ANNO NONO & DECIMO

VICTORIÆ REGINÆ.

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Cap. ccclxv.

An Act for further regulating the Repair and Maintenance of the Roads, Streets, and Bridges within the Middle District of the County of *Edinburgh*, and the Assessments payable in respect thereof; and for other Purposes relating thereto.

[7th *August* 1846.]

WHEREAS an Act was passed in the Session of Parliament holden in the Fifth and Sixth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act* 5 & 6 W. 4.
for further regulating the Statute Labour and repairing the Highways c. 68.
and Bridges in the County of Edinburgh, by which recited Act certain of the Provisions of an Act which was passed in the First and Second Year of the Reign of His said Majesty King *William* the Fourth, intituled *An Act for amending and making more effectual the Laws concerning* 1 & 2 W. 4.
Turnpike Roads in Scotland, were thereto extended, and certain c. 43.
Trustees, called the Trustees for the Middle District of Roads in the County of *Edinburgh*, were appointed in the first-recited Act for the Purpose of maintaining and repairing the whole Streets, Side Pavements, and Roads within the Royalty of the City of *Edinburgh*, and in the Town of *Leith* theretofore maintained and upheld by the Magistrates and Town Council of the said City of *Edinburgh*, together with the whole Roads and Streets theretofore maintained and upheld by the Magistrates of *Canongate*, and by the Trustees of the said Middle District, under certain Exceptions therein specified: And whereas,

notwithstanding the Provisions in the said recited Act in many Portions of the said District which comprehends the City of *Edinburgh* within the Turnpike Gates next adjacent to the said City, the Proprietors of Houses in many Streets and Roads are taken bound by their Feu Rights or Grants of Property to make and construct and in all Time thereafter maintain Causeways or Carriageways of the Streets opposite their Properties: And whereas by the said recited Act it was provided, that it should be lawful to the Trustees of the said District to contract and agree with the Superiors and Proprietors of such Houses and other Premises where the Burden of maintaining the Streets rested with them to relieve them of such Burden upon certain Terms and Conditions therein specified, but which Provision in the said Statute has been found quite inoperative, and the Inhabitants have been deprived of the Benefit thereby intended: And whereas it would be of great Advantage to the Community if the whole Roads, Streets, and Bridges within the said Middle District as the same shall be defined by the Provisions of this Act were placed under the Charge of the said Trustees of the Middle District, and Provision made for their undertaking the future Repair and Maintenance of such of the said Streets as have hitherto been maintained and repaired by private Proprietors other than the said Trustees, and that for this Purpose the Powers of the said Act should be altered and amended, and other Powers granted: And whereas by the said recited Act it is provided, that the Trustees of the said Middle District should annually pay over to the Trustees of that Part of the Middle District belonging to the Town of *Leith* the whole Conversions in lieu of Statute Labour collected within the Town of *Leith*, and that all the Streets heretofore supported by the Town of *Leith* should be supported and maintained by the said Trustees belonging to the Town of *Leith*: And whereas it is expedient that the Repair and Maintenance of the Streets within the foresaid Bounds of the Town of *Leith*, and the levying of the necessary Assessments for the same, should be disjoined from the said Middle District of the County of *Edinburgh*; but the Purposes aforesaid 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 Queen'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 from and after the passing of this Act the before-recited Act of the Fifth and Sixth Year of the Reign of His said late Majesty King *William* the Fourth, and the whole Provisions therein contained, in so far as applicable to the said Middle District of Roads in the County of *Edinburgh*, shall continue in force, and shall be deemed to be and shall be executed as Part of this Act, except in so far as the same are hereby varied, altered, or repealed.

Recited Acts continued.

Former Securities and Agreements to be in force.

II. And be it enacted, That all Bonds, Covenants, Agreements, and Securities made or entered into by or with any Person to or with the Trustees of the said Middle District of Roads for executing the said recited Act according to the Provisions and Directions thereof shall remain in full Force and Effect, and shall be and continue available in all Courts of Law and Equity until the same are fully satisfied and performed;

performed; and all Contracts, Agreements, Bonds, Assignments, Securities, Debts, and other Obligations contracted and duly made or entered into by the Trustees for executing the said Act to or with any Person or Persons shall remain in full Force and Effect, and shall be binding on the Trustees for executing this Act, and be kept and observed by them according to the Terms and Stipulations and Tenor thereof respectively; and all Assessments and Conversions of Statute Labour exigible under the Authority of the said recited Act due at and previous to the passing of this Act shall notwithstanding be payable by the different Persons owing the same, and shall be recoverable by the same Means and by the same Process of Law, and shall be applied to the same Purposes, as are competent and directed by and under the Provisions of the said recited Acts.

