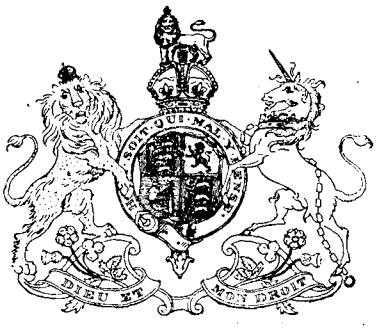


CHAPTER lxxiii.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation (Markets Slaughter-houses &c.). A.D. 1903.

[30th June 1903.]

WHEREAS His Majesty's Secretary for Scotland has after inquiry held before Commissioners made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

Be it therefore 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 as follows:—

1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed. Confirmation of Order in schedule.

2. This Act may be cited as the Edinburgh Corporation (Markets Slaughter-houses &c.) Order Confirmation Act 1903. Short title.

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SCHEDULE.

EDINBURGH CORPORATION (MARKETS SLAUGHTER-HOUSES &c.).

Provisional Order to authorise the Lord Provost Magistrates and Council of the City of Edinburgh to provide new Markets and Slaughter-houses and to provide and maintain a Municipal Hall to construct Works to acquire Lands to amend Acts and for other purposes.

WHEREAS the municipal and police administration of the city and royal burgh of Edinburgh is vested in the Lord Provost Magistrates and Council thereof (herein-after called "the Corporation") under among others the Edinburgh Municipal and Police Acts 1879 to 1901:

And whereas the Corporation by Royal Charters were authorised to establish markets and from time to time to change the site thereof and the Corporation established and have since maintained markets within the city:

And whereas the Corporation are the sole authority within the city for establishing and maintaining markets and slaughter-houses and are also the local authority therein under the Public Health (Scotland) Act 1897:

3 Vict. c. 17. And whereas by the Act 3 Vict. c. 17. intituled "An Act "for abolishing certain petty and market customs in the city of "Edinburgh and granting other duties in lieu thereof" the Corporation obtained further and enlarged powers for providing and maintaining altering and enlarging markets and market places and for changing the situation of any such markets and substituting other markets or market places in their stead:

7 Vict. c. 7. And whereas by the Act 7 Vict. c. 7. intituled "An Act to "amend an Act passed in the third year of the reign of Her "present Majesty for abolishing certain petty and market customs "in the city of Edinburgh and granting other duties in lieu "thereof" provision was made for the better accommodation of the cattle and sheep markets of the city at the cattle market

provided by the Corporation at Lauriston and new and increased customs and charges on cattle brought into the city for sale or slaughter were sanctioned: A.D. 1903.

And whereas the existing cattle market of the Corporation at Lauriston Place has been used from about the year 1844 for the purposes of the sale and disposal of cattle but the site of the said market has become inconvenient by reason of its situation and it is expedient that the said cattle market should be removed from and discontinued on the present site and that a new cattle market should be provided by the Corporation and should be erected and maintained on the lands herein-after described in that behalf:

And whereas by the said last-recited Act the rates rents tolls stallages and charges for the existing markets and slaughter-houses were amended as therein set forth:

And whereas by the Act 10 & 11 Vict. c. 48. intituled "An "Act to enlarge and improve the Meal Corn and Grain Markets of "the City of Edinburgh and for other purposes in relation thereto" the Corporation obtained powers for the erection of a new corn market house in the street known as Grassmarket and power also to charge the rates and duties for the use of such corn market as therein set forth: 10 & 11 Vict. c. 48.

And whereas the said corn market situated in Grassmarket aforesaid was erected and has been since maintained and used for the purposes of a corn meal and other grain market but the existing building and the situation have become and been found to be inconvenient and will be still more inconvenient on the removal of the existing cattle market as after mentioned and it is expedient that the said corn market should be removed from and discontinued on the present site and that a new corn market should be erected provided equipped and maintained by the Corporation for the purposes to which the said existing corn market is used and should be erected on the lands herein-after in that behalf referred to:

And whereas by the Edinburgh Slaughter Houses Act 1850 the Corporation were authorised to provide public slaughter-houses for the city and to regulate their use and to charge the dues and customs therein set forth: 13 & 14 Vict. c. 70.

And whereas the Corporation erected at Fountainbridge and have since maintained the existing slaughter-houses authorised by the said last-mentioned Act:

And whereas by the Edinburgh Markets and Customs Act 1874 the Corporation obtained further powers to improve extend 37 & 38 Vict. c. 85.

A.D. 1903.

establish and regulate markets and market places and the slaughter-houses of the city and to alter rates and customs:

And whereas the Corporation are owners of the existing markets and slaughter-houses within the city and the lands on which the same are erected:

And whereas under the powers of the said Edinburgh Markets and Customs Act 1874 the said existing slaughter-houses were extended and improved but the neighbourhood in which the same are situated has become a densely populated part of the city and the site has become inconvenient for slaughter-houses purposes and it is expedient that new slaughter-houses should be provided and maintained by the Corporation and should be erected on the lands herein-after mentioned in that behalf:

And whereas it is expedient that the said new cattle market corn market and slaughter-houses should be concentrated and in close proximity to each other and situated in a convenient and suitable part of the city for railway tramway and other facilities of transit and communication:

And whereas the lands herein-after mentioned intended to be acquired for markets and slaughter-houses are suitable and convenient for these purposes:

And whereas it is expedient that on the completion of the said new markets and slaughter-houses the existing cattle market and corn market and the existing slaughter-houses should be closed discontinued and removed and the Corporation should be authorised to deal with and dispose of the same and the lands and property thereof in manner after mentioned:

And whereas it is expedient that the Corporation should be authorised and empowered to provide erect and maintain a municipal or city hall and offices and buildings and to acquire lands for that purpose and to apply and appropriate thereto the gift of one hundred thousand pounds paid over to the Corporation by the late Andrew Usher of Edinburgh for the said purpose together with any accumulations of the said sum:

And whereas it is expedient that the Corporation should be authorised to make and maintain in connexion with the said hall and for the convenience of access thereto the works herein-after mentioned and to acquire lands for the purposes thereof:

And whereas it is expedient that the Corporation should be authorised to acquire certain other lands within the city at or near the chief fire brigade station of the Corporation at Lauriston Place

and the existing cattle market there for the purpose of providing increased facilities and access thereto : A.D. 1903.

