ANNO TERTIO

GEORGII IV. REGIS.

****

Cap. xlv.

An Act for more effectually repairing and maintaining the District of Roads in the County of *Edinburgh*, termed *The Leith Walk District*, and for other Purposes relating thereto; and for altering and increasing the Conversions and defining the Bounds of the *Middle District* of Roads in the said County. [15th *May* 1822.

WHEREAS an Act was passed in the Forty-ninth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for rendering more effectual several Acts for repairing the Turnpike and other High Roads in the County of* Edinburgh, *and for repairing the Roads from the City of* Edinburgh *to the Town of* Leith, by which, among other Enactments therein contained, Powers were given to the Trustees thereby appointed, to levy Tolls and Duties, and borrow Money on the Security thereof, for the Purpose of causewaying the Western Carriage Road to *Leith* commonly called *Leith Walk*, or such Part thereof as might be thought necessary, and for otherwise making, repairing, and improving the said Road, and certain other Roads therein mentioned connected therewith, which are thereby declared to be a separate District, to be called *The Leith Walk District*, and for upholding these Roads 49 G.3. c.37.

when so made; and after paying and discharging the necessary Expences thereof, the said Trustees were thereby directed to provide a Fund to the Amount of Four thousand Pounds Sterling, to be laid out and invested in the Name of the Trustees of the District, pursuant to the Direction of a General Meeting of Trustees, on good and sufficient heritable Security, the Interest thereof to be applied to the necessary Expences of Management, and for maintaining and supporting the Roads in the said District, and to no other Purpose whatsoever; and it was by the said recited Act directed that if there should be any Deficiency in the said Annual Fund, whatever farther Sum should be requisite for keeping the Roads in the said District in proper Annual Repair, should be made up by the Magistrates and Council of the City of *Edinburgh*, as the same had theretofore been: And whereas another Act was passed in the Fifty-fourth
54 G. 3, c. 170. Year of the Reign of His said late Majesty, intituled *An Act to amend an Act passed in the last Session of Parliament, for erecting and maintaining a New Gaol and other Buildings for the County and City of* Edinburgh, *and for opening Communications to the New Gaol, building a Bridge over the* Low Calton, *and for other Purposes relating thereto*, by which it was, among other Things, enacted, that the Trustees for making and repairing the Turnpike, and other High Roads within the said County of *Edinburgh*, acting under the Authority of an Act of the Forty-third Year of the Reign of His said late Majesty, and under the said recited Act of the Forty-ninth Year of the Reign of His said late Majesty, should from the Funds vested in and under the Charge of the Trustees of that District of the said County, termed in the said Acts *The Leith Walk District*, pay to the Commissioners mentioned in the said recited Act of the Fifty-fourth Year of the Reign of His said late Majesty, for the Purposes of that Act, the Sum of Eighteen thousand Pounds Sterling, and that against the Term of *Lammas* in the Year One thousand eight hundred and fourteen, with Interest thereof, at the Rate of Five Pounds *per Centum per Annum* from the Term of *Whitsunday* One thousand eight hundred and fourteen, and to enable the Trustees of the *Leith Walk District* to make Payment of the foresaid Sum of Eighteen thousand Pounds, and Interest, it is thereby enacted, that the Toll then exigible at the Toll Bar on *Leith Walk* should continue to be levied, not only till all the Purposes provided for in the said recited Act passed in the Forty-ninth Year of His said late Majesty's Reign should be completed, but until the said Sum of Eighteen thousand Pounds, and whole Interest thereof, should be repaid from the Proceeds of the said Toll, but that the said Trustees should not be at liberty to apply any Part of such Proceeds towards the last mentioned Object, until the Purposes of the said last recited Act were completed: And whereas another Act was passed in the Fifty-sixth Year of the Reign of His
56 G. 3. c. 42. late Majesty, intituled *An Act to alter and amend Two Acts of the Fifty-third and Fifty-fourth Years of His present Majesty, for erecting and maintaining a new Gaol, and other Buildings, for the County and City of* Edinburgh, *and to alter and amend Two Acts of the Forty-third and Forty-ninth Years of His present Majesty, in regard to the Statute Labour of the Middle District of the said County*, by which Act it was, among other Things, enacted, that in order to enable the Trustees of that District of Roads of the said County of *Edinburgh*, termed in the said recited Act of the Forty-ninth Year of the Reign of His present Majesty *The Leith Walk District*, to make Payment to the Commissioners mentioned in the said

