds in the said District who may or shall have failed to causeway the Streets therein, or any Part of the said Streets, in Terms of the Obligations expressed in their Title Deeds, shall be obliged to causeway, or in the Option of the said Commissioners to lay with Road Metal, the said Streets opposite to their respective Properties, within Six Calendar Months after being required to do so by the said Commissioners; and in the Event of such Owners or Proprietors refusing or delaying after the Expiration of that Period to causeway or lay with Road Metal the said Streets or Parts of Streets, it shall and may be lawful for the said Provost or Bailies or any One of them (after having visited and inspected the Grounds) to ordain the same to be done at the Expence of the said Owners or Proprietors, and to issue Decrees against such Owners or Proprietors for the said Expence: Provided always, that when any of the Streets which have been causewayed and paved by the said Proprietors in Terms of their Title Deeds shall be opened for the Use of the Public, the Expence of keeping the same in repair thereafter shall be defrayed out of the Funds raised by virtue of this Act.

Foot Pavements to be swept and cleaned.

XXX. And be it enacted, That from and after the passing of this Act all and every Person or Persons who shall possess the Shops, or (where there are no Shops) the Ground Floor or Story of any Dwelling House or other Building adjoining to and fronting the Foot Pavements within the said District, shall cause the same, along the Front of his, her, or their respective Shops, Dwelling Houses, or other Buildings, to be swept, scraped, and cleaned once every lawful Day, between the Hours of Eight and Ten in the Morning; and if they shall fail to do so, it shall and may be lawful for the said Provost or Bailies, or any One of them, to decern in a summary Manner such Occupier or Occupiers to pay a Sum not exceeding One Shilling Sterling for each Offence, to be levied and applied in Manner hereinafter directed; and in case any Dispute shall arise amongst the Occupiers of Shops, Dwelling Houses, or Buildings adjoining the said Foot Pavements, as to cleansing, sweeping, and scraping the same, it shall and may be lawful for the said Provost or Bailies or any One or more of them, to determine such Dispute: Provided always, that in case it may appear expedient to the said Commissioners to take the Charge of sweeping and cleansing the said Pavements, it shall and may be lawful for them to employ the public Scavengers to sweep and clean the said Pavements, and to defray the Expence thereof out of the Funds raised by virtue of this Act.

Power to orderHouses to be lime-washed, and sunk Dungsteads to be raised, to prevent contagious Diseases.

XXXI. And in order to prevent contagious Diseases from being prevalent within the said District, by Want of Cleanliness in the Houses of the poorer Inhabitants, and by Dunghills being dug lower than the Surface of the surrounding Ground, and allowed to remain for a long Time without being cleaned out, and having a large Surface exposed to the Atmosphere; be it enacted, That the said Provost or Bailies or any One or more of them, upon Complaint being made to him or them by any of the said Commissioners, (after visiting the Premises and hearing Parties concerned,)

concerned,) shall have Power to ordain the Possessors and Proprietors of all Houses within the said District to whitewash the inside Walls of their Houses with Quick Lime, and to cause the Dunghills aforesaid to be walled in, cleaned out, and raised to a proper Level to prevent stagnant Water, in such Manner and at such Time as to the said Provost and Bailies or any One or more of them shall seem proper, and to decern for the Expence of the said Operations against the Person or Persons for whom the same is executed, and where several Persons are concerned, to determine the Amount and Proportion to be paid by each, and decern for the same in a summary Manner, which Determination shall be final and binding on the Parties, without being subject to any Review or Stay of Execution whatsoever, save and except as is provided by this Act: Provided always, that if it shall appear to the said Provost and Bailies or any One or more of them, that any Person so decerned to pay the Expence of such Operations shall be unable by reason of Poverty so to do, then it shall and may be lawful for them to direct the same to be paid out of the Money to be raised by virtue of this Act.

Closes to be cleaned by Proprietors.

XXXII. And be it further enacted, That from and after the passing of this Act the whole Closes, Lanes, Thoroughfares, and back Courts within the said District, which are not cleaned and swept by Scavengers appointed under the Authority of this Act, shall be kept clean and clear of all Dung, Filth, or Rubbish, at the Expence of the several Proprietors thereof, or of the Houses and Buildings therein, who shall cause the same to be swept and cleaned out at least Twice each Week; and in case such Closes, Lanes, or Thoroughfares and back Courts shall not be so swept and cleaned, such Proprietors and the Person or Persons who were employed but failed to clean the same shall severally forfeit and pay such Sum, not exceeding Five Shillings Sterling, as the said Provost and Bailies or any One of them shall award for each Offence, to be levied and applied in Manner hereinafter directed.

The whole Proprietors to contribute to cleaning the Closes.

XXXIII. And be it further enacted, That where the said Closes, Lanes, or Thoroughfares and back Courts, or Houses and Buildings therein, belong to more Proprietors than One, the several Proprietors thereof shall be obliged to defray the Expence of sweeping and cleaning the said Closes, Lanes, or Thoroughfares and back Courts, in proportion to the Value of their respective Properties; and in case any Dispute or Difference shall occur among such Proprietors relative to their Proportion of the said Expence, it shall and may be lawful to the said Provost and Bailies or any One or more of them, after hearing the Parties concerned, by a Decree to be pronounced by him or them to determine the Amount and Proportion to be paid by each Proprietor, and to decern for the same in a summary Manner; which Determination shall be final and binding upon the Parties, without being subject to any Review or any Stay of Execution whatsoever, save and except as is provided by this Act: Provided always, that when any One or more of such Proprietors are by his, her, or their Title Deeds or otherwise burthened with the Expence of sweeping and cleansing the said Closes, Lanes, or Thorough-

Proviso as to those who are bound by their Title

Thoroughfares and back Courts, he, she, or they shall still continue to be subject to that Burthen. Deeds to clean Closes.

XXXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, to contract with and employ Scavengers or other Persons to cleanse and sweep the Streets, Squares, and other Public Places within the said District, (except the Foot Pavements, in case it shall not appear expedient to the said Commissioners to employ the public Scavengers to sweep and clean the said Foot Pavements as hereinbefore provided,) and also those Parts of the said Foot Paths which are made with Whin Stone or Gravel, and to order all Soil, Dirt, Ashes, and Filth to be collected into Heaps, and to be immediately removed and carried to such Place or Places as the said Commissioners shall appoint, and to sell and dispose of such Soil, Dirt, Ashes, and Filth to such Person or Persons as may be desirous to purchase the same, the Money thence arising being always applied towards the Purposes of this Act: Provided always, that the Expence of employing the said Scavengers and other Persons shall be defrayed from the Funds to be levied in Manner hereinafter directed. Power to employ Scavengers.

XXXV. And be it further enacted, That all and every Person or Persons who shall lay or deposit or cause to be laid or deposited on any of the Streets, public Ways, vacant Ground, or other Places within the said District, any Dung for the Purpose of carrying the same to adjacent Grounds, shall remove and take the same away before Twelve of the Clock of the Day on which it shall be so laid down, from the First Day of *November* to the First Day of *April*, and before Ten of the Clock of the Day from the First Day of *April* to the First Day of *November*; and if any Ashes or Dung so laid down for Removal shall be allowed to remain on any Part of the said Streets, public Ways, vacant Ground, or other Places, after the said Hours, it shall and may be lawful for the said Provost and Bailies, or any One or more of them, to decern the Person or Persons so offending to pay any Sum not exceeding Five Shillings Sterling for each Offence, to be levied and applied as hereinafter directed, and that over and above the Forfeiture of the Dung itself, which shall be sold, and the Price applied in the same Manner as the Penalty. Dung to be removed from Streets:

XXXVI. And be it further enacted, That the Persons employed in carrying or wheeling the said Dung to the Streets shall be obliged to sweep, scrape, and cleanse the Foot Pavements and Streets over which the Dung shall have been carried or wheeled, immediately after they shall have finished their Work, under a Penalty not exceeding One Shilling Sterling for each Offence, to be levied and applied in Manner hereinafter directed. And the Foot Pavements to be cleaned immediately.

XXXVII. And be it enacted, That it shall be lawful for and in the Power of the said Commissioners to make or cause to be made Common Sewers, Drains, and Watercourses, for drawing and carrying away the Water from the Roads, Streets, Squares, Lanes, and Passages made and to be made within the said District, and to make the said Power to make Common Sewers.

Common Sewers communicate with the Sewer already made in *Washington Street*, Part of the Lands of *Parsonshaugh*, upon the said Commissioners paying to *Archibald Campbell* Esquire, of *Blythswood*, or his Successors, One Third Part of the Original or Total Expence of making and constructing the same from the Centre of the *Dumbarton* Road to the Point where it joins the Sewer belonging to the Trustees on the River *Clyde*, to be ascertained by the Accounts of the Contractors, including also the Sum paid or to be paid by the said *Archibald Campbell* to the said Trustees for the Privilege of allowing the said Sewer in *Washington Street* to communicate with the Sewer belonging to them as aforesaid, the said Commissioners being also bound to pay One Third Part of the Expence of keeping the said Sewer in Repair thereafter: Provided always, that the said Common Sewers, Drains, and Watercourses shall be covered over in a sufficient and substantial Manner, and that all Damages done or occasioned by making or repairing the same shall be paid by the said Commissioners to the Person or Persons interested, from the Funds to be raised by virtue of this Act; and the said Commissioners shall also be bound to indemnify the said *Archibald Campbell* against any Injury which may arise to the said Sewer above described by reason of the Increase or Accumulation of Water to be passed into the same from the Sewers hereby authorized to be made; and in case of Difference between the said Commissioners and such Person or Persons respecting the Amount of any such Damages, the same shall be ascertained by Decrees to be pronounced by the Sheriff Depute of the County of *Lanark* or his Substitute, who are hereby authorized and required to hear the Parties, and to decern for the same finally, without being subject to Review by Advocation, Suspension, Reduction, or in any Way whatsoever, save and except as is provided by this Act: Provided also, that as the Proprietors of *Washington Street* in the said Lands of *Parsonshaugh* have already contributed their Proportion of the Expence of the Common Sewer in the said Street, they shall be entitled, in all Cases where Common Sewers shall be made in any of the other Streets in the foresaid District, to Deductions from their respective Assessments of their Proportion of making the said Common Sewers, until such Deductions shall amount to a Sum equal to the Proportions paid by them of the Expence of the said Sewer in *Washington Street*.

Penalties on Persons obstructing the Foot Pavements.

XXXVIII. And be it further enacted, That if any Person or Persons shall carry, run, drive, draw, or cause to be carried, run, driven, or drawn, on any of the Foot Pavements within the said District, any Bier, Sledge, or Wheelbarrow, Wheel or Wheels, or any Coach, Sedan Chair, Waggon, Cart, or Carriage whatever, except directly across the same, or shall wilfully lead, ride, or drive any Horse, Mule, Ass, or other Cattle (except when going directly across the said Foot Pavements to or from Stables or Cow Houses) upon any Part of the said Foot Pavements, or shall throw or cast any Dirt, Dung, Ashes, or Rubbish into or upon the same, or shall roll any Barrel, Hogshead, or Cask, empty or full, (excepting directly across to or from Shops, Cellars, or Warehouses,) or shall roll any such Barrel, Hogshead, or Cask along any of the Public Streets, Squares, and Places within the said District, except from Shops, Cellars, or Warehouses

houses directly to such Carts or Carriages as they are to be loaded upon, or from such Carts or Carriages as they have been loaded upon directly to the Shops, Cellars, Warehouses, or other Places in which they are to be deposited (not exceeding Twenty Yards in any Case), then it shall and may be lawful for any Person or Persons who shall see such Offence committed to seize, and for any Person or Persons to assist in seizing, such Offender or Offenders, and by Authority of this Act, without any Warrant, to convey and deliver him, her, or them to a Peace Officer, in order to be taken before any One of the said Provost or Bailies; and it shall and may be lawful to such Provost or Bailies, upon Information of such Offence being made to him by any Person or Persons, to issue his Warrant in order to bring before him the Party or Parties so accused; and if he, she, or they shall be convicted of any such Offence, either by his, her, or their own Confession or by legal Evidence, every such Offender shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds; and in case such Offender or Offenders shall not upon such Conviction immediately pay such Penalty, the said Provost or Bailies are hereby authorized to commit him, her, or them to Prison for any Time not exceeding Two Days, unless such Penalty and the Charges occasioned thereby shall be sooner paid and satisfied.