And whereas it is expedient that the Corporation should be authorised to borrow money for the erection and construction of the said new markets and slaughter-houses and the said hall offices and buildings and for the construction of the works herein-after mentioned and for the purchase of lands for the said purposes and for the other purposes of this Order :

And whereas it is expedient that for the purposes of this Order the Corporation should be empowered to levy rates assessments dues duties customs and charges as in this Order provided :

And whereas it is expedient that the further powers herein-after mentioned should be conferred on the Corporation and that the provisions of the Edinburgh Municipal and Police Acts and the other Acts herein-after mentioned should be amended as in this Order provided :

And whereas plans and sections showing the lines and levels of the works authorised by this Order and the lands proposed to be taken for the purposes thereof and also plans of the lands to be acquired for the other purposes of this Order and books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands and houses which may be taken under the powers of this Order were duly deposited with the principal sheriff clerk of the county of Midlothian and also with the principal sheriff clerk of the county of the city of Edinburgh and the same are herein-after respectively referred to as the deposited plans sections and books of reference :

And whereas the purposes aforesaid cannot be effected without an Order of the Secretary for Scotland confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the said last-mentioned Act the Secretary for Scotland orders as follows :—

1. This Order may be cited for all purposes as the Edinburgh Corporation (Markets Slaughter-houses &c.) Order 1903 and except as otherwise herein-after provided shall come into operation on the date of the passing of the Act confirming the same which date is in this Order referred to as "the commencement of this Order." The Edinburgh Municipal and Police Acts 1879 to 1901 and this Short title.

A.D. 1903.

Order may be cited for all purposes as the Edinburgh Municipal and Police Acts 1879 to 1903.

Division of Act into Parts.

2. This Order is divided into Parts as follows :—

Part I.—Preliminary.
Part II.—Markets and Slaughter-houses.
Part III.—Municipal Hall.
Part IV.—New Works.
Part V.—Acquisition of Lands.
Part VI.—Assessments Borrowing Powers and Finance.
Part VII.—Miscellaneous.

PART I.

PRELIMINARY.

Interpretation.

3. In this Order and for the purposes of this Order unless there be something in the subject or context inconsistent therewith or repugnant to such construction the several words and expressions to which meanings are assigned by the Edinburgh Municipal and Police Acts shall subject to the provisions of this Order have the same respective meanings and the expressions following shall have the respective meanings in this section assigned to them :—

"The City" means the city and royal burgh of Edinburgh according to the municipal and police boundaries thereof existing at the commencement of this Order;

"The Corporation" means the Lord Provost magistrates and council of the city;

"The magistrates" mean the magistrates of the city;

"The Edinburgh Municipal and Police Acts" mean and include the Edinburgh Municipal and Police Acts 1879 to 1901 as amended by this Order and this Order;

"The Act of 1840" means the Act 3 Vict. c. 17;

"The Act of 1844" means the Act 7 Vict. c. 7;

"The Act of 1850" means the Edinburgh Slaughter-houses Act 1850;

"The Act of 1874" means the Edinburgh Markets and Customs Act 1874;

"The Act of 1879" means the Edinburgh Municipal and Police Act 1879;

"Rates" shall for the purposes of the markets and slaughter-houses authorised by this Order mean the dues rates rents customs and other charges authorised by this Order;

"Cattle" shall have the meaning assigned to it in the Act of 1874.

Incorporation of Lands Clauses Acts.

4. The Lands Clauses Acts are incorporated with and shall form part of this Order subject to the provisions and modifications expressed in this Order.

PART II.

MARKETS AND SLAUGHTER-HOUSES.

New markets and slaughter-houses.

5. The Corporation may subject to the provisions of this Order and on the lands to be acquired as herein-after mentioned or on some part or parts of the same build erect complete furnish equip and maintain in such manner and according to such plan design and elevation height and general arrangement as they think fit with all suitable and convenient roads approaches and accesses rails sidings and tramways as may be required in connexion therewith—

(A) A new cattle market together with all such offices buildings sheds booths storehouses and appliances as the Corporation may deem suitable and convenient for the exhibition and sale of cattle;

(B) A new corn meal and grain market with all such offices buildings stalls store rooms and appliances as the Corporation may consider necessary for the exhibition sale and storage of grain and grain products or other goods and articles used in agriculture;

(C) New slaughter-houses with all such conveniences and appliances as may be necessary for the purpose of the slaughtering and dressing of cattle;

and the Corporation may from time to time improve extend and enlarge the said markets and slaughter-houses respectively Provided always that the Corporation shall by minute of town council mark off from time to time the area of the said new slaughter-houses and define or declare the boundaries or extent thereof and said area shall be held by the Corporation as slaughter-house ground for the purposes and on the conditions as to slaughter-houses contained herein and in the other local Acts relating to slaughter-houses.

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Plans and estimate of expense of buildings.

6. Before proceeding to separate and distinguish the slaughter-house area and allocate the feu duty if any and cost of acquisition of said area as provided by the section of this Order the marginal note of which is "Lands for markets and slaughter-houses" or to erect slaughter-houses as aforesaid or to make any extension or enlargement thereof from time to time the Corporation shall cause to be exhibited for public inspection in the town clerk's office a sketch of said area and a statement of said particulars and a plan elevation specification and estimate of the probable expense of erecting and completing the same for fourteen days after the publication of an advertisement in one or more Edinburgh newspapers intimating that such inspection is to be had on the days to be therein mentioned and if any flesher carrying on business in Edinburgh shall within twenty-one days after the first publication of such advertisement make objection to such separation of area cost thereof or allocation of feu duty or to such plan elevation specification and estimate or any of them and shall state the same in writing to the Corporation and if such objection shall not thereupon be obviated or removed it shall be competent to the objector within fourteen days after intimation made to him of the deliverance of the Corporation on his said objection but not afterwards to present a memorial thereon to the person who for the time being shall be surveyor in Scotland to His Majesty's Board of Works or failing him to an architect to be named by the sheriff on the petition of such objector one or other of whom shall hear the parties in a summary way and shall decide upon the matter of such objection and the decision of such surveyor or architect shall be final and conclusive and the said Corporation shall not proceed with any portion of the said works forming the subject matter of or involved in such objection so long as such objection may be competently taken or shall remain undisposed of.