said recited Act of the Fifty-sixth Year of the Reign of His said late Majesty, of the Sum of Eighteen thousand Pounds Sterling, and Interest, as directed by the said recited Act of the Fifty-fourth Year of the Reign of His said late Majesty, not only the Tolls payable at the Toll Bar on *Leith Walk*, as by the said last recited Act directed, but also the Tolls exigible at every other Toll Bar, or Toll Bars erected or to be erected within the said *Leith Walk District*, should be levied and applied towards the Payment of the said Sum of Eighteen thousand Pounds, and whole Interest thereof, in the Manner directed by the said last recited Act, with regard to the Tolls payable at the Toll Bar on *Leith Walk*: And whereas it is necessary that while the Tolls and Duties within the said District termed *The Leith Walk District* are leviable under any of the beforere cited Acts, the Produce thereof ought, in the first Place, to be applied towards the making, repairing, supporting, and improving the several Roads, Ways, and Passages within the same, in preference to all other Purposes to which the said Tolls and Duties are made applicable, but which Application of the said Tolls and Duties has not been sufficiently provided for by the said recited Acts of the Fifty-fourth and Fifty-sixth Years of the Reign of His said late Majesty: And whereas the Interest of the Fund or Capital Sum of Four thousand Pounds Sterling, authorized to be provided by the said recited Act of the Forty-ninth Year of the Reign of His said late Majesty, will be totally inadequate for defraying the Expences of Management, and the making, repairing, supporting and improving the said Roads, and it is necessary that the said Fund or Capital Sum should be considerably augmented; and it is also expedient, and will be beneficial and advantageous to the Funds of the said *Leith Walk District*, that the raising of the said original and augmented Fund or Capital Sum for keeping the Roads in proper Repair should be suspended till the said Sum of Eighteen thousand Pounds, and Interest, from the Term of *Whitsunday* One thousand eight hundred and fourteen, made a Burden upon the Funds of the *Leith Walk District* by the said recited Acts of the Fifty-fourth and Fifty-sixth Years of the Reign of His said late Majesty shall have been completely paid and discharged: And whereas another Act was passed in the Forty-third Year of the Reign of His said late Majesty, intituled *An Act for enlarging and altering the Powers of and rendering more effectual several Acts of the Twenty-fourth and Twenty-eighth Years of His late Majesty, and of the Fourth, Twenty-fourth, Twenty-fifth, Twenty-ninth, and Thirty-eighth Years of His present Majesty's Reign, for repairing the Turnpike and other High Roads in the County of* Edinburgh, by which, amongst other Things, Power was given to the Trustees for the High Roads in the County of *Edinburgh* to levy from all Tenants and Occupiers of Houses, of the Descriptions therein expressed, within the City of *Edinburgh*, *Canongate*, *Leith*, and other Suburbs and Liberties thereof, and from all other Householders within the Bounds of the District of the said Roads termed the *Middle District*, in lieu and place of the whole Six Days Labour, and of the Conversions thereof, then exigible from such Tenants and Occupiers of Houses, the several Rates and Duties in the said last recited Act mentioned, corresponding to the Yearly Rental or Value of the Dwelling-house, Cottage, or Tenement which each Person might occupy: And whereas by the said before recited Act of the Fifty-sixth Year of the Reign of His said late Majesty, amongst other Things, the said Trustees of the High Roads in the County of *Edinburgh* were authorised and required, from the Funds of 43 G. 3. c. 34.