No Goods, &c. to be exposed to Sale on the Streets.

XXXIX. And be it further enacted, That if any Person or Persons shall place or bring out on any Street or Foot Pavement, either on Stalls or otherwise, within the said District, any Goods, Commodities, Provisions, or other Matter or Thing whatsoever, and shall expose the same for Sale or Show on any such Street or Foot Pavement, or on the Walls of Houses, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Shillings Sterling; and if the said Penalty shall not be immediately paid, and the said Articles removed, it shall and may be lawful for the said Provost and Bailies or any One or more of them to cause the Goods, Commodities, and other Things to be removed, taken away, and deposited in such Place or Places as he or they shall direct, there to remain until the Offender or Offenders shall have paid the Penalty, with the Charges and Expences of such Removal; and if the same shall not be paid within the Space of Eight Days thereafter, then such Goods, Commodities, and other Things shall be sold by the Order of the said Provost and Bailies or any One of them, and the Proceeds shall be applied in the Payment of such Penalty and such Charges and Expences, and the Overplus (if any) shall be paid to such Offender or Offenders: Provided always, that if the Goods, Commodities, and other Things so to be sold be of a perishable Nature, it shall be lawful for the said Provost and Bailies or any One of them to direct the same to be forthwith sold, and the Proceeds applied in Manner before directed.

Outside Stairs, &c. to be removed.

XL. And be it further enacted, That it shall and may be lawful to the said Provost and Bailies or any Two of them, within the said District, and they are hereby empowered, upon Application or Complaint being made to them, by and in Name of the Procurator Fiscal of the Burgh of *Anderston*, (after inspecting the Premises and hearing the Parties concerned,) to order by a Decree under their Hands

Hands the Proprietors of Houses or other Buildings fronting any of the Streets of the said District to remove or cause to be removed and taken away within a reasonable Time all Outstairs, Outshots, Buildings, Erections, Sign Posts, and other Things whatsoever, which project upon or tend to obstruct the free Passage of the said Streets and Foot Pavements, or which project or extend beyond the proper Line or Breadth; and if within the Time specified in such Decrees the said Outstairs, Outshots, Buildings, Erections, Sign Posts, and other Things whatsoever (which project upon or tend to obstruct the free Passage of the said Streets) be not taken away, the Owner of such House or Building to which the same may be annexed or belong shall forfeit and pay any Sum not exceeding Ten Shillings Sterling, and so *toties quoties* for every Month after such Decree during which the said Outstairs, Outshots, Buildings, or other Projections shall remain; the said Fines to be levied and applied in Manner hereinafter directed: Provided always, that in case the aforesaid Obstructions shall not be removed within Three Calendar Months after the Time they are decerned to be removed, then it shall be lawful to the said Provost and Bailies or any Two or more of them, and they are hereby empowered, to order the same to be removed *brevi manu*.

Proviso as to Outstairs.

XLI. Provided always, and be it enacted, That where the Houses and Buildings erected on the Sides of the said Foot Pavements cannot have convenient Access and Entries by other Passages than by Outstairs, the said Provost and Bailies or any One or more of them shall order such Outstairs to be altered and narrowed in such Manner as to leave a free Passage not less than Two Thirds of the Breadth of the Foot Pavement opposite to the said Outstairs.

No Houses to be thatched with Straw.

XLII. And be it further enacted, That the Proprietors of such Tenements or Houses as may be erected, and of such Houses or Tenements as may be unroofed or rebuilt subsequent to the passing of this Act, shall be and the said Proprietors are hereby prohibited from thatching with Straw, Broom, Heath, Rushes, Reeds, or Fern, the Roofs of such Tenements; and if any Person shall offend in these Particulars, every Person so offending shall pay a Penalty not exceeding Ten Pounds for every Calendar Month that any such House or Tenement shall remain so thatched with Straw, Broom, Heath, Rushes, or Fern.

Commissioners authorized to line Front Tenements.

XLIII. And be it further enacted, That the said Provost, Bailies, and Commissioners are hereby empowered, upon Complaint and Application made to them by any neighbouring Proprietor, or by the Procurator Fiscal of said Burgh of *Anderston* on behalf of the Public, (after visiting the Premises and hearing Parties concerned,) to line the Fronts of any House or Building to be erected in any of the Streets, Passages, or Lanes within the said District in such Manner as they may see necessary for preserving the proper Width and Regularity of the Line of Building in the Main Street of *Anderston*, and the other Streets, Passages, or Lanes aforesaid, and to cause all Openings in the Streets or Pavements either for Lights or Entry to be properly secured.

XLIV. Pro-

Compensation to be given Proprietors of Ground surrendered to the Public.

XLIV. Provided always, and be it enacted, That in all Cases where the said Provost, Bailies, and Commissioners shall find it expedient to order any of the said Houses or Buildings to be erected in such a Line as that some Portion of Ground must be surrendered to the Public, they shall satisfy the Proprietors for the Value thereof out of the Funds to be levied under this Act; such Value to be ascertained by the said Provost, Bailies, and Commissioners, with the Consent of all Parties interested in such Ground; but when such Consent cannot be obtained, then to be ascertained by a Jury in Manner hereinafter directed; and when any of the present Houses or Buildings which are situated without the Line of any of the Streets shall be taken down in order to be rebuilt, it shall be lawful for the said Provost, Bailies, and Commissioners to allow the Proprietors, when they rebuild the Tenements, to occupy the Space which remained vacant in Front of the old Buildings, upon Condition of their paying to the Treasurer of the said Commissioners, for behoof of the Community, the Value of the Ground so allowed to be occupied, the said Value to be ascertained in Manner foresaid; provided that no Proprietor in rebuilding any of the Tenements presently fronting the Main Street of *Anderston*, where the Breadth of the said Street is at present Seventy Feet or upwards, shall be entitled to come forward to a Line within that Breadth; and provided also, that from the Termination of the present Line of Building on the South Side of the said Street to its extreme Western Boundary, so far as comprehended in this Act, the said Provost, Bailies, and Commissioners are hereby authorized and empowered to widen the said Street to such Extent, not less than Seventy Feet in Breadth, as they shall deem to be for the Advantage of the Public, upon the Proprietors of the Ground being indemnified for the Loss which they may thereby sustain in Manner hereinbefore directed.

Proprietors of Public Works to convey Refuse or Water under Ground.

XLV. And be it further enacted, That the Proprietors, Owners, or Occupiers of Distilleries, Dye Works, and other Works within the said District, shall be obliged to cause the Refuse or Water coming from such Works to be conveyed to the Common Sewers to be made by the said Commissioners as before directed, by means of Drains or Sewers under Ground made and kept in repair at their Expence, and properly secured and covered; and if they refuse so to do when thereto required by the said Commissioners, the said Provost and Bailies or any Two of them are hereby authorized and required to cause such Drains or Sewers to be made and kept in repair, and to recover the Expence thereof from the Owners or Occupiers of such Works, in the same Manner as any Penalty may be recovered by this Act.

Gunpowder where to be kept.

XLVI. And be it further enacted, That no Shopkeeper or other Person or Persons shall keep at the same Time, in any Shop, Cellar, or Warehouse or Apartment within the said District, more than Five Pounds Weight of Gunpowder; but shall carry or cause to be carried all Gunpowder belonging to him or them, exceeding that Quantity, to such Magazine or Place as may be hereafter provided and appointed by the said Commissioners, unless such Person shall have a Cellar, Magazine, or other Place for depositing the same, which shall be approved

approved of by the said Commissioners; and every Person or Persons so offending, neglecting, or failing, shall for every Offence forfeit and pay any Sum not exceeding Five Pounds Sterling, to be levied in Manner hereinafter directed, besides forfeiting all the Gunpowder which shall be in his, her, or their Houses, Shops, Cellars, Warehouses, or other Apartments, exceeding the foresaid Quantity: Provided always, that no such Regulation, or any Regulation of this Act, shall extend to Gunpowder belonging to His Majesty, His Heirs and Successors, or of or belonging to His Majesty's Barracks, or to any Part of His Majesty's Army or Navy, or Militia, or Yeomanry, or Volunteers.

Gunpowder how to be kept and sold.

XLVII. And be it further enacted, That the Gunpowder allowed to be kept in Shops, Cellars, Warehouses, or other Apartments as aforesaid, shall be deposited in a Place by itself, separate from all other Goods and Commodities, and shall be secured by Lock and Key, under a Penalty not exceeding Seven Pounds Sterling, to be paid for each Offence, by the Occupier of the House, Shop, Cellar, Warehouse, or other Apartment in which the same shall be kept, to be levied in Manner hereinafter directed; and it shall not be lawful to the said Shopkeeper or other Person or Persons to sell or dispose of any Quantity of Gunpowder by Candle Light or after Day Light, on any Account or for any Purpose whatever, under a Penalty not exceeding Five Pounds Sterling for each Offence, to be levied and applied in Manner hereinafter directed.

Houses to be numbered.

Streets, &c. to be named.

XLVIII. And be it further enacted, That the said Commissioners shall and may order and direct the Houses, Buildings, Shops, and Warehouses within the said District to be numbered with Figures placed or painted, and continued or renewed, on the Doors, or on such other conspicuous Parts thereof as they shall think proper; and may likewise order to be painted or otherwise inscribed, and also that such Painting or Inscription shall be renewed when necessary, on a conspicuous Part of any House or Building at or near the End or Corner of each Street, Square, Lane, Passage, or Place, the Name of such Street, Square, Lane, Passage, or Place; and any Person or Persons who shall wilfully and maliciously destroy, injure, obliterate, or deface any such Number, Figure, Name, or Description, shall for every such Offence forfeit and pay a Sum not exceeding Two Pounds Sterling, to be levied and applied in Manner hereinafter directed.

How Water is to be conveyed from Roofs of Houses.

XLIX. And be it further enacted, That the Water from the Roofs of all Houses and other Buildings within the said District, fronting the Public Streets and Squares and the Lanes and Wynds which are Thoroughfares, shall be conveyed in Lead or other Pipes, reaching within Six Inches of the Ground, and affixed to or on the Sides or Fronts of such Houses and Buildings; and the Owners or Proprietors thereof shall be obliged to make a Gut or Gutter in the Pavement, from the Termination of the said Pipe or Pipes, for carrying off the Water therefrom into the Common Sewer; and in case the Owners or Proprietors of such Houses and Buildings shall not cause such Water to be so conveyed within Twelve Months after being required to do so by the said Commissioners, then it shall and

may

may be lawful for the said Provost and Bailies or any Two of them, and they are hereby authorized and empowered, upon Application by the Commissioners or Procurator Fiscal aforesaid, (on inspecting the Premises and hearing Parties concerned,) to decern in a summary Manner such Owners or Proprietors to pay any Sum not exceeding Two Shillings and Sixpence Sterling for every such Offence; and if after Conviction of any such Offence the Water from such Houses and other Buildings shall still be conveyed otherwise than in Pipes so affixed and reaching as aforesaid, for the Space of One Calendar Month, then the Owner or Proprietor of every such House or Building shall forfeit and pay any Sum not exceeding Ten Shillings Sterling, and so *toties quoties* for every Month after such Conviction during which the Water shall be conveyed otherwise than aforesaid; such Fines to be levied and applied in Manner hereinafter directed, and to be always paid by the Proprietors according to the Proportion of their respective Rents rated as after mentioned; and in case the said Persons shall neglect for Two Calendar Months to convey the Water from the said Houses or Buildings in Manner aforesaid, it shall be lawful to the said Provost and Bailies or any One or more of them, upon Application by the Commissioners or Procurator Fiscal, to order the Work necessary for conveying the Water in Manner aforesaid to be done at the Expence of the said Persons, and to decern against them for the Expence thereof, over and above the Penalties which they may have incurred.

Houses belonging to more Proprietors than One.