Storage for cattle and dead meat.

7. The Corporation may also on the said lands herein-before mentioned or on any part or parts thereof erect provide and maintain cold storage chambers and such other accommodation as they may consider expedient or necessary in connexion with and incident to the storage and sale of cattle and dead meat and corn or grain or other products goods and articles and may let such buildings and premises to any person and may make such charges or exact such rent therefor as they may consider proper.

Byelaws.

8. The Corporation may from time to time make such byelaws as they shall think necessary for the regulation of the said

respective markets slaughter-houses and buildings and the business and use thereof and of the conduct of persons resorting thereto or carrying on business or employed therein and in regard to the storing and sale of cattle and grain meal and other goods therein or in regard to the cattle grain meal or other goods entering or leaving the same and may impose penalties for breach or contravention of any such byelaws not exceeding five pounds for each offence.

Existing cattle and corn markets to be discontinued.

9. On the completion of the said new cattle market and corn market respectively the Corporation may remove close and discontinue the existing cattle market and corn market or either of them and terminate the use thereof by all or any persons whomsoever and may hold the lands on which the said markets now exist freed and discharged of all rights and privileges connected therewith and the Corporation may use and appropriate the said lands and the site thereof and all buildings which may be thereupon for such purposes as the Corporation think fit and the Corporation may sell lease feu or otherwise dispose of or deal with the said lands and others aforesaid as they may consider necessary or expedient Provided always that the price or free proceeds received on the sale or disposal of the said lands and others on which the said existing markets respectively are situated when the same are sold or otherwise disposed of as aforesaid or the amount of the value thereof if the same are retained by the Corporation as such value may be ascertained by an arbiter to be appointed by the Secretary for Scotland on the application of the Corporation shall be applied by the Corporation in or towards payment of the cost or expense of acquisition of the sites of the said new markets respectively and the erection and equipment thereof.

Slaughtering cattle within city &c. prohibited except at slaughter-houses.

10. From and after the completion of the slaughter-houses to be provided by the Corporation under this Order and the opening of the same for use and occupation no person shall slaughter any cattle or scald or dress the carcases of any slaughtered cattle or cause the same to be done within the boundaries of the city or within two miles outside of such boundaries elsewhere than within the slaughter-houses so to be provided and completed by the Corporation under the provisions of this Order or within slaughter-houses provided or licensed by a local authority under Act of Parliament under a penalty of five pounds for each offence.

Slaughter-house rates.

11. Upon the Corporation providing completing and opening for occupation the said new slaughter-houses under the provisions

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of this Order the Corporation may subject to the provisions of the sections of this Order whereof the marginal notes respectively are "Periodical investigation of accounts" and "In event of difference as to accounts rates &c." in addition to rents for separate booths charge for the use of the slaughter-houses so provided such rates as the Corporation may from time to time fix as necessary to meet the expenses of collection and management at the slaughter-houses repairs and other annual burdens including the permanent annuity to the Corporation and interest and sinking fund contribution in respect of capital expenditure under this Order Provided always that the rates to be paid as aforesaid by persons using the said slaughter-houses and not renting a separate booth shall be double the amount of the rates payable by persons (if any) using the same and renting a separate booth In the event of dispute as to the amount charged in any case for booth rent such dispute shall be referred to and settled by the surveyor or architect nominated under the section of this Order the marginal note of which is "Plans and estimate of expense of buildings."

Closing of existing slaughter-houses.

12. On the completion by the Corporation of the said new slaughter-houses and opening the same for use and occupation the Corporation may remove close and discontinue the existing slaughter-houses and terminate the use thereof by all or any persons whomsoever and may hold appropriate and use the site thereof and the buildings thereon for such purposes as the Corporation think proper and all rights interests privileges preferences and priorities and servitudes in favour of any person association or company or trade shall be and the same are hereby abolished and extinguished and the Corporation may sell lease feu or otherwise dispose of or deal with the same as they may consider necessary or expedient Provided always that the Corporation shall apply the price or free proceeds received on the sale with any accrued rents of the said site and buildings thereon if sold or the amount of the value thereof if held appropriated and used by the Corporation for Corporation purposes as such value may be ascertained by an arbiter to be appointed by the Secretary for Scotland on the application of the Corporation in the same way and with the same powers as in an arbitration under the section of this Order the marginal note of which is "Arbitration" in or towards payment of the site for and the erection and equipment of the new slaughter-houses and premises connected therewith under the provisions of this Order subject always to the burden of the payment to the

Corporation of the permanent annuity of one thousand pounds (being interest at the rate of five per centum per annum upon the capital sum of twenty thousand pounds) payable out of the rates and revenues of the existing slaughter-houses under sections 12 and 18 of the Act of 1850 which permanent annuity shall form a preferable charge upon the new slaughter-houses to be erected under this Order and the rates and revenues of the same but shall not be increased or sold Any flesher carrying on business in Edinburgh shall have right to compear in any arbitration under this section.

Separate account to be kept.

13. An account shall be kept in the books of the City Chamberlain separate from those of the other revenues of the city of the revenues derived from the said slaughter-houses including therein the evasion dues derived from carcases brought into the city and incidental revenue and the sums received for the blood dung and other refuse arising in the said slaughter-houses (except the gut and fearns) and the dues on the sale of hides skins tallow &c. and the said revenues shall be employed (1) in defraying the necessary expenses of collection and management at the slaughter-houses and repairs and all other annual burdens (2) in paying the aforesaid permanent annuity of one thousand pounds to the Corporation (3) in payment of the annual charges for interest and sinking fund in respect of the capital expenditure under this Order for slaughter-house purposes and there shall be included in the said capital expenditure the agreed sum of seven hundred and fifty pounds which the Corporation are hereby authorised to pay and shall pay in name of costs to R. Addison Smith & Co. W.S. Edinburgh the agents disbursers of the petitioners Malcolm Brechin and others against this Order and to charge the same against said slaughter-house account and any surplus of the said revenues after satisfying the aforesaid purposes or any deficiency thereof shall be carried forward in the said account. The said slaughter-houses account shall be kept laid open for inspection and published in the same way as the accounts of the revenues of the city and copies of the abstract of the said account shall be yearly deposited with the superintendent of the said slaughter-houses who shall deliver one copy to each person slaughtering cattle therein who shall demand the same on payment of one penny.