Arrears of Assessment and Commutation Money to be still exigible.

III. And be it enacted, That from and after the passing of this Act the Lord Provost of the City of *Edinburgh*, the Sheriff of the County of *Edinburgh*, the Dean of Guild of the said City, the Convener of the Trades of the said City, the Convener of the Southern Districts, the senior Bailie of *Portsburgh*, the Two Bailies of *Canongate*, all for the Time being, Two Conveners of County Districts of Turnpike Roads in the said County to be elected annually by the Conveners of the several County Districts, Seven Members of the Town Council of the said City of *Edinburgh* to be annually elected by the Town Council of *Edinburgh*, Three Persons to be annually elected by the Commissioners of the said Southern Districts, and One Person to be annually elected by each of the following public Bodies, the Merchants Company of *Edinburgh*, the Faculty of Advocates, the Society of Writers to the Signet, and the Society of Solicitors in the Supreme Courts, and Three Persons possessed of sufficient heritable Property in the Parish of *St. Cuthbert's* to enable them to act as Trustees in any Parish of the said County other than those within the said Middle District to be annually elected by the Justices of the Peace of the said County, shall be Trustees for carrying this Act into execution, to be hereafter called "The City of *Edinburgh* Paving Board."

Trustees.

IV. And be it enacted, That the said Trustees to be elected by the Conveners of the several County Districts of Roads, the Town Council of *Edinburgh*, the Commissioners of the Southern Districts, the Merchants Company, the Faculty of Advocates, the Writers to the Signet, the Society of Solicitors, and the Justices of the Peace of the said County, shall be annually elected by the said Conveners of Districts, Town Councils, Commissioners of Southern Districts, Merchants Company, Faculty of Advocates, Society of Writers to the Signet, Society of Solicitors, and Justices of the Peace respectively at a Meeting of these respective Bodies to be called by their own Officers respectively for that Purpose in the Month of *November* yearly, and the Persons so to be elected shall continue in Office until the Second *Monday* of *December* in the next ensuing Year; but if by reason of any Neglect or any other Cause whatsoever there shall be any Default in the Election of the said Trustees so to be elected as aforesaid, or any of them, it shall still be competent to the other Trustees within the said Middle District, notwithstanding of such Default, to carry this Act into execution.

Elective Trustees how to be elected.

And

Vacancies by Death, &c., how to be supplied.

V. And whereas Vacancies may occur in the course of the Year in the Number of the said elective Trustees in consequence of the Death of some of their Number, or of their resigning, which they are hereby empowered to do; be it enacted, That the Vacancy or Vacancies caused by any elective Trustee so dying or resigning may be supplied by the Body by whom the Trustees or Trustee so dying or resigning were or was at first elected at a Meeting of such Body to be held for that Purpose on a Certificate of such Vacancies or Vacancy having taken place being transmitted to the Clerk of such Body by the Clerk of the said Trustees, and the Person or Persons so to be elected shall continue in Office till the Expiration of the Period during which the said Trustees or Trustee so dying or resigning would have remained in Office.

Meetings of Middle District.

VI. And for the more convenient Management of the Business of the said Middle District, be it enacted, That upon the Second *Monday* of *December* next the Trustees of the said District hereby appointed, and to be elected as aforesaid, shall meet and choose One of their own Number to act as Convener for the Year ensuing, and shall annually thereafter on the Second *Monday* of *December* meet to choose a Convener who shall have Power to authorize Meetings of the Trustees of the said District to be called by the Clerk for carrying the Purposes of this Act into execution; and all such Meetings shall be called either by Intimation sent by Post to each of the Trustees, or by inserting a Notice in any Two Newspapers usually circulated in *Edinburgh*, Four Days before such Meetings are held: Provided always, that it shall be lawful to and in the Power of the Clerk, upon a Requisition addressed to him by Three of the Trustees of the said District, to call Meetings, and at all such Meetings the Convener of the District, or in his Absence the Preses of the Meeting to be chosen by the Trustees present, shall have a deliberative as well as a casting Vote in case of Equality, and any Three or more of the said Trustees of the said Middle District shall be a legal Quorum for carrying the whole Purposes of this Act into execution, and it shall and may be lawful to the said Trustees to appoint Committees of their Number, with such Powers as they may think fit: Provided always, that from and after the passing of this Act until the said Second *Monday* of *December* next the Trustees of the said Middle District heretofore acting under the Authority of the said recited Act shall continue to act as Trustees for the Purpose of carrying this Act into execution.