L. And be it further enacted, That where the Floors or Stories of any Houses or Buildings belong to more Proprietors than One, the several Proprietors of the same House or Building shall defray the Expence of making, affixing, or keeping in repair the said Pipes, and the said Guts or Gutters in the Pavements, in proportion to the Rents of the Parts of such Houses or Buildings which belong to them respectively, as rated in the Rent Roll after mentioned; and in case any Dispute or Difference shall arise among the several Proprietors of the same House or Building relative to the Proportions of the aforesaid Expences, it shall and may be lawful for the said Provost and Bailies or any One or more of them, after inspecting the Premises and hearing Parties concerned, by a Decree under their Hands to determine the same according to the Rate of such Rents in the said Roll, and to decern for that Expence in Manner aforesaid.

Relief to Tenants for Expences paid by them.

LI. Provided also, and be it further enacted, That where the Tenants or Occupiers of any House or other Building shall in Default of the Proprietors paying such Expence in conveying the Water as aforesaid, (which they are hereby authorized and required to do to the Amount of the Yearly Rents payable by them respectively,) they may and are hereby authorized and empowered to apply the Lead and Materials of any Pipe or Pipes formerly affixed to the said Houses, or the Produce thereof, towards such Expences, and to deduct the Remainder of such Expence from the next Rent due to his, her, or their Landlord or Landlords, who are hereby directed and required to allow the same, any Lease or Contract to the contrary notwithstanding; and in the Event of the said Proprietors not residing within the said District, Notice of the Complaint, or of the Order of the said

said Provost or Bailies or any One or more of them, being served on the Occupiers or Tenants, shall be as valid and effectual as if served on the Owners or Proprietors personally.

Streets to be lighted, and Lamp Irons fixed.

LII. And be it further enacted, That it shall and may be lawful to and in the Power of the said Commissioners to direct and cause the several Public Streets, Squares, Lanes, and Passages in the said District to be lighted in such Manner and Form as they shall think proper, and to contract with any Person or Persons for that Purpose, and also to order Lamp Irons and Lamps to be fixed on the Walls of Houses and other Buildings, or on the Sides of the Streets, and from Time to Time to alter and remove the same: Provided always, that the said Commissioners shall cause any Damage that may thereby be occasioned to be repaired, and the Expence thereof to be defrayed out of the Money granted by this Act; and if any Proprietor or Occupier shall be dissatisfied with such Repair, it shall be lawful for him or her to complain to the said Provost and Bailies, who or any Two of them shall determine the Matter of such Complaint, without being subject to any Appeal or Review, save and except as is provided by this Act; and provided further, that it shall not be lawful for the said Commissioners, or any other Person or Persons authorized by them, to affix any Gas Pipes against any House, or to lay or carry the same through any Lands, or to continue the same, without the Consent of the Owner or Occupier, Owners or Occupiers of any such Houses or Land.

Penalty for conveying Washings into any River, Stream, &c.

LIII. And be it further enacted, That if the said Commissioners, or any Body Politic or Corporate, or any Person or Persons whomsoever, shall at any Time drain or convey, or suffer to be drained or conveyed, or to run or flow, any Washings or other Waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, or Well, situate, arising, or being in or adjoining to the said Burgh, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in each and every such Case the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever, as the Case may be, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, to be sued for and recovered with full Costs of Suit in Manner hereinafter mentioned; and the Whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for during the Existence of such Annoyance, Nuisance, Injury, Damage, Act, or Thing, or within Twelve Calendar Months after the same shall have ceased and determined: Provided also, that over and above and in Addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been sued for or recovered or not), in case any

any of the said Washings or other Waste Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, into any River, Brook, running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Nuisance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Commissioners, Body Politic or Corporate, or other Person or Persons as aforesaid; and the said Commissioners, Body Politic or Corporate, or Person or Persons as aforesaid, shall refuse or neglect, within Twenty-four Hours after such Notice shall have been given, to stop, hinder, or prevent all and every such Washings, Waste Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing, and every such Annoyance, Nuisance, Act, or Thing from being done or continued as aforesaid, then and in every such Case the said Commissioners, Body Politic or Corporate, or other Person or Persons as aforesaid, as the Case may be, so refusing or neglecting, shall forfeit and pay the Sum of Two Pounds for each and every Day such Washings, Waste Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow, or such other Annoyance, Act, or Thing shall be done or caused to be done as aforesaid.

For stopping the Escape of Gas.

LIV. And be it further enacted, That whenever any Gas shall be found to escape from any Pipes to be laid down or set up by the said Commissioners, or any Body Politic or Corporate, or other Person or Persons whomsoever, the said Commissioners, or Body Politic or Corporate, or other Person or Persons, shall at their own Expence, immediately after receiving Notice of any such Escape from any Inhabitant of the said Burgh or any other Person, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, Body Politic or Corporate, or other Person or Persons as aforesaid, shall not within Forty-eight Hours after such Notice effectually stop and prevent the Gas from escaping from such Pipes, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, Body Politic or Corporate, or other Person or Persons, shall forfeit and pay a Sum not exceeding Five Pounds for each and every Day, after the Expiration of Forty-eight Hours from the Time of giving any such Notice, during which Gas shall be suffered to escape as aforesaid.

Gas Pipes to be laid Three Feet from Water Pipes and in a particular Manner.

LV. And be it further enacted, That all the Pipes or other Conduits to be laid or used by the said Commissioners, or by any Body Politic or Corporate, or Person or Persons whomsoever, for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Passage, or other public Place within the said Burgh, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriage Way will allow thereof, at the Distance of Three Feet at least from the nearest Part of any Water Pipe already or hereafter

to be laid down for the Conveyance of Water by any Company of Proprietors of Waterworks, except in Cases where it shall be unavoidably necessary to lay Gas Pipes across such Water Pipes, and in those Cases the same shall be laid over the Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint shall be nearer to any Part of the said Water Pipes than Three Feet; and that Two or more Gas Pipes be not joined together previous to their being laid in the Trench, but each Pipe laid as near as may be in its Place therein, and then joined to or with the other Pipes with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes communicating therewith, and all Screw Joints, Inlets, Apertures, and Openings therein respectively air-tight, and in all and every Respect prevent the said Gas from escaping therefrom, upon Pain of forfeiting for every such Offence the Sum of Ten Pounds.

Commissioners to prevent Contamination of Water under a Penalty of Twenty Pounds.

LVI. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks shall be contaminated or affected by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, they shall forfeit for every such Offence a Sum not exceeding Twenty Pounds, and shall also, within Twenty-four Hours next after Notice thereof in Writing (signed by the Manager or Chief Clerk for the Time being of and for such Waterworks Company, and left at the usual Office or Place of transacting the Business of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid,) cause the most proper and speedy Methods to be taken effectually to stop and prevent Gas from contaminating or affecting such Water; and in case the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each Notice left as aforesaid, effectually, wholly, and satisfactorily remove the Cause of every such Complaint, and prevent all such Contamination whereof Notice shall be given as aforesaid, the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall forfeit and pay (over and above the before-mentioned Penalty of Twenty Pounds) the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid.

For ascertaining if the Water be contaminated.

LVII. And whereas it may be or become a Question whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for the said Company of Proprietors of Waterworks to dig to or about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by

by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, the Expences of the said Digging, Search, Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, which Costs and Expences shall be ascertained if necessary by any One Justice of the Peace for the said County of *Lanark*, and recovered in like Manner as any Penalty hereby inflicted is directed to be recovered; but if it shall appear that such Contamination has not proceeded or arisen from the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, then and in such Case the said Waterworks Company shall bear and pay all the Costs and Expences of such Digging, Search, Examination, and Repair, and shall also make good to the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to their Mains, Pipes, Conduits, or Apparatus, in and by such Search and Examination, and also to the Pavements of the said Street or Streets so broken or disturbed, and all other Expences incurred by Search or Examination, the Amount of such Injury, Damage, and Expences to be ascertained, determined, and recovered in Manner aforesaid.

Persons may be prosecuted for Nuisances.

LVIII. And be it further enacted, That nothing herein contained shall extend, or be construed to extend, to prevent any Person from proceeding by Indictment or otherwise against the said Commissioners, or against any Body Politic or Corporate, or any Person or Persons whomsoever, their, his, or her respective Servants or Workmen, in respect of Public or Private Nuisances by them committed by means of obtaining, making, preparing, using, or consuming Gas, or any Act, Matter, or Thing in respect or in consequence thereof.

Penalty for breaking Lamps wilfully.

LIX. And be it further enacted, That if any Person or Persons shall wilfully take away, break, or throw down any Lamp or Lamps which are now or hereafter shall be set up within the Limits of the said District, or shall wilfully extinguish the Light or Lights within the same, or damage the Iron or Appurtenances thereof, it shall and may be lawful for any Person who shall see such Offence committed to seize, and also for any Person to assist in seizing, the Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey and deliver such Offender or Offenders into the Custody of a Peace Officer, in order to be secured and conveyed before One of the said Provost or Bailies; and if the Party or Parties accused of such Offence, whether apprehended as aforesaid or afterwards cited for the same, shall be convicted thereof either by his, her, or their own Confession or by legal Evidence, such Offender or Offenders shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds Sterling, and moreover shall make Satisfaction for the Damages done; and in case such Offender or Offenders shall not immediately upon Conviction pay such Forfeiture and make such Satisfaction, the said Provost or Bailies or any Two or more of them are hereby empowered to commit him, her,

her, or them to the Gaol or Bridewell of the said District, for a Space not exceeding Two Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they is or are committed, unless such Forfeiture and Satisfaction be sooner paid and given.

Satisfaction for breaking Lamps by Accident.

LX. And be it further enacted, That in case any Person or Persons shall accidentally break, throw down, or damage any of the said Lamps, or the Irons or Appurtenances thereof, it shall and may be lawful for the said Provost or Bailies or any One of them to award such Sum or Sums of Money by way of Satisfaction for such Damages as the said Provost or Bailie may think reasonable, provided the Sum so awarded shall not exceed the real Damage sustained by such Accident besides the Expence incurred in recovering the same; and in case of Neglect or Refusal of the said Person or Persons to pay such Sum or Sums of Money within Two Days after the same shall be demanded, it shall and may be lawful for the said Provost or Bailies or any One or more of them to cause the same to be levied by Distress and Sale of such Part of his, her, or their Goods as may be sufficient for that Purpose, and the Surplus, if any, to be paid to such Person or Persons.

Openings made in Streets to be fenced, and Light kept burning during the Night.

LXI. And be it further enacted, That in case any Hole or Opening shall be made in any of the Streets, Squares, Passages, Lanes, or Public Places in the said District or adjacent Streets, for the Purpose of digging Foundations for building, for digging Wells or Drains, or for other Purposes, the Person or Persons making or causing any such Hole or Opening to be made, and the Persons employed and concerned therein, shall at his, her, or their Expence cause a sufficient Rail or Fence to be put round the same, and shall cause a Lamp with a Light to be affixed at or near the same, to be kept burning every Night from Sun-setting to Sun-rising whilst any such Hole or Opening shall remain unfilled up; and in case any of the said Persons shall refuse or neglect so to rail in any such Hole or Opening, or to affix or keep burning a Light in Manner aforesaid, it shall and may be lawful for the said Provost and Bailies or any One or more of them to decern such Person or Persons to pay any Sum not exceeding Five Shillings Sterling for each Day so long as the said Opening shall remain unfilled up, and also to order every such Hole or Opening to be fenced or railed in as aforesaid at the Expence of such Person or Persons; and that in erecting new Buildings not more than One Half of the Street exclusive of the Pavements shall be occupied with the Materials and Sheds used at the Erection.

Houses when taken down or unroofed to be fenced.