Periodical investigation of accounts.

14. With the view of determining whether the slaughter-house rates charged under the section of this Order the marginal note of which is "Slaughter-house rates" shall be continued or whether

A.D. 1903. they shall be increased or diminished the state of the slaughter-house account and of the new slaughter-houses shall be investigated for the first time as on the fifteenth day of May that shall first happen after the said new slaughter-houses shall have been for twelve months opened and used and shall be again investigated as on the fifteenth day of May in every third year after the first investigation and all such investigations shall be conducted in the following manner:—

First The Corporation shall procure a report on the state of the slaughter-houses including an estimate of the probable cost of any extraordinary repairs thereof or of any enlargement or extension thereof which may be deemed necessary:

Second The cost of such extraordinary repairs if agreed to be executed shall be advanced by the Corporation and spread over the next three triennial periods reckoning the triennial period commencing as on the date of the particular investigation as the first of such three periods and adding to the actual cost interest on so much thereof as shall from time to time be due until the whole cost shall be reimbursed Provided always that any surplus appearing on the face of the account at any period of investigation shall be employed in the first place in defraying pro tanto the cost of such extraordinary repairs:

Third The cost of such enlargement or extension if agreed to be executed shall be deemed to be capital expenditure for slaughter-house purposes under this Order:

Fourth The Corporation shall procure a report on the state of the foresaid account since the last investigation embracing therein estimates of the probable expenditure during the next triennial period and of the rates necessary to be levied in order that the requisite income may be realised and taking into account any surplus or deficiency of the foresaid revenues:

Fifth The Corporation within four months after the date of every investigation shall take the said reports into their consideration and shall determine whether the rates on all cattle brought to the said slaughter-houses to be slaughtered as these were leviable immediately before the investigation shall be continued till the next period of investigation or whether and to what extent the same shall be increased or diminished:

Sixth The Corporation shall thereupon give notice by advertisement in one or more Edinburgh newspapers that such reports and an amended schedule of rates if such be proposed may be seen in the town clerk's office for fourteen days after such advertisement and in the event of no difference arising between the Corporation and the fleshers resorting to the said slaughter-houses with regard to such extraordinary repairs or to such enlargement or extension or to such continued or increased or diminished rates the Corporation on and after the first day of November next ensuing shall be at liberty to proceed with such extraordinary repairs or enlargement or extension and to levy such continued or increased or diminished rates until the first day of November after the next periodical investigation.

In event of difference as to accounts rates &c.

15. In the event of any difference arising between the Corporation and the fleshers resorting to the said slaughter-houses with regard to the annual charges of collection and management or in regard to the accuracy of the foresaid slaughter-house account or in regard to any extraordinary repairs or to any enlargement or extension of the said slaughter-houses or in regard to the continuance increase or diminution of the rates the matter in dispute shall be brought before the sheriff by summary petition and the decision thereon of the said sheriff shall be final and not subject to review Provided always that it shall not be competent to the said sheriff to entertain any such petition with regard to the annual charges of collection and management or to the accuracy of the foresaid account unless the same shall be presented within three months after the publication of such accounts respectively or with regard to the other matters herein immediately before mentioned unless such petition shall be presented before the fifteenth day of October immediately following each period of investigation as aforesaid Provided also that pending the foresaid investigation and the consideration by the sheriff of any petition having reference to the continuance increase or diminution of the slaughter-house rates as aforesaid the Corporation shall continue to levy the same slaughter-house rates as were leviable immediately before such periodical investigation.

Provision and disposal of evasion dues on carcases.

16. From and after the completion and opening of the said new slaughter-houses the sums to be levied and collected by the Corporation or their chamberlain or collector under section 28 of the Act of 1874 on account of the dues on carcases and parts of

A.D. 1903.

carcases brought within the city shall be the same dues or rates as are leviable under this Order on cattle or other animals slaughtered in the said slaughter-houses and shall be paid over to or collected by the City Chamberlain and be by him carried to the credit of the said slaughter-houses account.

Sections of Act of 1850 repealed.

17. Sections 5 and 20 to 25 inclusive and 28 and Schedule B of the Act of 1850 shall from and after the completion and opening for occupation of the said new slaughter-houses be and are hereby repealed but the said Act in so far as the same is still in force and applicable and not repealed by this Order and not inconsistent with the provisions of this Order shall remain in full force and effect and be applicable mutatis mutandis to the new slaughter-houses to be provided under this Order.

Corn market rates.

18. The Corporation may from and after the opening of the foresaid new corn market charge levy and collect at and in connexion with the same the rates set forth in Schedule B to this Order annexed.

Cattle market rates.

19. The Corporation may from and after the opening of the foresaid new cattle market in lieu of the rates in Schedule A Table VIII. annexed to the Act of 1874 charge levy and collect the rates contained and set forth in Schedule C to this Order annexed on all cattle brought within the city for sale or slaughter or sold or exposed for sale within the city and on all cattle brought to markets or fairs held under the authority of the Corporation subject to and in conformity with the regulations contained in the said Schedule C The rates authorised by this Order shall be recoverable by the Corporation or their collector in the same way and manner and with the powers and under the penalties specified and contained in the Act of 1840 with regard to the commutation duty and other dues and customs authorised by that Act:

Provided always that in the event of the net revenue derived by the Corporation from the cattle market rates or customs under Schedule C of this Order (apart from other revenues of the cattle market) as shown by the Corporation accounts after meeting the charges for the year and the interest and sinking fund contributions in respect of capital expenditure exceeding the sum of two thousand pounds in any year after the opening of the said new cattle market the excess over the said sum of two thousand pounds shall be carried to the credit of and accumulated at interest in a separate account to be called "The Cattle Market Customs Surplus

Account" and when the sum standing at the credit of that account shall be at fifteenth May in any year equivalent to the amount of the balance of capital debt in connexion with the cattle market outstanding at the time such sum shall be applied in repayment of such balance and the maximum rates or customs specified in Schedule C hereto annexed shall thereafter be restricted to the customs set forth in Schedule A Table VIII. of the Act of 1874. A.D. 1903.

PART III.

MUNICIPAL HALL.

Municipal hall.