of the said District termed the *Middle District*, to pay to the Commissioners for executing the Purposes of the said last-mentioned Act the farther Sum of Eight hundred Pounds *per Annum* by Two equal Payments, until the same should amount to such a Capital Sum as should be requisite for the Purposes of the said Acts of the Fifty-fourth and Fifty-sixth Years of the Reign of His late Majesty, not exceeding in the whole the Sum of Fourteen thousand Pounds; and to enable the Trustees of the *Middle District* to make Payment of the said Annuity the said Trustees were by the said last recited Act empowered, in Addition to the Rates and Duties previously exigible in the *Middle District*, to levy certain farther Rates and Duties: And whereas another Act was passed in the Second Year of the Reign of His present Majesty, intituled *An Act to alter and amend Three Acts of the Fifty-third, Fifty-fourth, and Fifty-sixth Years of His late Majesty, for enabling Commissioners to erect and maintain a new Gaol, and other Buildings, for the County and City of* Edinburgh, *and for opening Communications with the same, and to enable the Trustees for the Turnpike and other High Roads in the said County of* Edinburgh, *to advance farther Sums of Money to the said Commissioners;* by which Act, amongst other Things, the said Trustees for the High Roads in the County of *Edinburgh*, were required, from the Funds of the *Middle District*, to pay to the said Commissioners the Sum of Five hundred Pounds *per Annum*, in Addition to the said Annuity of Eight hundred Pounds *per Annum*, until the same should amount to a farther Capital Sum of Seven thousand Pounds, as at *Whitsunday*, in the Year One thousand eight hundred and twenty-one, with Interest thereon from that Term: And whereas the Conversions levied in lieu of Statute Labour from the Householders of the City of *Edinburgh*, and the Suburbs and Liberties thereof, within the said *Middle District*, are inadequate to the Purposes to which the same are by Law applicable; and the Trustees of the said *Middle District* have expended considerable Sums of Money, borrowed upon their personal Credit, towards fulfilling the Purposes of the before recited Acts, which Purposes cannot be completed, and the said Sums cannot be repaid, unless the Conversions in lieu of Statute Labour payable within the said *Middle District* be increased: And whereas Disputes frequently arise between the Collectors of the Conversions and the Householders respecting the Bounds and Limits of the said *Middle District*, and some Householders evade the Payment of Road Money either to the *Middle District* or the adjoining County Districts, to the manifest Injustice of the other Householders, and it is therefore expedient that the Bounds of the said *Middle District* should be more accurately defined than heretofore; but as these Purposes cannot be effected without the Aid and Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That during the whole Period that the General Trustees of the High Roads within the said County of *Edinburgh*, or the Trustees of the *Leith Walk District* of Roads under their Control, are or shall be authorised to levy Tolls and Duties under any of the before recited Acts of the Forty-ninth, Fifty-fourth, and Fifty-sixth Years of the Reign of His said late Majesty or this Act, the Trustees of the said *Leith Walk District* shall be and are hereby authorised and empowered, out of the Proceeds of the Tolls and Duties of the said District, and before applying the same to any other Purpose whatever,

2 G. 4. c. 100.

Power to defray the Expences of Management and repairing and supporting the Roads, before applying the Toll Duties to any other Purpose.

ever, to lay out and disburse what may be necessary for defraying the necessary Expences of Management, and of making, repairing, supporting and improving the Roads within the District, and the Drains and Levels necessary for the same, in the same Way and Manner that the Trustees were authorised to lay out and disburse the same under the said recited Act of the Forty-ninth Year of the Reign of His said late Majesty; any Thing in any of the said other recited Acts to the contrary notwithstanding.

Power to raise a Fund of £4000, for keeping the Roads in Repair, suspended till all other Debts and Obligations are cleared off and extinguished.