LXII. And be it further enacted, That when it is necessary to take down or unroof any Houses or Tenements in the said District for the Purpose of rebuilding or repairing them, or for any other Purposes, and when it becomes necessary to perform any other Work upon such Houses or Tenements whereby Risk may arise of Stones, Slates, Timber, or any other Materials falling upon the said Foot Pavements, every Person or Persons carrying on or causing to be carried on such Works shall, at his, her, or their Expence, fence round or

cause

cause to be fenced round, with a sufficient Rail or other Fence, the Parts of the said Foot Pavement opposite to the said Houses or Tenements rebuilding or repairing, or where other Works are carrying on, and shall uphold and keep in proper Repair and Condition the Rail and other Fences aforesaid during the whole Time the said Works are carrying on, to prevent Passengers from walking along those Parts of the said Foot Pavements; and it shall be lawful to and in the Power of the said Provost and Bailies or any One or more of them to fine the Person or Persons neglecting or refusing so to fence round the said Foot Pavements, in a Sum not exceeding Ten Shillings for each Day's Failure, and also to order the said Foot Pavements to be fenced in as aforesaid at the Expence of such Person or Persons, such Fines to be levied and applied in Manner hereinafter directed.

Power to place Iron Gates on Thoroughfares.

LXIII. And whereas Thoroughfares, Passages, and Closes communicating with different Streets of the said District afford Offenders ready Means of Escape from Justice, be it therefore further enacted, That it shall and may be lawful for the said Commissioners, and they are hereby authorized and empowered, from the Assessment herein authorized to be levied, to place and erect, or cause to be placed and erected, Iron Gates within or upon any such Thoroughfares, Passages, or Closes, and at such Parts thereof as they shall direct and appoint; and to cause the said Gates to be locked at such Hours, and kept locked for such Time as they shall think proper, and to be locked and opened and the Keys thereof to be kept by the Officers, Patrol, or Watchmen on the several Stations, or by such other Person or Persons as they shall authorize so to do; and any Person or Persons wilfully damaging or injuring any such Gate shall forfeit and pay any Sum not exceeding Five Pounds Sterling, besides making Satisfaction for such Damage; and any Person or Persons locking or unlocking any such Gate without being so authorized shall forfeit and pay any Sum not exceeding Ten Shillings Sterling; which said Penalties shall be levied and applied in Manner hereinafter directed: Provided always, that the Inhabitants in such Thoroughfares, Passages, and Closes shall have free and uninterrupted Access at all Hours to and from their respective Possessions therein, by One of the principal Streets, Roads, or Passages connected therewith.

Regulations as to Hackney Coachmen, Porters, &c.

LXIV. And be it further enacted, That it shall and may be lawful for the said Provost and Bailies, and they are hereby authorized and empowered, to make such Rules, Regulations, and Bye Laws as they may think fit, for licensing and regulating Hackney Coaches or other Carriages, Sedan Chairs, Carts, and Porters, plying for Hire within the said District, for levying, judging, and punishing the Misbehaviour of Coachmen, Chairmen, Carters, and Porters according to Law, for fixing and altering their Stands, and for ascertaining what Rates and Fares they shall be allowed to take, and to what Distances and under what Penalties they shall drive in and through the said District, not exceeding Two Miles for Sedan Chairs, and Four Miles for Carriages, Carts, and Porters; and the said Provost and Bailies or any One of them are and is hereby authorized and em-

powered to impose such reasonable Fines or Penalties upon all Persons who shall offend against any such Rules, Regulations, or Bye Laws, as to him or them shall seem necessary for compelling the Observance and Performance of the same, not exceeding One Pound for any One Offence, and from Time to Time to repeal, alter, or amend the Rules, Regulations, and Bye Laws so to be made by them: Provided always, that such Rules, Regulations, and Bye Laws, and the Fines and Penalties for the Breach or Nonperformance thereof, as the same shall from Time to Time be made, altered, or varied, shall not be repugnant to the Laws of *Scotland* or to any of the Provisions in this Act contained, and shall be printed and put up on such Place or Places as the said Provost or Bailies shall think proper: Provided also, that it shall be competent to any Person or Persons who may be thereby aggrieved to appeal against the same to the First Circuit Court of Justiciary to be held at *Glasgow* thereafter.

Commissioners may erect Steelyards, and make Regulations for weighing of Coals.

LXV. And in order to prevent the Inhabitants of the said District from being imposed upon in the Weight of Coals, which might be remedied by the Weight thereof being properly ascertained, be it enacted, That the said Commissioners shall be and they are hereby empowered and authorized to erect and maintain Steelyards, Scales, or other Weighing Engines upon or adjacent to the different Streets or Roads within the said District, or at any other convenient Place, for the Purposes hereinafter mentioned, or to grant Powers to others to that Effect, and to appoint proper Persons to attend the same, with suitable Allowances for their Trouble; and to order every Cart or Waggon employed for the Carriage of Coals for Sale within the said District to be numbered and weighed, and the Number and Weight or Tare to be painted or inscribed on such Cart or Waggon, in such Manner as the said Commissioners shall direct, unless such Cart or Waggon has already inscribed or painted thereon the Weight or Tare thereof, in which Case it shall be lawful for the said Commissioners to cause such Cart or Waggon to be weighed of new, for ascertaining the Correctness of such Inscription, and if need be, to cause to be painted or inscribed thereon, in addition to the said Number, such farther or other Number as shall be fixed by the said Commissioners, and also to cause the Number and Weight of such Cart or Waggon to be recorded in a Book to be kept for that Purpose under the Direction of the said Commissioners; and such Carts or Waggons shall not be used in the Carriage of Coals for Sale within the said District until the Weight or Tare of such Cart or Waggon shall be ascertained, recorded, and inscribed as aforesaid, and shall not be afterwards altered in the Weight or Tare thereof farther than shall be occasioned by wet Roads or the like, under a Penalty not exceeding Twenty Shillings; and every Cart or Waggon loaded with Coals shall be weighed at the said Steelyards, Scales, or other Weighing Engines, and the Weight of the Coals marked on a Ticket to be delivered to the Driver; and it shall be lawful for the Person having the Charge of such Steelyards, Scales, or Weighing Engines, to exact from the Driver of each Cart a Sum not exceeding One Penny Sterling, for each Cart and a Half a Sum not exceeding One Penny Halfpenny Sterling, and for each Waggon a Sum not exceeding

exceeding Two Pence Sterling, to defray the Expence of erecting and keeping in repair such Steelyards, Scales, or other Weighing Engines, and for Payment of the Persons employed for weighing the Coals and delivering the Tickets and certifying the Weights thereon, the Money to be repaid to the Drivers by the Purchasers of the Coals; and the Property of such Steelyards, Scales, and Weighing Engines, when the same shall have been erected by the said Board of Commissioners, shall be vested in them, and when the same shall have been erected by any Person or Persons under their Authority, then the Property thereof shall be vested in the Person or the Persons authorized by them to erect the same.

For preventing Abuses therein.

LXVI. And be it further enacted, That in case it shall be discovered that any Coals are taken or abstracted, by or with the Connivance of the Carter or Owner of the said Coals, from any Cart or Waggon between the Time at which such Cart or Waggon shall be so weighed and the Time at which the Coals shall be delivered over to the Purchaser, it shall be lawful to seize or forfeit and sell the whole Coals remaining in such Cart or Waggon, or abstracted therefrom, the same being always the Property of the Party offending; and also to seize the Driver, so offending, of such Cart or Waggon, and any Person or Persons accessary to such Abstraction, and to carry them before the said Provost or Bailies or any One of them, and the said Provost or Bailies or any One of them are and is hereby authorized and empowered to punish such Drivers, and any Person or Persons accessary to such Abstraction, by Fine not exceeding Two Pounds Sterling, to be recovered and applied in Manner herein directed; and in all Cases where there is a Deficiency of Weight, either upon the first weighing or any after-weighing of the Coals, it shall, provided such Coals be the Property of the Party offending, be lawful to seize, forfeit, and sell the same in Manner aforesaid, over and besides punishing the Offender himself by Fine as aforesaid; declaring that in ascertaining the Weight of the Coals contained in any ordinary Cart, each Cart Load shall be reckoned to weigh not less than Twelve Hundred Weight, each Cart and a Half Eighteen Hundred Weight, and each Waggon Load not less than Twenty-four Hundred Weight; and with Power to the said Provost and Bailies or any One of them to impose Fines for not conforming to the said Regulations, not exceeding Ten Shillings Sterling: Provided always, that it shall be in the Power of the Carter or Carters to seize, as he or they are hereby authorized and empowered to seize, and convey before the said Provost or Bailies, any Person or Persons who shall refuse to repay to them the Dues of Weighing before stipulated, in Terms of the Provisions of this Act; and thereupon the said Provost or Bailies, upon Proof of such Refusal, by the Confession of the Party or by Production of the Certificate obtained from the Keeper of the Weighing Machine, and by the Oath of the Carter if required, shall enforce the Repayment by Imprisonment of the Offender; and the Offender shall forfeit and pay any Sum not exceeding Twenty Shillings, together with such Sum as to the said Provost and Bailies or any One of them shall appear reasonable, to indemnify such Carter for his Loss of Time; and failing Payment thereof to commit such Offender to Gaol for any Time not exceeding One Calendar Month;

and

and provided also, that for ascertaining the Correctness of any Weighing Machine which shall be erected or used in pursuance of this Act, it shall be in the Power of any Carter or other Person concerned to have the Accuracy of any such Machine tried and proved, by weighing upon the same a Quantity of adjusted Iron Weights corresponding to the Weight herein above stipulated, of a Cart, a Cart and a Half, or a Waggon of Coals.

Coals may be reweighed, &c.

LXVII. And be it further enacted, That it shall and may be lawful for the said Board of Commissioners, and they are hereby authorized and empowered, to provide, furnish, and maintain such Number of portable or movable Machines for weighing Coals as they may think necessary, to be kept at convenient Places, in order that the Inhabitants may have access to them for the Purpose of reweighing their Coals at their own Expence if they shall be so inclined, and to employ proper Persons to attend such Machines, and to establish the Rates to be payable to them for each reweighing as aforesaid; as also, that the Master or Superintendant of Police, the Officers acting under him, or any of the Keepers of the Weighing Machines, may cause Coals offered for Sale to be reweighed when they may think the same necessary, as a Check upon the Conduct of Carters or others, such reweighing being always done free of Expence; and it shall be competent to punish the Drivers of the Carts or other Carriages, or any other Person or Persons who shall be found to have been accessary to Abstraction or Embezzlement of Coals, when detected in Manner above provided, by a Fine not exceeding Two Pounds Sterling, to be levied and applied in Manner hereinafter directed.

Rate of Assessment.

LXVIII. And be it further enacted, That the said Commissioners shall have full Power, and they are hereby authorized and required, at a General Meeting to be held upon the First *Monday* occurring Three Weeks after the passing of this Act, and upon the Third *Monday* of *June* annually thereafter, or at any adjourned Meeting to be held by them, to fix, ascertain, and impose the following Rate and Assessment, to be raised and levied from the Occupiers, whether Owners or Tenants of Houses and Buildings of every Description within the said District; that is to say, an Annual Assessment not exceeding One Shilling in the Pound Sterling on the Yearly Rent of all Houses, Lodgings, and other inhabited Buildings, with the Offices connected, all Shops, Warehouses, and Cellars used for Wholesale or Retail, and all Public Works, Manufactories, Storehouses, Workshops, and Buildings not inhabited or occupied for the Purposes of Sale within the said District, according as the said Houses, Shops, and other Buildings shall be rated and assessed in the Rent Roll and Valuation to be made annually by Surveyors to be appointed by the said Commissioners in Manner hereinafter provided; provided always, that in such Valuation the Steam Engines, Machinery, and other Utensils in any such Public Works, Manufactories, Storehouses, Workshops, and Buildings not inhabited or occupied for the Purposes of Sale, shall not be reckoned or included or be liable to the said Assessment; and such Annual Assessment shall be calculated for the current Year from *Whit-*

sunday to *Whitsunday* annually, upon the aggregate Rent of each Person's Possession, and shall be payable at the Time and in the Proportions to be appointed by the said Commissioners: Provided always, that the Feu Duties and Casualties of Superiority payable or to become payable from any of the Lands comprehended within the said District, whether already feued or which may hereafter be feued, and vacant and unoccupied Lots of Ground within the same, shall at no Time be liable to any Assessment in virtue of this Act or of the Provisions therein contained.

Weavers Shops how to be assessed.