20. The Corporation may subject to the provisions of this Order and on the lands to be acquired as herein-after mentioned or some part or parts of the same provide build erect and maintain in such manner and according to such plan design elevation and height and general arrangement as they think fit a municipal or city hall together with appropriate accessories and subsidiary offices and other buildings in connexion therewith and suitable and convenient accesses thereto and may complete furnish and equip the said hall and offices for the purposes for which the same may be used and may use or allow the same to be used under their direction regulation and control for concerts recitals or other entertainments or performances of a musical nature and for civic functions or such other purposes as the Corporation may from time to time sanction or approve of and the Corporation may from time to time let the said hall and other premises and charge such rent or other consideration for the use and accommodation of the same as they may consider reasonable or in their discretion they may allow the same to be used at any time without charge.

Application of Mr. Usher's gift.

21. The Corporation shall in addition to the power to borrow money conferred by this Order use appropriate and apply towards the erection of the said municipal or city hall offices and buildings and the acquisition of lands for that purpose the donation or gift of one hundred thousand pounds made to the Corporation by the late Andrew Usher of Edinburgh together with the accumulations thereon and now held by the Corporation for the said purposes.

Appointment of officials.

22. The Corporation may appoint such officials officers and servants as they think fit for the municipal or city hall offices and buildings and may pay them such salary or wages as the Corporation may at any time fix and may prescribe their duties

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and may dismiss any such officers or servants and appoint others in their place.

Power to make bye-laws.

23. The Corporation may make such byelaws as they may think fit for the proper regulation and management of the said municipal or city hall and may alter or repeal such byelaws and make others provided such byelaws be not repugnant to the law of Scotland and the same shall be reduced into writing and shall have the signature of the town clerk affixed thereto and a copy thereof shall be affixed on some part of the said municipal or city hall as sufficient notice to all persons who may be affected thereby.

Penalties for breach of byelaws.

24. The Corporation may by such byelaws impose such reasonable penalties upon all persons offending against the same as the Corporation think fit not exceeding five pounds for any one offence Provided always that all complaints arising out of any breach of such byelaws shall proceed at the instance of the prosecutor before the judge of police or the procurator fiscal before the magistrates in the same way as is provided with respect to complaints for breach of byelaws in the Edinburgh Municipal and Police Acts.

Repeal of sections of Act of 1899.

25. Sections 6 7 8 9 10 and 23 of the Edinburgh Corporation Act 1899 are hereby repealed so far as the same have not been carried out previous to the commencement of this Order.

PART IV.

NEW WORKS.

Power to make street widenings and other works.

26. Subject to the provisions of this Order and to the powers of deviation herein-after mentioned the Corporation may in the lines and situation and upon the lands in that behalf delineated on the deposited plans and described in the deposited books of reference and according to the levels shown on the deposited sections make construct maintain and use the works herein-after mentioned or some of them or some part or parts thereof together with all necessary and proper works and conveniences connected therewith or incidental thereto respectively.

Description of works.

27. The works herein-before referred to are the following (that is to say) :—

A widening alteration and improvement (Work No. 1) of part of the street and gardens of Castle Terrace commencing at a

point in line with the east side of Cornwall Street and terminating at a point in line with the west side of Cambridge Street;

A road of access (Work No. 3) commencing at a point in the centre of the lane leading from Cornwall Street to Cambridge Street in line with the west gable of the Royal Lyceum Theatre and terminating at a point in Castle Terrace three yards or thereby westwards from the west wall of the Edinburgh School Board offices.

Power to deviate.

28. In executing the works described in the immediately preceding section and authorised by this Order or any of them the Corporation may deviate laterally to any extent within the limits of deviation defined on the deposited plans and they may deviate vertically from the levels thereof shown on the deposited sections to any extent not exceeding five feet and shall make compensation to any person injuriously affected by the exercise of the powers of vertical deviation herein authorised.

Period for completion of works.

29. If the works described in the section of this Order the marginal note of which is "Description of works" are not completed within five years from the commencement of this Order then on the expiration of that period the respective powers by this Order granted to the Corporation for executing the said works not so completed shall cease except as to so much thereof as is then completed.

Part V.

Acquisition of Lands.

Lands for markets and slaughter-houses.

30. For the purposes of the erection of the markets and slaughter-houses herein-before mentioned and buildings connected therewith the Corporation may subject to the provisions of this Order purchase take and acquire compulsorily or by agreement and may enter upon take hold use and appropriate the lands and property situate within the city parish of Edinburgh and parish of Corstorphine respectively and county of Midlothian marked A and B respectively on the deposited plans and described in the deposited books of reference or such part or parts thereof as may be required for the said purposes Provided that after the acquisition of the said lands or so much thereof as the Corporation may acquire the Corporation shall separate and distinguish the portion or area of the same to be used for the purposes of the said slaughter-houses

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and shall likewise fix and allocate the portion of the cost of and in connexion with the acquisition of such lands applicable thereto.

For protection of Caledonian and North British Railway Companies.

31. The Corporation shall not under the powers of this Order purchase take or acquire any land or property belonging to the Caledonian Railway Company or the North British Railway Company and forming part of the lands marked A or the lands marked B on the deposited plans without the consent of the said respective companies under their respective common seals.

Lands for municipal hall.

32. For the purposes of the municipal or city hall and offices and buildings connected therewith the Corporation may subject to the provisions of this Order purchase take and acquire compulsorily or by agreement and may enter upon hold use and appropriate the lands houses and property situate in the city parish of Edinburgh and city and royal burgh of Edinburgh and marked C on the deposited plans and described in the deposited books of reference or such part or parts thereof as the Corporation may require for such purposes.

Lands for access to fire station &c.

33. For the purposes of providing more convenient access to the fire brigade station of the Corporation and to the existing cattle market the Corporation may subject to the provisions of this Order purchase take and acquire compulsorily or by agreement and may enter upon hold use and appropriate the lands houses and property situate in the city parish of Edinburgh and city and royal burgh of Edinburgh and marked D on the plans and described in the deposited books of reference or such part or parts thereof as the Corporation may require for such purpose.

Lands for works &c.

34. Subject to the provisions of this Order the Corporation may compulsorily or by agreement enter upon purchase take hold appropriate and use such of the lands houses and property shown on the deposited plans and described in the deposited books of reference as may be required for or in connexion with the works described in Part IV. of this Order.