Trustees may sue and be sued in Name of their Clerk, &c.

VII. And be it enacted, That the Trustees of the said Middle District may sue or be sued for any Matter or Thing to be done in the Execution of this Act in the Name of their Clerk for the Time being, or in the Name of any One of the said Trustees; and that no Action or Suit wherein the said Trustees shall be concerned as Pursuers or Defenders in the Name of their Clerk, or in the Name of any One of the said Trustees, by virtue of this Act, shall abate by the Death or Removal of any such Clerk or Trustee, but the Clerk to the said Trustees for the Time being, or any One of the said Trustees to be for that Purpose nominated, if Pursuer, or who may be sued if Defender, shall be deemed to be Pursuer or Defender (as the Case may be)

be) in every such Action; and such Clerk or Trustee shall, out of the Monies arising by virtue of this Act, be reimbursed and paid all Monies, Charges, and Expences which he shall incur by being made Pursuer or Defender as aforesaid.

Appointment of Officers.

VIII. And be it enacted, That it shall be in the Power of the Trustees to appoint, and from Time to Time to suspend or remove, their Clerk, Treasurer, Collector, Surveyor, and such other Officers as they may deem expedient, and to fix the Salary or other Emoluments to be allowed to any such Officer as they may think proper.

Officers under former Act to continue.

IX. And be it enacted, That each and every Clerk, Collector, Surveyor, and other Officer appointed or employed under the said first-recited Act shall continue to hold and exercise their respective Offices and Employments until they shall be displaced or removed by the Trustees under this Act, or shall have resigned, or shall have become incapable of executing their respective Offices; and every such Clerk, Collector, Surveyor, and other Officer shall have the same Powers, and be subject to the like Rules, Regulations, Pains, and Penalties, as if they had been severally appointed under this Act.

Separation of Offices of Clerk and Treasurer.

X. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be the Treasurer, and that neither the Person who shall hold the Office of Treasurer, nor the Partner of such Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk, in manner provided in the foresaid Act passed in the Fifth and Sixth Year of the Reign of His Majesty King *William* the Fourth, and shall be liable to all the Penalties therein provided.

Security be taken.

XI. And be it enacted, That before any Person intrusted with the Custody or Control of Monies, whether Treasurer, Collector, or other Officer, shall enter upon his Office, the Trustees shall take sufficient Security from him for the faithful Execution of his Office.

Officers to account on Demand.

XII. And be it enacted, That every Officer or Person employed under this Act shall, from Time to Time when required by the Trustees, make out and deliver to them, or to any Person appointed by them for that Purpose, a true and perfect Account in Writing under his Hand of all Monies received by him under this Act; and such Account shall state how, and to whom, and for what Purpose such Monies shall have been disposed of; and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Trustees, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Summary Remedy against Parties failing to account.

XIII. And be it enacted, That if any such Officer fail to render such Account, or to produce and deliver up all the Vouchers and Receipts relating to the same in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Fourteen Days after being thereunto

thereunto required he fail to deliver up to the Trustees, or to any Person appointed by them to receive the same, all Books, Papers, and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Trustees, then on Complaint thereof being made to the Sheriff or any Justices of the Peace of the County of *Edinburgh* or County of the City of *Edinburgh*, or to any of the Magistrates of the City of *Edinburgh*, such Sheriff, Justices, or Magistrates shall summon such Officer to appear before such Sheriff or any Two or more Justices or Magistrates, at a Time and Place to be set forth in such Summons, to answer to such Charge, or in his Absence on Proof that such Summons was personally served upon such Officer, or left at his last known Residence or Place of Abode, such Sheriff, Justices, or Magistrates may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies arising under this Act are in the Hands of such Officer or owing by him, such Sheriff, Justices, or Magistrates may order such Officer to pay the same; and if he fail to pay the Amount it shall be lawful for such Sheriff, Justices, or Magistrates to grant a Warrant to levy the same by Poinding and Sale, or in default thereof to commit the Offender to Gaol, there to remain for a Period not exceeding Three Months.