LXIX. And be it further enacted, That the said Commissioners shall have Power and are hereby authorized and required, at the General Meeting aforesaid, to impose an Assessment to be levied from Weavers Shops within the said District of Sixpence for each Loom Stead, which Assessment shall be calculated and payable as before specified: Provided always, that the said Assessments shall not be levied from such Proprietors or Inhabitants of any Part or Place of the said District not lighted or watched; and that the said Commissioners shall not be obliged to extend those Benefits to those of the District where the said Assessments are not levied.

Exemptions from Assessment.

Surveyors to ascertain Rents.

LXX. And be it further enacted, That the said Commissioners at their First or any subsequent Meeting for putting this Act in Execution shall appoint a proper Person or Persons for ascertaining the free Rent of all such Houses and Buildings occupied by Tenants, and the Rents at which the same are worth to be let by the Year, if occupied by Proprietors or Liferenters, with Power to such Person or Persons to enter upon and survey all such Houses, Shops, and other Buildings; the Survey to be made previous to the First Day of *September* annually; and the Person or Persons so to be appointed, after making the same, shall leave for every Occupier at his or her Dwelling House, or on the Premises surveyed, a Notice of the Rent for which such Occupier is to be rated; and immediately after such Survey shall be completed, the said Surveyor or Surveyors shall deposit with the said Commissioners or their Clerk a distinct Rent Roll or Return of the said Rents for the Whole of the foresaid District; and in case any Occupier shall think himself or herself overcharged in the said Rent Roll or Return, it shall be lawful for such Occupier, within Six Days after the said Notice shall have been left at his or her Dwelling Place, or on the Premises surveyed, to give Notice in Writing to the Clerk to the said Commissioners of the Overcharge complained of; and the said Commissioners shall meet annually within the Court House in *Anderston*, or other Place to be by them appointed, upon the Second *Monday* in the Month of *September*, or as soon after as conveniently may be after making the said Survey, at Ten of the Clock in the Forenoon, with Power to adjourn from Time to Time for the Purpose of hearing the Parties; and in case the said Commissioners or a Majority of them shall at any of the said Meetings think the Rent of an Occupier so given in by the Surveyor or Surveyors too low, they shall and may give similar Notice to such Occupier, and shall at a subsequent Meeting finally determine the Amount thereof: Provided always, that the Surveys so to be made shall include all Houses, Shops, Cellars, Warehouses,

Public Works, and other Buildings actually inhabited or used, or in which any Furniture or Goods are deposited at the Time; and that a Second Survey shall be made in Manner aforesaid in the Months of *January* or *December* of such Houses or other Premises as were uninhabited, or in which no Furniture or Goods were deposited at the Time of the First Survey; and if any such Houses or other Premises shall be inhabited or have any Goods or Furniture therein at the Time of such Second Survey, the Rents thereof shall be added to the said Rent Roll or Return, and assessed for Half of the Yearly Rate; which Half-yearly Assessments shall be paid in like Manner as the other Assessments hereinbefore mentioned, and in case of Failure recovered in Manner hereinafter directed.

Penalty on Persons refusing to act as Surveyors.

LXXI. And be it further enacted, That in case any of the Proprietors residing within the foresaid District (not being a Female or a Person under the Age of Twenty-one) shall from Time to Time be appointed by the said Commissioners for the Purpose of surveying and ascertaining the Free Rent of the Properties liable to be assessed under this Act, such Proprietors shall be bound to perform that Duty, under a Penalty of not less than Five Pounds, nor exceeding Ten Pounds Sterling, as shall be fixed by a Majority of the said Commissioners, to be levied and applied in Manner hereinafter directed; but no Person who has paid the said Penalty shall be again liable to pay the same on account of the Nonperformance of the Duty of a Surveyor as aforesaid.

Proprietors paying the whole Assessment on their Rental entitled to Discount.

LXXII. And be it further enacted, That in every Year during the Continuance of this Act each Proprietor, Liferenter, Trustee, Factor, or other Person entitled to receive the Rents, or having the Management of Houses and other Buildings within the foresaid District, shall have it in his or her Option to pay the whole Assessment effeiring to the Total Amount of the Rental returned by the said Surveyors of the Properties belonging to them or under their Management, whether occupied by themselves or their Tenants, and on Payment thereof to the Collector of the said Commissioners shall receive a Discount of Seven and a Half *per Centum* on the Amount so paid, and shall be then entitled to recover from the Tenants of their Properties the Assessment due upon the Rent of each Tenant's Possession: Provided always, that in case any Proprietor, Liferenter, Trustee, or Factor shall fail to pay the whole Amount of the Assessments due upon their respective Properties as aforesaid, within the Time fixed for that Purpose by the said Commissioners, no Discount thereon shall be afterwards allowed, and the said Assessments shall then be recovered from the Occupiers of the said Properties, whether Owners or Tenants, in the Manner directed by this Act.

Paupers exempted.

LXXIII. And be it further enacted, That Persons who are rated as regular Paupers on the Poor's Funds of the Parish, or the Funds of any Dissenting Congregation, shall be and are hereby exempted from Payment of any Assessment to be imposed or levied by virtue of this Act, provided the yearly Rent of the House in which they reside does not exceed Fifty Shillings.

Assessments on Houses let to travelling Merchants, &c.

LXXIV. And be it further enacted, That all Shops, Warehouses, Dwelling Houses, or other Places which shall be let to Packmen or travelling Merchants, Auctioneers or others, for any Period less than Six Months, shall be liable to and chargeable with One Half of the Annual Assessment corresponding to such Possession; and if the same shall be occupied for Six Months or any longer Period, then the Occupiers of such Shop, Warehouse, Dwelling House, or other Place shall be liable to and chargeable with the whole Annual Assessment corresponding to such Possession, whether occupied for the whole Year or not.

Penalty on Persons granting or receiving false Certificates or Receipts of Rent.

LXXV. And whereas Persons claiming Abatement of Assessments may frequently produce Certificates or Receipts of Rent signed by their Landlords, which may be suspected or believed to contain a less Sum of Rent than that really exigible, by which the Funds of the Police Establishment may be defrauded; be it therefore further enacted, That from and after the passing of this Act every Landlord, Proprietor, Factor, or Agent, who shall grant a Certificate or Receipt which contains a less Sum than the Rent really paid or payable for the Premises therein mentioned or referred to, and every Tenant or Occupier who shall present to the Commissioners of Police such a Certificate or Receipt in order to procure an Abatement of Assessment, shall be liable in a Penalty not exceeding Five Pounds Sterling for each Offence, which shall be prosecuted for, levied, and applied in Manner hereinafter directed.

Assessments vested in Commissioners.

LXXVI. And be it further enacted, That the Monies arising from the aforesaid Assessments shall be and the same are hereby vested in the said Commissioners for the said District; and all such Monies shall be applied, laid out, and expended, in the first Place, in paying the Expences to be incurred in passing of this Act, and then defraying the Expence of the Establishment of Master of Police, Clerks, Servants, Watchmen, and other Officers, and for the other Purposes of this Act, and to no other Purpose whatever; and in case any Surplus shall remain after executing the Purposes as aforesaid, upon settling the Account thereof at the End of each Year, the same shall be applied towards the same Purpose for the Year following.

Recovery of Rates.

LXXVII. And be it further enacted, That if any Person or Persons rated and assessed as in Manner herein directed shall refuse or neglect to pay the Rates or Assessments charged upon him, her, or them, for the Space of Fourteen Days next after such Rates or Assessments shall be due and demanded, and Notice given by general Advertisements once in any Two of the *Glasgow* Newspapers, and by Tuck of Drum through the said District, then and in such Case it shall be lawful for the Collector or Collectors to be appointed by the said Commissioners to apply to the Provost or to any One of the said Bailies for a Warrant to any of their Officers to enter his, her, or their House or Houses, and to seize and take Possession of his, her, or their Goods and Effects, and which Warrant the said Provost or Bailies are hereby authorized to grant, upon a Certificate, signed by the Collector or Collectors, of such

such Demand having been made, of such Notice having been given, and of such Person or Persons being in Arrear to the Amount stated in such Certificate; and if such Rates or Assessments shall not be paid within Three Days next after such Seizure is made, together with the Costs or Charges thereby incurred, then the Collector or Collectors is and are hereby authorized to sell by public Roup, at such Place as may be proper, such Parts of the said Goods and Effects as shall be sufficient to pay the said Rates and Assessments, with the Costs and Charges attending such Seizure and Sale, returning the Surplus (if any be) to the Owner or Owners; the Cost or Charges to be ascertained by the Magistrate who shall issue the said Warrant.

Power to ascertain and assess Sums to be expended for the Year.

LXXVIII. And be it further enacted, That the said Commissioners shall have full Power and Authority, and they are hereby authorized and required, at their Meeting to be held upon the Third *Monday* of *June* annually, to ascertain and lay on the Assessment to be levied from the Renters or Occupiers and Possessors of the Houses, Cellars, Shops, Warehouses, Factories, and other Buildings before described; and also to ascertain the Sums of Money to be expended for the Purposes of this Act for the then current Year; and that it shall not be lawful for nor in the Power of the said Commissioners, or any Person or Persons acting under their Authority, to levy or expend any Monies by virtue of this Act, unless the same shall have been previously assessed and laid on, and the Expenditure thereof voted by the said Commissioners; and the said Commissioners shall be subject to and liable in Payment of the said Assessments for the Houses, Cellars, Shops, Warehouses, and other Buildings rented and possessed by themselves, any Law or Usage to the contrary notwithstanding.

Questions to be decided by Bailies.

LXXIX. And be it further enacted, That in case any Question or Dispute shall arise relative to the Houses, Buildings, Cellars, Shops, and Warehouses which are claimed to be exempted from the aforesaid Assessments, or relative to the Amount of the Assessments or the Valuation of the said Subjects, and the Expence of cleansing the Foot Pavements and Closes in the said District, the same shall be determined by Decrees to be given under the Hands of the said Provost and Bailies or any One of them.

Keepers of Tippling Houses to find Security.

LXXX. And be it further enacted, That it shall and may be lawful to the said Provost, Bailies, or any Three of them, and they or any of them are hereby authorized and empowered, to cause to be brought before them, and thereupon to require all Persons keeping Tippling Houses or Houses resorted to by riotous or disorderly Persons to find Security for his, her, or their good Behaviour for such Length of Time and to such Extent, not exceeding Ten Pounds, as they shall judge proper; and in the Event of such Security not being found within a reasonable Time, it shall and may be lawful to deprive such Person or Persons of his, her, or their Licence or Licences for selling Ale or Spirituous Liquors.

LXXXI. And

Brokers to produce Goods on Demand.

LXXXI. And be it further enacted, That all and every Person or Persons buying and selling Second Hand Goods or Metals, of whatsoever Kind or Description, shall at all reasonable Times show and produce on Demand, to the Superintendant of Police or the Officers acting under his Orders, all and every Article or Articles of whatsoever Kind or Description in his, her, or their Possession, on which he, she, or they may have received in Pawn or purchased, and shall also produce his, her, or their Book or Books in which the Description of any such Articles may have been entered; and as often as it shall be found that any Goods or Articles which have been stolen or fraudulently obtained shall be in the Possession of any such Person, they are hereby required, on being informed that such Goods or Articles were stolen or fraudulently obtained, to deposit the same with the Superintendant of Police, or in his Absence with the Clerk of the Court of Police, who shall be bound to tender, and if required to grant a Certificate of such Depositation having been duly entered in a Book in Manner after directed, in order that they may be produced in such Manner as may be necessary for the Ends of public Justice, or restored to the proper Owner or Owners thereof; and all and every Person so dealing in Second Hand Articles or Metals, who shall refuse to produce and show the Goods or Articles in his, her, or their Possession, or the Book or Books in which the same are described, on being required so to do by the Superintendant of Police, or the Persons acting under his Orders, or who shall refuse to produce and show the Goods or Articles in their Possession, or who shall not instantly deliver any such Goods or Articles alleged to be stolen or fraudulently obtained as aforesaid, on Certificate as aforesaid, he, she, or they for every such Offence shall forfeit the Sum of Five Pounds upon Conviction, on a Complaint brought before the Provost, Bailies, or any One or more of them, such Forfeiture to be recovered and applied in Manner hereinafter directed, without Prejudice to such Persons being also proceeded against as Receivers or Resetters of stolen Goods, according to Law, besides being bound to deliver such Goods; and in case of any such Refusal to produce and show such Goods or Articles in their Possession, or to deliver up any such Goods or Articles aforesaid alleged to be stolen, it shall be lawful for the said Provost or Bailies or any One of them to grant a Warrant to search for and produce to the said Superintendant of Police such Goods or Articles so alleged to be stolen, and to compel Delivery of which it shall and may be lawful to such Superintendant to cause any such Offender or Offenders to be carried before the said Provost or Bailies, any Two of whom may commit such Offender or Offenders to the Bridewell or Gaol of the said District for any Period not exceeding Six Calendar Months, if such Goods shall not be delivered as herein directed, unless a sufficient Reason shall be assigned to the Satisfaction of the said Provost or Bailies why such Goods are not delivered: Provided always, that a Book shall be kept by or under the Direction of the said Superintendant, in which Entries shall be made of all Property seized or detained by any of the Officers of Police or lodged with them for Purposes of Evidence as aforesaid, as well as of the Time and Manner in which such Goods shall have been afterwards disposed of.