Omission or mis-statement in plans or books of reference may be corrected.

35. If there be any omission mis-statement or erroneous description of any lands which may be required or taken for the works described in this Order or any of them or for the other purposes of this Order or of the owners lessees or occupiers of any such lands shown on the deposited plans or specified in the deposited books of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff for the correction thereof and if it appear to the

seriff that such omission mis-statement or erroneous description arose from accident or mistake he shall certify the same accordingly and shall in such certificate state the particulars of the omission and in what respect any such matter is mis-stated or erroneously described and the decision of the sheriff in such matter shall be final.

Certificates to be deposited.

36. The certificate of the sheriff shall be deposited in the office at Edinburgh of the principal sheriff clerk of the county of Midlothian and a duplicate thereof shall be deposited at the office of the principal sheriff clerk of the county of the city of Edinburgh and such certificate and duplicate shall be kept by such sheriff clerks respectively along with the other documents to which they relate and thereupon the deposited plans and books of reference shall be deemed to be corrected in accordance with the certificate and the Corporation may enter on purchase take hold and use for the purposes of this Order any lands in accordance with such certificate as if such omission mis-statement or erroneous description had not been made.

Limiting period for compulsory purchase of lands.

37. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Order shall cease after the expiration of three years from the commencement of this Order.

Power to take servitudes &c. by agreement.

38. Persons empowered by the Lands Clauses Acts to sell and convey or discharge lands may if they think fit subject to the provisions of these Acts and of this Order grant to the Corporation any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest), required for the purposes of this Order or any of them in over or affecting any such lands and the provisions of the said Acts with respect to lands and ground annuals or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain properties.

39. And whereas in the exercise of the powers of this Order it may happen that portions only of the lands houses buildings or manufactories shown on the deposited plans may be sufficient for the purposes of this Order or any of them and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in the lands houses buildings or manufactories described in Schedule A to this Order annexed and whereof

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portions only are required for the purposes of this Order may (if such portions can in the opinion of the jury arbiters or other authority to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto) be required to sell and convey to the Corporation such portions only without the Corporation being obliged or compellable to purchase the whole or any greater portion of such properties the Corporation always paying for the portions taken by them and making compensation for any damage sustained by the owners of such properties and other persons interested therein by severance or otherwise Provided always that if in any case in the opinion of the jury arbiters or other authority as aforesaid any such portion cannot be severed from the remainder of such property without material detriment thereto the Corporation may at any time within one month after the date of the final decision of such jury arbiters or other authority withdraw their notice to treat for the portion required by them and thereupon they shall pay to the owner of and other persons interested in the property in respect of which or of any portion of which they have given notice to treat all loss and damage sustained and all costs charges and expenses (as the same shall be taxed as between solicitor and client) reasonably incurred by them in consequence of such notice Provided also that nothing in this section contained shall be held as determining whether the properties described in the said schedule are or are not subject to the provisions of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

Restriction on taking houses of labouring class.

40. The Corporation shall not under the powers of this Order purchase or acquire in any district within the meaning of the Public Health (Scotland) Act 1897 ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

If the Corporation acquire or appropriate any house or houses under the powers by this Order granted in contravention of the foregoing provisions they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated

Fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

For the purposes of this section the expression "labouring class" means mechanics artizans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any such persons who may be residing with them and "house" means any house or part of a house occupied as a separate dwelling.

Power to stop up streets.

41. The Corporation may stop up and discontinue as a public street or thoroughfare in whole or in part the following road or lane in the city parish of Edinburgh and city and royal burgh of Edinburgh that is to say the lane in rear of the hall commonly known as the Synod Hall leading from Cornwall Street to Cambridge Street between the following points namely a point in line with the western gable of the tenement No. 10 Cornwall Street and a point in line with the east side of Cambridge Street The lands and solum of the said road or lane so far as stopped up and discontinued shall be and the same are hereby vested in the Corporation freed and discharged from the public use thereof and from all other rights in and over the same.

Incorporation of sections of Act of 1893.

42. The sections of the Edinburgh Improvement and Municipal and Police (Amendment) Act 1893 the numbers and marginal notes of which are respectively—

Section 20 "Magistrates and council may take down buildings and lay out lands and sell or let those not required;"

Section 21 "Power to make subsidiary works &c.;"

Section 22 "Alterations of sewers and gas and water pipes;"

Section 23 "Alterations consequent on changing levels of streets to be made at expense of magistrates and council;"

Section 24 "Carriage and footways vaults cellars &c. and ownership thereof;"

Section 26 "Magistrates and council not to be bound to execute all works;"

Section 27 "For protection of gas mains and pipes;"

Section 28 "For the protection of the water mains and pipes;"

Section 29 "Differences to be settled by arbitration;"

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are hereby incorporated with and shall mutatis mutandis apply to the several works authorised to be executed by this Order and to the lands authorised to be acquired therefor and for the other purposes of this Order as if the said sections were severally set forth in this Order.

For protection of Water of Leith Purification and Sewerage Commissioners.

43. Whereas the main and branch sewers of the Water of Leith Purification and Sewerage Commissioners (in this section referred to as "the Commissioners") now pass through certain parts of the lands within area "A" before described the Corporation shall in the event of their acquiring any part of the said lands in which any of the said sewers of the Commissioners are placed and using the same for the purpose of building thereon any markets or slaughter-houses which may in any way interfere with such sewers give at least fourteen days previous notice of their intention to interfere with any of the said main or branch sewers to the clerk to the Commissioners and shall submit a plan showing any such intended alterations of or interference with the same and shall indicate the manner in which the interests of the Commissioners are intended to be protected which plan shall be subject to the approval of the engineer of the Commissioners and any such alteration of the said sewers or any of them which may be rendered necessary or any enlargements or duplications thereof which may be necessitated in the opinion of the Commissioners by or on account of the discharge or discharges of drainage into the Commissioners' sewers from said markets or slaughter-houses and appurtenances thereof shall be done and executed by the Commissioners or by persons to be employed by them and the expenses thereof and all the expenses and charges incidental thereto and consequent on such alterations enlargements or duplications shall be repaid by the Corporation to the Commissioners If any difference shall at any time arise between the Corporation and the Commissioners or their respective engineers with respect to any of the matters aforesaid such difference shall be referred to and determined by an engineer to be mutually agreed on or failing agreement by an engineer to be appointed by the sheriff on the application of either party.