II. And be it further enacted, That the Power of the said Trustees under the said recited Act of the Forty-ninth Year of the Reign of His said late Majesty, to raise a Fund to the Amount of Four thousand Pounds Sterling, the Interest whereof should be applied to the necessary Expences of Management, and for maintaining and supporting the Roads in the said *Leith Walk District*, shall be suspended, not only till the Accomplishment of all the other Purposes mentioned in the said recited Act of the Forty-ninth of His late Majesty, but until the Sum of Eighteen thousand Pounds Sterling, and Interest, from *Whitsunday* One thousand eight hundred and fourteen, made a Burden on the Funds of *Leith Walk District* by the said recited Acts of the Fifty-fourth and Fifty-sixth Years of the Reign of His late Majesty, shall be cleared off and discharged; and when this last-mentioned Purpose shall be accomplished, and the whole other Debts and Obligations of the said District shall be paid off and extinguished, the Trustees of the District shall have Power, and are hereby authorized to apply the whole Surplus of their Revenue, after defraying the necessary Expences of Management, and of repairing, supporting and improving the Roads within the District, in providing a Fund to the Amount of Eight thousand Pounds Sterling, including the said Sum of Four thousand Pounds mentioned in the said recited Act of the Forty-ninth Year of the Reign of His late Majesty, to be laid out and invested in the Names of the Trustees of the District, pursuant to the Directions of any General Meeting of Trustees, on good and sufficient heritable Security, the Interest whereof shall be thereafter applied to the necessary Expences of Management, and for maintaining and supporting the Roads in the said District, and to no other Purpose whatsoever; and if there shall be any Deficiency in the said Annual Fund, and if in any one Year it shall be ascertained and declared by a General Meeting of Trustees that these Funds are inadequate, the Magistrates and Council of the said City of *Edinburgh* shall be bound and obliged, out of the proper Revenue of the said City, upon the Requisition of the said General Trustees, to make up the said Deficiency, by paying to the said Trustees of the *Leith Walk District* any Sum to be fixed and ascertained by the said General Trustees to be the Amount of such Deficiency: Provided always, that the Amount of such Deficiency required to be paid by the Magistrates and Council of the City of *Edinburgh*, in any one Year, shall not exceed the Sum of Two hundred Pounds Sterling; and so soon as the aforesaid augmented capital Sum of Eight thousand Pounds Sterling shall have been provided and invested as aforesaid, and the whole Roads of the District shall have been put into a sufficient State of Repair, by relaying the same, or otherwise, and shall have been declared to be in such sufficient State of Repair by a General Meeting of Trustees, then the Tolls and Duties authorised to be levied on the Roads within the *Leith Walk District* shall cease and determine, and be no longer due or payable; and the Roads in the aforesaid *Leith Walk District* shall be thereafter

When Debts and Obligations paid off, a Capital of £8000. to be raised and invested for keeping the Roads in Repair.

If any Deficiency, to be made up by the City of Edinburgh;

but not to exceeed £200. in any one Year.

Termination of the Tolls.

thereafter kept in Repair by the Interest of the aforesaid accumulated and invested Sum, and by the Contribution from the Magistrates and Council of *Edinburgh*, as before mentioned.

Power to lay the Footway in East Side of Leith Walk with Flag Pavement.

III. And be it further enacted, That in order to remove any Doubts as to the Power of the Trustees under the said recited Act of the Forty-ninth Year of the Reign of His said late Majesty, it shall and may be lawful to the said Trustees of the said *Leith Walk District*, and they are hereby authorized and empowered, out of the Proceeds of the said Tolls and Duties vested in them under the said recited Act of the Forty-ninth Year of the Reign of His said late Majesty, to lay the Footpath on the East Side of *Leith Walk*, or any Part thereof, as to the said Trustees may seem proper, with flat hewn Stones, of such Dimensions and Quality as the said Trustees shall judge proper.

Rates of Toll may be diminished,

IV. And be it further enacted, That so long as Tolls and Duties shall be levied under any of the said recited Acts, or this Act, it shall and may be lawful to and for any General Meeting of the said Trustees, on Cause shown by the Trustees of the *Leith Walk District*, to diminish or lessen all or any of the Tolls and Duties by the said recited Act of the Forty-ninth Year of the Reign of His said late Majesty appointed to be raised and levied, and to authorize lesser Rates of Tolls and Duties to be levied at all or any of the Toll Bars within the District; and again on Cause shown to raise and augment the said Tolls and Duties, or any of them, to any Rates not exceeding those at present by Law exigible, all in such Manner as from the State of the Roads, or of the Funds of the District, may to the said General Meeting of Trustees appear to be just and proper; but under this express Limitation, that it shall not be in the Power of the said Trustees of the *Leith Walk District*, or of any General Meeting of Trustees, to reduce the Rates of Toll within the *Leith Walk District* below One Half of the full Rates presently exigible, excepting that it shall be lawful to and in the Power of a General Meeting of Trustees to diminish or totally to cease to collect the additional Rates of Toll chargeable for extra Weight upon the said Roads.