Names and Residences of Brokers, &c. to be registered.

LXXXII. And be it further enacted, That all Brokers or Dealers in Second Hand Goods, or old Metals, other than licensed Pawnbrokers, resident within the District over which this Act extends, shall be bound to register their Names and Places of Residence at an Office of Police to be established by this Act, where they shall obtain a Certificate under the Hand of any One of the said Provost or Bailies respectively of such Registration; and all such Brokers and others failing to register their Names and Places of Residence as aforesaid shall be liable in a Penalty not exceeding Five Pounds.

Provost and Bailies may appoint Special Constables.

LXXXIII. And be it further enacted, That the said Provost and Bailies shall have Power and they are hereby authorized to constitute and appoint Special Constables for executing the Sentences or Warrants to be issued by them in virtue of this Act or otherways, and with all the Powers competent to Constables by the Law of *Scotland*.

Penalty on Persons obstructing the Officers in the Execution of their Duty.

LXXXIV. And be it further enacted, That if any Person or Persons shall at any Time obstruct or molest any Officer, Special Constable, Watchman, or other Person who shall be employed in the Execution of his or their Duty under this Act, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Two Pounds Sterling; and if any Person or Persons shall assault or strike any such Officer, Watchman, or other Person employed, every such Person or Persons shall for every such Offence, upon being convicted thereof by his, her, or their own Confession, or by legal Evidence, forfeit and pay a Sum not exceeding Five Pounds Sterling, to be levied and recovered in Manner hereinafter directed: Provided always, that the levying of these Fines shall not preclude the said Watchman or other Persons from having Recourse to an Action at Common Law for the Injury done to them.

Commissioners may provide Fire Engines and appoint Firemen.

LXXXV. And be it further enacted, That the said Commissioners may and they are hereby authorized, if found necessary, to purchase One or more Fire Engines, Pipes, and other necessary Appurtenances for extinguishing Fires, and to name and appoint during Pleasure a proper Person to take charge of said Engines, Pipes, and other Appurtenances, with such Number of active Men as they shall think fit for working the same in a proper Manner, and for assisting in extinguishing Fires within the said District; and the said Commissioners are also hereby authorized to make such Regulations and Rules for the said Persons as to them shall seem proper; and the Expence of keeping and maintaining the said Engines, Pipes, and Appurtenances, and paying the said Firemen, shall be defrayed from the Funds raised by virtue of this Act.

Proprietors or Occupiers of Houses where Fires happen to pay not exceeding 10*l*.

LXXXVI. And be it further enacted, That the Proprietors or Occupiers of any Dwelling House, Shop, Warehouse, Workshop, or other House or Tenement whatsoever, in which a Fire breaks out or takes place, shall pay a Sum of Money not exceeding Ten Pounds Sterling, as the said Commissioners shall fix and direct, to be expended in giving Premiums or Wages to the Persons who may assist in extinguishing the said Fires, by bringing to the spot Fire Engines and a Supply of Water or otherways, in such Manner and Proportions as

the said Commissioners may judge fit; such Sum to be recovered by the Procurator Fiscal of the said Burgh of *Anderston*.

Commissioners may rent or purchase Ground and Buildings for receiving Fire Engines, &c.

LXXXVII. And be it further enacted, That it shall and may be lawful for the said Commissioners to rent or hire a Piece of Ground for the Deposition of Dung sweeped and collected from the Streets and Pavements in the said District, and also to rent or hire Houses or other Buildings for securing the said Fire Engines, with the Dung Carts which it may be found requisite to employ; or if it may appear more expedient, it shall and may be lawful for the said Commissioners and they are hereby authorized to purchase a Piece of Ground not exceeding One Acre, and to erect thereon the necessary Sheds and other Buildings for the said Purposes.

Power to erect a Gaol and Court House.

LXXXVIII. And be it further enacted, That the said Commissioners shall have Power and they are hereby authorized and empowered to purchase a convenient Piece of Ground not exceeding Two Acres, and to erect and build thereon a Gaol and Court House, and also a Bridewell or House of Correction for the Reception of Persons committed for Trial or further Examination, or Persons convicted by the said Provost or Bailies of Crimes committed within the said District: Provided always, that the Money to be expended in the Purchase of the said Ground, and in erecting and building the said Gaol and Court House, shall not exceed the Sum of One thousand five hundred Pounds Sterling; and the said Commissioners are hereby authorized to appoint Keepers, Clerks, and other Persons for managing the said Gaol, with suitable Salaries; and also from Time to Time to make proper Rules and Regulations for the internal Government of the said Gaol, not inconsistent with the Laws and Practice of *Scotland* and the Provisions of this Act, and to alter and amend the same as they shall see fit; which Rules and Regulations the said Keepers, Clerks, and other Servants shall punctually observe and obey; and the said Keepers or Clerks are hereby required to keep Books, wherein shall be inserted the Name of every Person confined within the said Gaol and Bridewell or House of Correction, and the Crime for which he or she is committed, the Time they are to be confined, and the Name of the Judge by whom the Warrant of Commitment is granted and signed; which Book shall at all Times be open for the Inspection of the said Provost, Bailies, and Commissioners.

Expence how to be defrayed.

LXXXIX. And be it further enacted, That the Purchase Money of the said Grounds, and the Expence of erecting the said Gaol and Bridewell, Court House and other Buildings, shall be defrayed from the Funds to be levied under this Act.

Power to borrow Money.

XC. And be it further enacted, That the said Commissioners may and they are hereby empowered to borrow any Sum or Sums of Money, not exceeding Two thousand Pounds Sterling, for the Purpose of obtaining this Act, purchasing the said Grounds, and erecting the said Gaol and Bridewell, and Court House and other Buildings, and to assign over the Rates and Assessments hereby granted to

any

any Person or Persons from whom such Money may be borrowed, as a Security for the same.

Police Office, &c. to be purchased, built, or rented.

XCI. And be it further enacted, That for the Convenience of the Public, and until the said Gaol or Court House may be built, the said Commissioners shall have Power and they are hereby authorized to purchase, build, or rent Lands, Tenements, and Apartments, in such convenient Situations within the said District as they shall agree upon, to be used as a Police Office or Offices, Gaol and Bridewell, Lock-up House or Lock-up Houses, for the Reception of Prisoners accused or convicted of Crimes within the said District, and also as a Watch-house or Watchhouses, where the Master or Superintendant of Police or other confidential Officer shall be in Attendance at such House and with such Assistants as the said Commissioners shall appoint, in order to receive Communications or Complaints written or verbal, and to receive or detain for Examination before the said Provost and Bailies or any One of them all Persons charged with Crimes, Misdemeanours, and Offences, and apprehended by virtue of this Act.

Master of Police may take bail in certain Cases.

XCII. And be it further enacted, That upon the Apprehension of any Person or Persons as aforesaid for Offences cognizable by the said Magistrates at Common Law or in virtue of this Act, and who shall be legally entitled to be liberated upon Bail, it shall be lawful for the Master or superior Officer of Police upon Duty at the Time, and he is hereby empowered, in Absence of the Bailies, to accept of sufficient Bail by Bond or Pledge for such Person or Persons, to an Extent not exceeding Twenty Pounds, and to liberate such Person or Persons accordingly.

Prisoners may be remanded and kept in Police Office till Caution found.

XCIII. And be it further enacted, That where the said Bailies or any One of them shall find it necessary to remand any Prisoner or Prisoners for affording Time to find Caution, or for further Examination, it shall be lawful to detain such Prisoner or Prisoners in the Police Office, Gaol, Bridewell, or Lock-up House, until such Caution can be found, or until such farther Examination takes place; such farther Examination always taking place as soon as Circumstances will permit, and without any unnecessary Delay.

Bonds of Caution when to be forfeited, and Penalties recovered.

XCIV. And be it further enacted, That where any Offender or Offenders shall have found Caution for good Behaviour or for keeping the Peace, and shall commit a new Offence or Offences inferring Forfeiture of said Caution, it shall be lawful to order the Cautioner or Cautioners to be cited to make Payment of the Sum or Sums contained in the Bond or Bonds of Caution within the Space of Forty-eight Hours, and in Default of instant Payment after a Lapse of the said Space to declare the Sum or Sums in such Bond or Bonds of Caution to be forfeited, which shall thereupon be recoverable by a Precept to be issued by any of the said Bailies, upon an Inducia of Ten Days; and upon Failure of Payment it shall be lawful to grant a Warrant for the Poinding and Sale of the Defaulter's Goods and Effects for the Sum or Sums forfeited, and the Expences of such Poinding and Sale; and

and upon a Certificate of the poinding Officer of there not being a Sufficiency of Goods and Effects, the Cautioner may be imprisoned by Warrant of the said Provost or any One of the said Bailies, in the Gaol or Prison of the said District, for a Space not exceeding Thirty Days; and after the said Imprisonment no further Procedure against the Cautioner or Cautioners shall be competent on the Bond.

Penalty on Persons harbouring Rogues, &c.

XCV. And be it further enacted, That if any Person or Persons within the said District shall knowingly permit or suffer any Idler, Rogue, or Vagabond to lodge or take shelter in any House, Barn, or Outhouse belonging to him, her, or them, and not apprehend and carry such Rogue, Idler, or Vagrant before One or more of the said Provost or Bailies, or give Notice to some Constable or other Officer so to do, every Person so offending, upon being lawfully convicted thereof by his or her own Confession, or by legal Evidence, before One or more of the said Provost or Bailies, shall forfeit a Sum not exceeding Two Pounds Sterling for each Offence, Half thereof to be paid to the Informer, and Half to be applied to the Purposes of this Act.

Offenders may be committed to Bridewell.

XCVI. And be it further enacted, That in all Cases where any Offender is liable to be committed to Gaol or House of Correction or to Hard Labour by the said Magistrates, it shall and may be lawful for the said Provost and Bailies or any One of them to commit such Offender to the said Gaol or Bridewell.

Offenders removing from the Bounds of Police, how to be proceeded with.

XCVII. And be it further enacted, That when Offences are committed within the said District, and the Offender or Offenders shall thereafter remove from the said Bounds, it shall be lawful for the Superintendant of Police and he is hereby empowered to apply to the Sheriff Depute of the County of *Lanark* or his Substitutes, or to any Justice of the Peace of the said County, for Warrants to apprehend or cite such Offender or Offenders, wherever he, she, or they may be found within the said County, and to search for Articles connected with such Offences; and on such Warrants being granted it shall and may be lawful for the Officers of Police to execute the same in any Place within the said County.

Power to commit Vagabonds, &c.

XCVIII. And be it further enacted, That it shall and may be lawful for the said Bailies or any One of them to commit Idlers, Vagabonds, public and sturdy Beggars, and all Persons who have no settled Place of Residence, or follow no lawful Employment, to the said Gaol when erected as aforesaid, or to the said Bridewell, to be kept at Hard Labour for a Period not exceeding Three Calendar Months.