PART VI.

ASSESSMENTS BORROWING POWERS AND FINANCE.

Power to apply burgh assessments.

44. The Corporation are hereby authorised to impose assess and levy within the city and recover apply and use for carrying out the powers objects and purposes of this Order or any of them and

subject to the provisions of this Order for the acquisition of lands and heritages and servitudes or other property which may be required in connexion therewith the burgh assessments under their control applicable to general improvements under the third head of estimate authorised by the Act of 1879 as amended and extended by the several Edinburgh Municipal and Police Acts thereafter passed and so far as in force for the time within the city or so much of the said assessments as may be necessary for such purposes in the way and manner and by the same means as are provided in the Act of 1879 as so amended and extended.

Application of provisions of Act of 1879 as to borrowing money.

45. Subject to the provisions of this Order the Corporation are hereby authorised to borrow money for carrying out the powers objects and purposes of this Order or any of them and for the acquisition of lands and heritages servitudes and other property which may be required in connexion therewith on the security of the burgh assessments before mentioned under their control applicable to general improvements and as regards money to be borrowed for and in connexion with the new markets and slaughter-houses before mentioned on the security of the rates authorised to be levied and the revenue therefrom respectively in addition to or in lieu of the burgh assessments to be levied and applied and used as in this Order provided and they shall provide a sinking fund for the repayment of the sums so borrowed and sections 81 to 92 of the Act of 1879 as to borrowing money are as amended and extended by the several Edinburgh Municipal and Police Acts thereafter passed and so far as in force for the time within the City incorporated herewith and the powers and provisions therein contained as so amended and extended shall be held to apply to the purposes of this Order and to the money borrowed under the authority of this Order as if such sections as so amended and extended were re-enacted in this Order Provided always that the total amount to be borrowed as aforesaid in respect of the said new slaughter-houses (after crediting the proceeds or value of the existing slaughter-houses and site thereof) shall not exceed twenty-five thousand pounds and shall be kept separate and distinct from the amounts to be borrowed for other purposes as aforesaid Provided further that the Corporation may postpone the sinking fund required to be provided for the new markets and slaughter-houses until these are respectively completed and in use for the purposes of this Order and as regards money borrowed for slaughter-houses purposes may accumulate the yearly interest thereon and include the amount

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thereof in the capital account for slaughter-houses purposes until the commencement of the sinking fund aforesaid.

Extension of period of redemption.

46. Notwithstanding anything contained in the Edinburgh Municipal and Police Acts the Corporation may extend the period for the redemption of money borrowed under the powers and provisions of this Order for the municipal hall and lands required therefor and the purposes thereof to fifty years.

PART VII.

MISCELLANEOUS.

Amendment of Acts.

47. The Edinburgh Municipal and Police Acts and the Edinburgh Corporation Electric Lighting Order 1891 are hereby amended as follows:—

(Bills and promissory notes.)

Section 40 of the Edinburgh Corporation Act 1899 is hereby amended to the effect that the sum of two hundred and fifty thousand pounds mentioned in that section shall be read as five hundred thousand pounds and the following provisions shall have effect as if they had been inserted in that section viz.—

(1) Each bill or promissory note shall be for the amount directed by the Corporation not being less than five hundred pounds:

(2) The amount of money received by the Corporation in respect of a bill or promissory note shall be deemed to be principal money raised by means of such bill or promissory note and the difference between the amount payable in respect of a bill or promissory note and the amount received in respect thereof shall be deemed to be interest on the principal money so raised:

(3) The raising of money by means of bills or promissory notes shall not limit or affect the amount of statutory sinking fund which falls to be paid under the several Acts or Orders which have authorised money to be borrowed:

(4) Money raised by the issue of bills or promissory notes shall be employed by the Corporation for the purposes of their several statutory borrowing powers and for no other purpose.

(Sky signs.)

Sections 70 71 and 72 of the Edinburgh Improvement and Tramways Act 1896 are hereby amended to the effect that

the Corporation shall in lieu and place of the magistrates exercise the powers and functions conferred on the magistrates in all respects by the said sections:

(Electric lighting special charges.)

The Corporation may in connexion with their electric lighting undertaking charge any person for a stand by supply of electrical energy for any premises having an independent supply of electrical energy such a minimum annual payment as the Corporation think fit and as will in the opinion of the Corporation be a proper return on the capital expenditure and relative charges which may be incurred by the Corporation in meeting any actual or possible demand of such person or the requirements for such premises and in the event of the Corporation and any such person failing to agree on the amount of such annual payment the same shall be fixed by a person to be agreed on or failing agreement by a person to be appointed by the sheriff for that purpose.

Byelaws confirmation.

48. All byelaws made by the Corporation under the provisions of this Order shall be subject to confirmation by the sheriff in the same manner as if they had been made under the Act of 1879.

For protection of St. Columba's United Free Church.

49. Notwithstanding anything contained in this Order or shown on the deposited plans the Corporation shall not otherwise than by agreement acquire or interfere with any land or other property or servitudes belonging to or vested in the trustees for St. Columba's United Free Church Cambridge Street Edinburgh and in the event of the Corporation exercising the power conferred on them by this Order of stopping up and discontinuing as a public thoroughfare the said road or lane leading from Cornwall Street to Cambridge Street they shall not without the consent of the said trustees erect any buildings on the said road or lane ex adverso of the said church or obstruct or diminish the access of light and air thereto as at present enjoyed.

Recovery of penalties.

50. Any penalties under this Order may be sued for and recovered at the instance of the prosecutor before the judge of police or at the instance of the procurator fiscal before the magistrate in the burgh court under the provisions of the Edinburgh Municipal and Police Acts or summarily under the Summary Jurisdiction (Scotland) Acts.

Arbitration.

51. Where power is conferred on the Corporation under the provisions of this Order to take and acquire lands compulsorily the Corporation or any owner or occupier upon whom a notice to treat under the provisions of this Order has been served may failing

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agreement as to price apply to the Secretary for Scotland to appoint a single arbiter to fix and determine the amount of compensation to be paid on such acquisition and on such appointment being made such compensation shall be determined by such arbiter and it shall not be competent to have the same determined by arbiters oversman sheriff or jury as required by the Lands Clauses Acts The remuneration of such arbiter shall be fixed by the Secretary for Scotland and shall be paid by the Corporation An arbiter appointed under this section shall be deemed to be a sole arbiter within the meaning of the Lands Clauses Acts and the provisions of these Acts with respect to an arbitration shall apply accordingly.