but not below the Half of the full Rates, excepting additional Rates for extra Weight, which may be totally abolished in the District.

Conversions to be levied in the Middle District.

V. And be it further enacted, That from and after the Term of *Whitsunday*, in the present Year One thousand eight hundred and twenty-two, there shall and may be levied Yearly, from all Tenants and Occupiers of Houses, of the Descriptions hereafter expressed within the City of *Edinburgh*, *Canongate*, *Leith*, and other Suburbs and Liberties thereof, and from all other Householders within the Bounds of the *Middle District* of Roads in the County of *Edinburgh*, as hereinafter defined, in lieu and place of the whole Six Days Labour, and of the Conversions thereof at present exigible from them, the several Rates and Duties corresponding to the Yearly Rental or Value of the Dwelling-house, Cottage, or Tenement which each Person may occupy, as follows; *videlicet*, For a Rental amounting to Two Pounds and under Five Pounds, a Composition or Conversion of Two Shillings; for Five Pounds and under Fifteen Pounds, a Composition of Four Shillings; for Fifteen Pounds and under Twenty Pounds, a Composition of Six Shillings; for Twenty Pounds and under Thirty Pounds, a Composition of Eight Shillings; for Thirty Pounds and under Forty Pounds, a Composition of Ten Shillings; for Forty Pounds and under Fifty Pounds, a Composition of Sixteen Shillings;

lings; for Fifty Pounds and under Sixty Pounds, a Composition of Eighteen Shillings; for Sixty Pounds and under Seventy Pounds, a Composition of Twenty Shillings; for Seventy Pounds and under Eighty Pounds, a Composition of Twenty-four Shillings; for Eighty Pounds and under Ninety Pounds, a Composition of Twenty-six Shillings; for Ninety Pounds and under One hundred Pounds, a Composition of Twenty-eight Shillings; for One hundred Pounds and under One hundred and ten Pounds, a Composition of Thirty Shillings; for One hundred and ten Pounds and under One hundred and twenty Pounds, a Composition of Thirty-two Shillings; for One hundred and twenty Pounds and under One hundred and thirty Pounds, a Composition of Thirty-four Shillings; for One hundred and thirty Pounds and under One hundred and forty Pounds, a Composition of Thirty-six Shillings; for One hundred and forty Pounds and under One hundred and fifty Pounds, a Composition of Thirty-eight Shillings; for One hundred and fifty Pounds and under One hundred and sixty Pounds, a Composition of Forty Shillings; for One hundred and Sixty Pounds and upwards, a Composition of Forty-two Shillings; which several Rates or Compositions shall be levied and paid Yearly, and every Year, in so far as relates to Houses situated within the Bounds of Police of the City of *Edinburgh*, according to the Surveys or Rentals by which the Police Assessment is or may for the Time be raised and levied, and in so far as relates to Houses situated without the Bounds of Police, in the Manner directed by the before recited Act of the Forty-third Year of the Reign of His said late Majesty, and in the other Acts therein referred to.

Rates may be reduced.

VI. Provided always, and be it enacted, That it shall and may be lawful to the said General Trustees for the High Roads in the County of *Edinburgh*, at a General Meeting assembled, and they are hereby authorized, when the Produce of the Assessments on the said *Middle District* within the preceding Year shall have exceeded the Amount of the said Annual Payments of Eight hundred Pounds and Five hundred Pounds, and of the Interest of the other Debts that may at the Time be due by the said *Middle District*, and of the Expences of Management and of the Repair and Maintenance of the Roads within the said District, to reduce the several Rates and Duties before mentioned, from Time to Time, and in such Proportions as to them shall seem right, so that the Payment of the said Annual Sums and Expences shall be duly provided for, which reduced Rates and Duties shall be levied and paid in the same Manner as the said Rates and Duties before specified are hereby declared to be leviable and payable.