Power to banish in certain Cases.

XCIX. And be it further enacted, That when any Offender or Offenders shall have suffered Imprisonment in the said Gaol or Bridewell for the Space of Sixty Days, and shall be afterwards found guilty of any Offence under this Act; and farther, when such Offender or Offenders has or have no fixed legal Residence within the said District, nor any visible lawful Means of Subsistence, the Proof as to both which shall rest with the said Offender or Offenders; it shall in such Circumstances (but not otherwise) be lawful for the said

Magistrates or any One of them to banish the Offender or Offenders from the said District for a Space not exceeding Twelve Calendar Months, under Certification, that if he, she, or they shall return to the said District previous to the Expiration of the said Term of Banishment, he, she, or they shall again be committed to either of the said Gaol or Bridewell for a Space not exceeding Sixty Days, and under the farther Certification that he, she, or they shall be thereafter again banished, after having suffered this Imprisonment, from the said District, till the original Term of Banishment is fully expired, if any Part of it be not elapsed.

Actions competent to the Procurator Fiscal.

C. And be it further enacted, That all Offences, Matters, and Things falling under this Act shall be judged and determined by the said Provost and Bailies at the Instance of their Procurator Fiscal, to whom it shall be competent to bring Actions and Prosecutions; and that in all Actions and Prosecutions brought by him accordingly, and whether concluding for Fines, Penalties, or Damages, Imprisonment or Banishment, when such Fines, Penalties, or Damages shall not exceed Five Pounds Sterling, or where such Imprisonment shall not exceed Sixty Days, or where such Banishment shall not exceed Twelve Calendar Months, the Procedure against Offenders shall be of a summary Nature, without any written Pleadings or Record of Evidence; it being hereby provided, that a Record shall be preserved of the Charge and of the Judgment pronounced.

Actions by and against Commissioners.

CI. And be it further enacted, That it shall be competent to the said Provost, Bailies, or any One of them, to bring Actions against the said Commissioners (for the Time being), or to the Commissioners for the Time being, or a Majority of them, to bring Actions against their Predecessors, before any competent Court in *Scotland*, in case they shall embezzle, squander, or misapply any of the Funds vested in them by virtue of this Act; provided that such Action or Actions shall be commenced within Fifteen Calendar Months after the Offence prosecuted for shall be alleged to have been committed; and in order to prevent vexatious Prosecutions, be it enacted, that in the Event of any such Actions being ill founded, the Judge before whom they may be brought shall decern against the Pursuers, thereof for the whole Charges necessarily incurred in defending such Action.

Penalties, &c. not exceeding 2*l.* may be recovered summarily.

CII. And be it further enacted, That it shall and may be lawful for the said Provost and Bailies or any One of them to decern in a summary Manner, for the several Penalties, Damages, and Expences imposed by this Act, (the Manner of levying and recovering whereof is not herein particularly before described); and in case the Penalty and Forfeiture be not immediately paid, the said Provost and Bailies, or any One of them, where the Sum decerned for does not exceed Two Pounds Sterling, shall and they are hereby empowered to commit the Person or Persons refusing or neglecting to pay the same to the Prison or Bridewell aforesaid for any Time not exceeding Fourteen Days, unless such Penalties, Damages, and Expences, and the Charges incurred in levying and recovering the same, shall be sooner paid and satisfied.

CIII. And

Penalties exceeding 2*l.* Sterling to be recovered by Distress and Sale.

CIII. And be it further enacted, That where the Penalties, Forfeitures, Damages, and Expences decerned for shall exceed the Sum of Two Pounds Sterling, and where the Manner of levying and recovering the same is not hereinbefore pointed out, it shall and may be lawful for the said Provost and Bailies or any One of them, upon Conviction of the Offender or Offenders by their own Confession, or by legal Evidence, in case the Offender or Offenders shall not immediately pay the Sums decerned for, to cause the same to be recovered by Distress and Sale of the Offender or Offenders Goods and Effects, by Warrant under the Hand of any of the said Provost and Bailies; and after deducting the Charges of such Distress and Sale, the Surplus, if any, shall be paid to such Offender or Offenders; and if upon the Return of such Warrant it shall appear that no sufficient Effects can be had whereupon to levy the said Penalties, Forfeitures, Damages, and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the said Provost and Bailies or any One of them, either upon the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods or Effects whereon such Penalty or Penalties, Forfeitures, Damages, and Expences as aforesaid can be levied were such Warrant issued, the said Provost and Bailies or any of them, shall not be required to issue the same; and thereupon it shall be lawful for the said Provost and Bailies or any One of them, and he and they is and are hereby required and empowered, by Warrant or Warrants under his or their Hand, to commit such Offender or Offenders to the Common Gaol or Bridewell of the said District, there to remain without Bail for any Term not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, Forfeiture or Forfeitures, and all Expences attending such Proceedings as aforesaid, to be ascertained by the said Provost and Bailies or any One of them, or shall otherwise be discharged by due Course of Law.

Provost or Bailies may decern for Costs of Suit.

CIV. And be it further enacted, That the said Provost and Bailies or any One of them shall and they are hereby empowered in all Cases to decern not only for the Expence of any Works or Operations, or of any other Expences, Sums of Money, Damages, or Penalties under the Authority of this Act, but also for the Costs of Suit.

Power to mitigate Penalties.

CV. And be it further enacted, That it shall and may be lawful for the said Provost and Bailies or any One of them from Time to Time to mitigate and lessen any of the Forfeitures or Penalties incurred under this Act, as to them shall seem proper, but in no Case to mitigate or stop the Effect of any Sentence after it has become final or has been extracted.

Penalties to be applied to the Purposes of this Act.

CVI. And be it further enacted, That the Whole of the pecuniary Penalties and Forfeitures hereinbefore authorized to be levied shall, after deducting the necessary Charges of recovering the same, be paid to and make Part of the Funds to be applied under the Direction of the said Commissioners for the Purposes of this Act, excepting as herein specially before provided.

CVII. And

Penalties to be sued for within Three Months.

CVII. And be it further enacted, That all Actions for recovering any of the Forfeitures and Penalties imposed by virtue of this Act shall be commenced within the Space of Three Calendar Months from the Time the Fact by which they are incurred shall have been committed; and if not commenced within the aforesaid Space, the Person or Persons who shall have offended shall not be liable to be prosecuted thereafter.

No Action to be commenced against Commissioners after Three Months.

CVIII. And be it further enacted, That no Action or Process shall be commenced against the said Commissioners, or any Person or Persons, for any Thing done in the Execution of this Act, after Three Calendar Months from the Time the Act or Acts in respect whereof the same shall be brought shall have taken place; and the Defender or Defenders in such Action or Process may produce this Act, and plead that the said Things were done by Authority and in virtue thereof; and if they shall appear to be so done, then and in that Case the said Defender or Defenders shall be assoilzied from such Action or Process, and the Pursuer or Pursuers in such Action shall be found liable to pay the said Defender or Defenders the whole Expences of Process incurred by him or them.

Appeal.

CIX. And be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Order or other Proceedings of the said Provost, Bailies, or the said Commissioners, it shall be lawful for her, him, or them to appeal to the First Circuit Court of Justiciary to be held at *Glasgow* thereafter; and the Appellant or Appellants shall find Security and observe the other Requisites of the Law relative to Appeals to that Court.

Saving Clause to the Sheriff and other Judges.

CX. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, abridge, or diminish any Rights, Privileges, Jurisdictions, or Powers which now belong to and are enjoyed by the Sheriff and Justices of the Peace of the County of *Lanark*.

Bodies Politic empowered to sell and convey Lands.

CXI. And be it further enacted, That it shall and may be lawful for the said Commissioners to acquire, and for all Bodies Politic, Corporate, or Collegiate, Liferenters, Heirs of Entail, Husbands, Guardians, Trustees, and Feoffees in Trust, Executors, and all other Persons and Trustees whomsoever, not only for and on Behalf of those having the beneficial Interest, whether Persons under Age, Issue unborn, Lunatics, Idiots, or fatuous Persons, or other Person or Persons, and to and for all Married Women who are or shall be seised, possessed of, or interested in their own Right, and for every other Person or Persons whomsoever who shall be seised, possessed of, or interested in any Lands, Grounds, and Heritages which shall be required for the Purposes of this Act, to contract for, sell, and convey the same and every Part thereof unto the said Commissioners under the Provisions of this Act; and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be valid and effectual in the Law to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate,

and

and all Persons whomsoever so conveying as aforesaid, are hereby indemnified for or in respect of any such Sale which he, she, or they or any of them shall respectively make by virtue or in pursuance of this Act.

Form of Conveyance to the Commissioners.

CXII. And be it further enacted, That all Conveyances and Assurances which shall be made of any Lands or Heritages to the said Commissioners, or any other Person or Persons for the Purposes of this Act, shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit:

'I [*or* We] of in Consideration of the Sum of to me [*or* us] paid, do hereby grant, dispone, and convey to all [*describing the Premises to be conveyed*], and all my Right, Title, and Interest to and in the same and every Part thereof, to hold to the said and their Successors for the Purposes specified in and by virtue and according to the true Intent and Meaning of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act.*] In Witness whereof I have set my Hand to these Presents, written by [*insert Name and Description of the Writer*] this Day of in the Year of our Lord before these Witnesses [*insert Names and Descriptions of Witnesses, who will also subscribe as Witnesses*].'

And all such Conveyances and Assurances shall be registered within Sixty Days of the Date thereof in the particular Register of Sasines kept at *Glasgow* for the Shire of *Renfrew* and Regality of *Glasgow*, and shall thereupon be valid and effectual in the Law to all Intents and Purposes, and shall be a complete Bar to all other Rights, Titles, Trusts, and Interests and Incumbrances to, in, or upon the same whatsoever.

Satisfaction to be made.

CXIII. Provided always, and be it further enacted, That all and every Body Politic, Corporate, or Collegiate, Trustees, or other Persons hereinbefore capacitated to sell and convey any Lands, Tenements, and other Heritages, or any Owner or Owners, and the Occupier or Occupiers of any Lands, Tenements, or other Heritages required to be taken for the Purposes of this Act, may accept and receive Satisfaction for the Value of such Lands, Tenements, and Heritages, or of any such Interests as aforesaid; and from and immediately after the Time of making and executing such Sale and Conveyance, or any Contract or Contracts for the same, the said Commissioners, or any Person or Persons purchasing the same under the Provisions and for the Purposes of this Act, may and shall be at liberty to enter upon and from thenceforth for ever to have, take, and use the said Lands, Tenements, and other Heritages, for the Purposes of this Act; and in case the Parties interested in such Lands, Tenements, or Heritages cannot or do not agree as to the Amount or Value of such Satisfaction, the same shall, if the Parties shall so desire, be ascertained and settled by the Verdict of a Jury as is hereinafter directed; but nothing herein contained shall authorize the said Com-

Commissioners to take any Lands or Heritages for the Purposes of this Act excepting with the Consent of the Owners thereof.

If Parties are dissatisfied, or refuse or are unable to treat, &c. a Jury to be impanelled to decide the Matter.