Costs of Order.

52. All costs charges and expenses attending the preparation obtaining and confirming of this Order and incidental thereto shall be charged as follows one-third against the slaughter-houses account and the remaining two-thirds against the common good or shall be paid out of any money to be borrowed under this Order and any costs paid out of borrowed money shall be repaid in five years.

SCHEDULES referred to in the foregoing Order.

SCHEDULE A.

LANDS BUILDINGS AND MANUFACTORIES OF WHICH PORTIONS ONLY MAY BE TAKEN WITHOUT TAKING THE WHOLE.

Parishes.	Numbers on Deposited Plans.
City Parish of Edinburgh -	10 10 20 20 20 20 20 20 21 22 22 23 23 23 27 27 27 27 27 33 33 33 33 33 33 33 34 34 34 34 34 34 34 34 40 40 40 40 40 40 40 40 42 42 43 43 44 44 48 48 50 51 51 52 52 52 52 52 52 52 52 52 52 52
Parish of Corstorphine - -	16 16 17

SCHEDULE B.

TABLE of RATES to be levied in the MEAL CORN and GRAIN MARKETS and MARKET PLACE or in connexion therewith not exceeding as follows:—

	£	s.	d.
(1) For each bag or sack of wheat oats barley peas beans meal flour or other description of agricultural produce opened or exposed for sale in the market place the stand dues each day of	0	0	6
(2) For each stall in the market place the yearly stall rent or duty specified in section 12 of the (Local) Act 10 & 11 Vict. c. 48 and under the provisions and conditions contained in the said section of	10	0	0
(3) For each counting room (or office) in connexion with a stall whether let along with a stall or not the yearly rent or duty payable half-yearly in advance under like conditions to those in regard to stalls and stall rents or duties contained in the said section 12 of the said Act of	7	10	0
(4) From every person using the market place for the purpose of effecting sales either by sample or otherwise who shall not be at the time in possession of a stall or counting room in the market place or shall not have paid the stand dues on the day of his so using the market place the duty for each day subject to the condition and provisions contained in section 14 of the said Act of	0	5	0
In the option of the Corporation instead of the daily duty under subsection (4) hereof the Corporation may levy a duty at the rate of one shilling for each sample of produce or goods exhibited by every person described in the said subsection provided that no person shall be charged more than five shillings per day.			
(5) From every person entering the market place and for each time he shall so enter the poll tax or entrance duty subject to the conditions provisions and exceptions contained in section 16 of the said Act of	0	0	1
(6) For each bag or sack of meal flour or grain lodged or stored in the market place and for every week or part of a week such bag or sack shall continue therein the lyage dues of... ...	0	0	3
(7) For each bag or sack of meal flour or grain weighed in the market place the weighage dues of	0	0	2
(8) For each stand for agricultural implements or other similar articles placed or exhibited in the market place for each superficial or square foot of such stand for each market day or other day in the week the stand dues or duty of	0	0	1

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SCHEDULE C.

TABLE of the RATES or CUSTOMS to be levied on all CATTLE and other ANIMALS brought within the City of Edinburgh for sale or slaughter or sold within the same and on all cattle and other animals exposed for sale or sold at the market of the House of Muir at All-Hallow Fair and at the Big-Wednesday Market usually held shortly after the said fair not exceeding as follows:—

	£	s.	d.
(1) For each bull segg ox cow heifer or calf	0	0	5
(2) For each deer	0	0	5
(3) For each sheep or lamb or goat or kid	0	0	1¼
(4) For each sow hog boar or pig	0	0	2½
(5) For each horse mare or gelding mule or ass colt filly or foal	0	0	5

Regulations.

The several kinds of cattle and other animals above mentioned shall be chargeable with the above rates each day they are presented and on presentation at any of the markets or fair and also each day they are exposed or offered for sale or sold elsewhere within the city than at the markets and they shall likewise be chargeable with the said rates in all cases in which they shall be brought within the city for slaughter although not presented at any of the markets or not exposed or offered for sale or sold elsewhere The said rates are to be levied and taken at the cattle market and horse market of the city at any other place within the city where the cattle or other animals may be exposed or offered for sale or sold and at the market of the House of Muir All-Hallow Fair and Big-Wednesday Market and also at the slaughter-houses of the city.

Upon payment of the said rates for any cattle or other animals on being presented at any market or fair or place of sale and exposed or offered for sale or sold and not being of the class included under the fifth subsection of this table the collector if required shall furnish to the person in charge of such cattle or other animals on their leaving any market place or on their leaving any other place of sale but not in any case after the lapse of one half hour from the close of any market or sale a check ticket specifying the day and the hour when such rates were paid the amount of the same the number and kind of cattle or other animals upon which such rates were paid and the name of the owner thereof at the time of their leaving any market or sale which check ticket the person in charge of such cattle or other animals shall deliver on the presentation of such cattle or other animals at the slaughter-houses and the said check ticket shall be of a kind different and distinguished in colour or otherwise from other check tickets used in connexion with the collection of the rates and market dues.

When the said rates shall have been levied and taken for cattle or other animals not included in the fifth subsection of this table at any market or fair or place of sale it shall not be lawful to levy the said rates a second time on the presentation of the said cattle or other animals at the slaughter-houses if such cattle or other animals shall be presented at the slaughter-houses within one week from the time at which such rates shall have been levied and taken Provided always that if such cattle or other animals or any one or more of the drove flock or herd of which they formed a part shall have been again sold or offered for sale before being presented at the slaughter-houses or if the whole drove flock or herd shall not remain the bona fide property of the person to whom they belonged on their removal from the market fair or place of sale or in case of non-delivery of a check ticket by the person in charge of such cattle or other animals as before directed then and in any such case the said rates shall be levied on such cattle or other animals on the presentation of the same at the said slaughter-houses Provided always that the Corporation may suspend the levying of the rates on cattle and other animals brought into the city for slaughter only for such time as they shall think fit and may again levy the same as they may consider necessary.

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