Rates after being reduced may be raised again.

VII. Provided also, and be it enacted, That it shall and may be lawful to the said Trustees of the *Middle District*, from Time to Time, again to raise the said reduced Rates as they shall see cause, to any Rate not exceeding the Rates hereby authorized to be levied, until the whole Sums of Money required by the before recited Act of the Fifty-sixth Year of the Reign of His said late Majesty, and the before recited Act of the Second Year of the Reign of His present Majesty, to be paid out of the Funds of the *Middle District* are fully paid; and until the existing Debt of the *Middle District*, not exceeding the Sum of Six thousand Pounds, is paid and extinguished; after which Purposes are fulfilled the said General Trustees shall be obliged and they are hereby required to reduce the said

Rates

Rates and Duties, so that not more than Three-fourth Parts of the Rates and Duties by this Act authorized to be levied and paid shall thenceforth be levied and paid.

For ascertaining the Bounds of the Middle District.

VIII. And be it further enacted, That from and after the passing of this Act all Dwelling-houses, Cottages, or Tenements situated within the Toll-bars next adjacent to the City of *Edinburgh* and Town of *Leith* respectively, as the said Toll-bars shall be placed for the Time being by Authority of the said General Trustees for the High Roads in the County of *Edinburgh*, and also all Dwelling-houses, Cottages, or Tenements having a Horse Road or Access to the City of *Edinburgh* or Town of *Leith*, without passing through and paying Toll at any Toll-bar erected by Authority of the said Trustees, shall be deemed to be within the Bounds and Limits of the *Middle District*, and shall be chargeable with the Compositions or Conversions in lieu of Statute Labour before directed.

For maintaining Roads between the old and new Sites of Toll-bars.

IX. Provided always, and be it enacted, That where the Site of any Toll-bar has been or shall hereafter be altered, and has been or shall be removed farther from the City of *Edinburgh* or Town of *Leith* than the Place where such Toll-bar stood in the Year One thousand seven hundred and eighty-nine, in so far as regards the District of the said County termed the *Post-road District*, and where such Toll-bar stood in the Year One thousand seven hundred and sixty-four, in so far as regards the other Districts of the said County, then and in all such Cases the Space of Road between the old and new Sites of such Toll-bars shall be maintained out of the Funds of the *Middle District*, and the Funds of the contiguous outer District, in such Proportions as the Trustees of the said respective Districts shall mutually agree; and in case of their differing in Opinion, in such Proportions and Manner as the said General Trustees for the High Roads in the County of *Edinburgh*, at a General Meeting assembled, shall determine.

New Trustees of the Middle District.

X. And be it enacted, That from and after the passing of this Act, the Dean of the Faculty of Advocates, the Deputy Keeper of His Majesty's Signet, the Master of the Merchant Company of the City of *Edinburgh*, the Treasurer of *Heriot's* Hospital, the Treasurer of *Watson's* Hospital, the Convener of the Eight Southern Districts of the City of *Edinburgh*, and the Senior Bailie or Magistrate of the Town of *Leith*, all for the Time being, shall be entitled *ex officio* to act as Trustees of the said District termed the *Middle District*.

Clerk and Treasurer not to be the same Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of the said recited Acts or this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of the said recited Acts or of this Act or to continue or appoint the Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees; and if any Person shall act in both the Capacities of Clerk and Treasurer by virtue of the said recited Acts or of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of the said recited Acts or of this Act, every Person so offending shall for every such Offence forfeit and

and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered by summary Complaint before the Justices of the Peace at their Quarter Sessions of the County where the Offender may reside.

Accounts to be kept.