CXIV. And for settling all Differences which may arise between the said Commissioners and the several Owners of or Persons interested in any Lands, Tenements, or other Heritages which shall or may be taken or used for the Purposes of this Act, be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any other Person or Persons so interested, for and on his, her, or their Part or Parts, or for or on the Part of any Person or Persons for whom they may hold the same, or Persons as aforesaid, shall refuse to accept such Purchase Money or other Compensation as shall be offered by them the said Commissioners or their Agent by or on their Behalf, shall give Notice thereof in Writing to the said Commissioners or such Agent within Seven Days after such Offer shall have been made, and the Party or Parties giving such Notice as aforesaid shall therein request that the Matter or Matters in Dispute may be submitted to the Determination of a Jury; or if any Body Politic, Corporate, or Collegiate, or any other Person or Persons seised or possessed of or interested in any such Lands, Tenements, or Heritages as aforesaid, shall refuse to treat or agree or shall not agree, or by reason of Absence or Disability cannot agree with the said Commissioners, or with any Person or Persons authorized by them, for the Sale and Conveyance of their respective Estates and Interests therein, or cannot be found or are not known, or shall not produce or evince a clear Title to the Premises they may be in Possession of, or to the Interest they shall claim therein, to the Satisfaction of the said Commissioners, or of the Person or Persons authorized by them; then and in every such Case the said Commissioners shall and they are hereby empowered and required from Time to Time to direct the Sheriffs Depute or Substitute of the said County of *Lanark* to summon, assemble, and choose a Jury, in such Way and Manner as Juries are summoned, assembled, and chosen in Counties in *Scotland*; and the said Sheriff may order and authorize the said Jury when chosen, or any Three or more of them, to view the Place or Places, or Matters or Things in Controversy; and such Jury shall upon their Oaths (which Oaths, as well as the Oaths of such Witnesses, the said Sheriff is hereby empowered and required to administer,) inquire of, assess, and ascertain, and give a Verdict for the Sum or Sums of Money which shall be paid for the Purchase of such Lands, Tenements, or Heritages, or Compensation for any Interest therein as aforesaid; and the said Sheriff shall give Judgment for such Purchase Money or Compensation so assessed by such Jury; which said Verdict and the Judgment thereupon shall be binding and conclusive to all Intents and Purposes upon all Bodies Politic, Corporate, or Collegiate, and upon all Persons whomsoever, and shall not be subject to any Review, or any Stay or Sist of Execution whatsoever: Provided that Fourteen Days Notice in Writing at the least of the Hour and Place at which such Jury are so required to be returned be given to the Bodies Politic, Corporate, or Collegiate, or to the Person or Persons interested or claiming so to be, before the Time of the Meeting of the said Sheriff and Jury as aforesaid, by leaving such Notice at the Dwelling House of such Person or Persons,

or of the Head Officer of such Body or Bodies Politic, Corporate, or Collegiate, or with some Tenant or Occupier of the Premises respectively intended to be valued; and in each and every Case where a Verdict shall be given for more Money, as a Recompence or Satisfaction for the absolute Sale of any Lands, Tenements, or Heritages, or as a Compensation for any Interest therein as aforesaid, than shall have been previously offered by or on Behalf of the said Commissioners before the summoning of such Jury, and where no Compensation shall have been previously offered in respect thereof by or on Behalf of the said Commissioners, or where by reason of Absence or other Impediment or Disability there shall not be found any Person or Persons at Hand who may be legally capacitated to contract with and make Conveyances to or receive Compensation from the said Commissioners as hereinbefore mentioned, then and in all such Cases all the reasonable Expences of causing such Value or Compensation to be assessed and awarded as aforesaid shall be settled by the said Sheriff, and be defrayed by the said Commissioners; but if any Verdict shall be given for the same Sum that shall have been previously offered by or on Behalf of the said Commissioners, or for a less Sum than shall have been so previously offered, or in case of such Refusal to treat with or make Conveyances to the said Commissioners by any Bodies Politic, Corporate, or Collegiate, or by any Person or Persons whomsoever who is or are by the Provisions of this Act or otherwise legally empowered to treat and convey or receive such Compensation as aforesaid, then and in all such Cases (except where, by reason of Absence or otherwise, any Person shall have been prevented from treating and agreeing as aforesaid, in which Case all such Costs and Expences shall be borne and paid by the said Commissioners;) the reasonable Costs and Expences of causing such Value or Compensation to be assessed and awarded as aforesaid shall be settled in like Manner by the said Sheriff, and be borne and paid by the Body or Bodies Politic, Corporate, or Collegiate, or by the Person or Persons with whom the said Commissioners shall have such Controversies or Disputes and the said Commissioners in equal Moieties; which said Costs and Expences shall and may be deducted out of the Money so assessed and awarded, and the Payment or Tender of the Remainder of such Sum or Sums of Money shall be deemed and taken to all Intents and Purposes to be Payment or Tender of the whole Sum or Sums so assessed or awarded as aforesaid.

Verdicts to be recorded.

CXV. And be it further enacted, That all the said Judgments and Verdicts shall be deemed to be and shall become Records of the said Sheriffs Depute or Substitute by or before whom the same shall be made and given, to all Intents and Purposes whatsoever; and the same or true Copies thereof shall be allowed to be good Evidence; and all Persons shall have Liberty to inspect the same, paying for such Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in proportion for any less Number of Words.

Power to enter upon and take Possession of

CXVI. And be it further enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or determined or adjusted by any Jury

Land, &c. on Payment or Tender of Purchase Money.

Jury or Juries in Manner aforesaid, for the Purchase of any such Lands, Tenements, or Heritages, to the Proprietor or Proprietors of such Lands and other Heritages and Premises, or such other Person or Persons as shall be interested therein or entitled to receive such Money or Compensation respectively, One Calendar Month after the same shall have been so agreed for, determined, or awarded, if the Person or Persons so entitled or interested or any of them cannot be found, or shall refuse to receive the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners, or shall refuse to execute a Conveyance or Conveyances of the Premises which shall be required for the Purposes of this Act, then upon Payment of the said Sum or Sums of Money into the Bank of *Scotland*, or the Royal Bank of *Scotland*, or the *British* Linen Company, as hereafter directed and required (in case the same shall be requisite), for the Use of such Person or Persons so interested or entitled as aforesaid, it shall be lawful for the said Commissioners and their Agents, Servants, and Workmen, or any other Persons authorized by them in their Behalf, immediately to enter upon such Lands, Grounds, and Heritages respectively; and the Fee Simple and Inheritance thereof, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in the said Commissioners in such Manner as directed in and by this Act, to and for the Purposes of this Act for ever; and such Tender, Payment, and Investiture shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to and shall be deemed and construed to bar the Terce of the Wife, and all Right of every other Person, and all Incumbrancers whomsoever therein: Provided nevertheless, that before such Payment it shall not be lawful for the said Commissioners, or any Person acting under their Authority, to enter into or upon such Lands or Grounds without Leave o the respective Owners or Occupiers thereof in Writing under their respective Hands.

Application of Compensation when exceeding 200*l.*

CXVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Heritages, or for any other Matter, Right, or Interest of what Nature or Kind soever, purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation, Married Woman, Minor, or other Person or Persons under any Disability or Incapacity as hereinbefore mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *Scotland*, or the Royal Bank of *Scotland*, or Bank of the *British* Linen Company, to be placed to an Account in the Name or Names of such Person or Persons as any Three of the Commissioners shall by Writing signed by them direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the Court of Session, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Heritages, in the Purchase of the Land Tax, or towards the Discharge

charge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Heritages, or affecting other Lands, Tenements, or Heritages standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Heritages, which shall be conveyed to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Heritages which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making of such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the mean time and until such Purchase shall be made, the Interest or Annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Heritages so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.* and exceeding 20*l.*

CXVIII. Provided always, and be it enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Heritages, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Heritages so purchased, taken, or used, or of his, her, or their Guardian or Guardians, to be signified in Writing under their respective Hands, be paid into the Bank of *Scotland*, the Royal Bank of *Scotland*, or Bank of the *British* Linen Company, under the Direction and Authority of the Court of Session, in order to be applied in Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Three Trustees to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Commissioners, such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and Interest arising thereon may be applied in Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Directions or Approbation of the Court of Session.

When less than 20*l.*

CXIX. Provided always, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Heritages so purchased, taken, or used for the Purposes of this Act, as the said Commissioners or any Three or more of them shall think fit, or then to his, her, or their Guardian or

Guardians, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles;

CXX. And be it further enacted, That in case the Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners or any Three of them, or shall refuse to execute such Conveyance or Conveyances; or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Heritages be not known or discovered; then and in every such Case it shall be lawful for the said Commissioners, or any Three or more of them to order the said Sums or Sum so awarded to be paid into the Bank of *Scotland*, the Royal Bank of *Scotland*, or Bank of the *British* Linen Company, to the Credit of the Parties interested in the said Lands, Tenements, or Heritages [describing them], subject to the Order, Controul, and Disposition of the Court of Session; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money or any Part thereof, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to remain in the Hands of the said Banks or one of them, or to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Interest or Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the said Banks respectively, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any Sum or Sums of Money into the Bank as aforesaid.

or if Persons cannot be found, Purchase Money to be paid into the Bank;

subject to the Order of the Court of Session.

Cashier of the Bank to give a Receipt.

In case of Question touching the Title to such Money.

CXXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into such Banks in pursuance of this Act, for the Purchase of any Lands, Tenements, or Heritages, or of any Estate, Right, or Interest in any Lands, Tenements, or Heritages to be purchased in pursuance thereof, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Heritages at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Heritages, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Session; and such Money and the Interest thereof in the Hands of any of the said Banks shall be paid and applied and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Heritages, or to some Estate or Interest therein.

 CXXII. Pro-

The Court may order reasonable Expences of Purchases to be paid by the Commissioners.

CXXII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Heritages to be purchased under the Authority of this Act, and the Purchase Money for the same shall be required to be paid into the said Banks or One of them by the Order of the said Court, and to be applied in the Purchase of other Lands, Tenements, or Heritages, to be settled to the like Uses in pursuance thereof respectively, it shall be lawful for the said Court to order the Expences of all such Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Commissioners empowered to resell Lands.

CXXIII. And whereas the said Commissioners may purchase Lands, Tenements, or Heritages to be made use of for the Purposes of this Act, and it may happen that they may not be required for the Purposes of this Act, and it may in such Case become necessary to resell the same; be it therefore further enacted, That it shall be lawful for the said Commissioners by Deed under the Hands of any Five or more of them to grant and convey by Way of absolute Sale, for a Consideration in Money, such Lands, Tenements, or Heritages, or any such Part or Parts thereof as shall not be wanted for the Purposes of this Act; and all such Conveyances from the said Commissioners shall be valid and effectual, any thing in this Act contained, or any other Law, Statute, or Custom to the contrary thereof in anywise notwithstanding; and upon Payment of the Money which shall arise by Sale or Sales of such Lands, Tenements, and Heritages, it shall and may be lawful for the said Commissioners to sign and give Receipts for the Money for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands or Heritages shall be so sold, or for so much thereof as in such Receipts shall be acknowledged or expressed to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof: Provided always, that the said Commissioners, before they shall sell and dispose of such Lands, Tenements, or Heritages, shall first offer to resell the same to the Person or Persons from whom they shall have purchased the same, or would have been entitled to in case the same had not been purchased by the said Commissioners, the Price at which the same shall be resold being, at the Option of the said Persons, either the Price, paid by the said Commissioners or a Price for the same adjusted and settled by a Jury in like Manner as the Price for any Land to be taken in pursuance of this Act as hereinbefore directed to be settled in case of Difference or Dispute as to the Value thereof; and if such Person or Persons shall not agree or shall refuse to repurchase the same, it shall and may be lawful to and for any Person or Persons not interested in the Premises to make an Affidavit, to be sworn before One of His Majesty's Justices of the Peace for the said County of *Lanark*, stating

stating that such Offer was made by or on Behalf of the said Commissioners, and that such Person or Persons did not agree or refused to purchase such Lands or Heritages, as the Case may be; and such Affidavit shall in all Courts be sufficient Evidence and Proof that such Offer was made and not agreed to or refused.

Expence of this Act how to be paid.

CXXIV. And be it further enacted, That the Charges incurred in applying for and obtaining this Act, and in erecting and maintaining the aforesaid Gaol, Bridewell, and Court House and other Buildings, with Interest from the respective Periods of advancing the same, shall be defrayed out of the Monies arising from the Assessments aforesaid.

Sheriffs, &c. to aid in putting this Act into Execution.

CXXV. And be it further enacted, That all Sheriffs, Justices of the Peace, Judges, and Magistrates, with their Officers and Messengers at Arms, and all other Officers and Executors of the Law whatsoever, are hereby required to be aiding and assisting in putting this Act into due and lawful Execution.

Public Act.

CXXVI. 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, without being specially pleaded.

Continuance of this Act.

CXXVII. And be it further enacted, That this Act shall continue in force for Twenty-one Years from and after the passing thereof, and from thence to the End of the then next Session of Parliament, and no longer.

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