XII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time, and at all Times during the Continuance of the said recited Acts and of this Act, to order and direct Books to be provided and kept by their Clerk for the Time being, in which Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on Account of the Purposes of the said recited Acts or of this Act, and of the several Articles, Matters, and Things for which Sums of Money shall have been disbursed, laid out, and paid; which Books, with the whole Documents or Vouchers of Charge and Discharge, shall at all reasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors under the said recited Acts or this Act, without Fee or Reward; and the said Trustees and Creditors, or any of them, shall and may take Copies of or Extracts from the said Books, or any Part thereof, without paying any Thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Trustees or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds Sterling, to be levied and recovered in the same Manner as Penalties are by the said recited Acts directed to be levied and recovered.

Clerks, &c. to deliver Accounts.

XIII. And be it further enacted, That all Clerks, and other Officers and Persons acting for the Time under the said recited Acts and this Act, shall from Time to Time, when thereunto requested by the said respective Trustees, deliver to such Trustees or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing under their respective Hands of all Monies which they and every of them respectively shall have received to that Time by virtue of the said recited Acts and of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said respective Trustees, or to such Person or Persons as they shall appoint to receive the same, and not otherwise; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Accounts, and the Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Accounts in Manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said respective Trustees, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Trustees, all the Books, Papers, and Writings in his Custody or Power relating to the Execution of the said recited Acts or of this Act, then and in every or any of the said Cases it shall be lawful for any Two or more Magistrates or Justices of the Peace for the County, Town, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, upon Complaint made to them by Two or more of the said Trustees, and such Magistrates and Justices are hereby authorized and required, by Warrant or Warrants under their Hands, to cause such Officer or Officers, Person or Persons to be brought before them, and

upon his or their appearing, or not being found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced; and if upon the Confession of the Officer or Officers, Person or Persons against whom any such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses (which Oath or Oaths such Magistrates and Justices are hereby empowered and required to administer); or upon Inspection of the said Accounts, if produced, it shall appear to such Magistrates or Justices that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Magistrates or Justices may and they are hereby authorized and required upon Non-payment thereof, by Warrant or Warrants under their Hands to cause such Money to be levied by Poinding and Sale of the Goods and Effects of such Officer or Officers, Person or Persons respectively; and if no Goods or Effects can be found sufficient to answer and satisfy the said Money, and the Charges of poinding and selling the same, or if such Clerk, Officer, or other Person, shall not appear before the said Magistrates or Justices unless for some sufficient Excuse alledged, at the Time and Place by them appointed for that Purpose, or if appearing shall refuse or neglect to give and deliver to such Magistrates or Justices an Account and Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Magistrates or Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his or their Custody or Power relating to the Execution of this Act, then and in any of the Cases aforesaid such Magistrates or Justices may and they are hereby authorized and required by Warrant or Warrants under their Hands to commit such Clerk, Officer, or other Person, to the Common Gaol or House of Correction of the County, Town, or Place where such Offender shall be or reside, there to remain until he shall have given and made a true and perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Trustees, and shall have paid such Composition in such Manner as the said Trustees shall appoint, and which Composition the said Trustees are hereby empowered to make; or until he shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof, to the said Trustees: Provided always, that no Person who shall be so committed for want of sufficient Effects shall be detained in Prison by virtue of this Act for a longer Space of Time than Six Calendar Months.

Provisions of former Acts to extend to this Act.

XIV. And be it further enacted, That all and every the Powers, Authorities, Provisions, and Directions, Clauses, Matters, and Things contained in the before recited Acts or any of them, not varied, altered, or amended by any of the said recited Acts or this Act, shall be used, exercised, and put in Execution for enforcing the Purposes of the said recited Acts and of this Act in the same Manner as if the same were herein contained and re-enacted.

Expences of the Act.

XV. And be it enacted, That the Charges and Expences of procuring and passing this Act shall be defrayed out of the Funds by this and the before recited Acts authorized to be levied in the said Two Districts termed *The Leith Walk District* and *The Middle District*, in such Proportions as a General Meeting of Trustees shall direct and appoint.

XVI. And

XVI. And be it further enacted and declared, 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. Public Act.

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