No Proceeding to discharge Sureties.

XIV. And be it enacted, That no such Proceeding against or dealing with any such Officer as aforesaid shall deprive the Trustees of any Remedy which they might otherwise have against any Surety of such Officer.

No Officer or Trustee to be a Contractor.

XV. And be it enacted, That it shall not be lawful for any Officer or Trustee acting in the Execution of this Act to contract for or have any Share or Interest in any Contract in relation to the Execution of this Act; and if any such Officer or Trustee shall contract for or have or receive any Share or Interest in any such Contract, every such Officer or Trustee so offending shall forfeit a Sum not exceeding One hundred Pounds, to be recovered and applied as any Penalty under this Act may be recovered and applied, and it shall be competent to the Trustees to declare any such Contract null and void.

Accounts to be kept.

XVI. And be it enacted, That full and true Accounts shall be kept of all Sums of Money received or expended in virtue of this Act, and of the Articles, Matters, and Things for which such Sums of Money shall have been received or disbursed and paid; and the Trustees shall also cause Books to be provided and kept in which shall be entered true and regular Accounts of Money received and paid out under this Act; and such Books shall at all Meetings of the Trustees be open to the Inspection of such Trustees, and of any Creditor on the Conversion Money and other Monies hereby authorized to be levied, without Fee or Reward, and any Trustee or Creditor may take Copies of or Extracts from such Books without paying any thing for the same; and if the Clerk or other Officer keeping such Books shall not permit any Trustee or Creditor to inspect or take such Copies or Extracts as aforesaid, such Clerk or other Officer shall forfeit for every such Offence any Sum not exceeding Five Pounds.

XVII. And

Proceedings to be entered in Books, and to be good Evidence.

XVII. And be it enacted, That the said Trustees shall cause to be provided and kept proper Books, and fair and regular Entries to be made therein of all the Acts, Orders, and Proceedings of the Trustees relative to the Execution of this Act, and of the Names of all such Trustees as shall be present at their Meetings; and all Entries in such Books shall be deemed Originals, and shall be allowed to be read as Evidence in all Causes, Suits, Actions, Prosecutions, and Proceedings touching or concerning any thing done in pursuance of this Act; and such Books shall at all the said Meetings be open to the Inspection of any Trustee or Creditor on the Conversion Money and other Monies hereby authorized to be levied; and any Trustee or Creditor may obtain from the Clerk Extracts or Copies thereof, paying for every such Extract or Copy not exceeding One hundred Words the Sum of Sixpence, and so on in proportion for any greater Number of Words.

Former Books to be Evidence.

XVIII. And be it enacted, That all Books containing the Accounts and Proceedings of the Trustees for executing the said recited Act of the Fifth and Sixth Year of the Reign of His Majesty King *William* the Fourth, and made Evidence thereby, may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatever, in such and the same Manner as before the passing of this Act.

Accounts to be annually prepared.

XIX. And be it enacted, That the said Trustees shall, on or after the Fifteenth Day of *May* next after the passing of this Act, make up an Account from the Period of the last Account made up by the Trustees acting under the said Act of the Fifth and Sixth Year of the Reign of His late Majesty *William* the Fourth, of all Monies received and expended by them, and shall in like Manner in every subsequent Year make up an Account of all Monies received and expended by them, or under their Authority or Control, in the course of the Year immediately preceding the Fifteenth Day of *May* in such Year, and such Account shall be audited by an Auditor to be appointed in manner herein-after provided.

Accounts to be settled and examined annually.

XX. And be it enacted, That the said Account so made up and audited shall be laid before the said Trustees at a Meeting to be held for that Purpose in the Month of *July* in every Year, at which Meeting it shall be lawful for all Persons interested to be present; and such Accounts shall be examined and settled by, and if found just and true shall be allowed and certified by, the said Trustees under the Hand of the Chairman of such Meeting; and after such Account shall have been so allowed and signed, the same shall be final in regard to all Persons whomsoever, unless an Appeal be presented against such Account before the Sheriff of the said County of *Edinburgh* within One Month from the Date of such Meeting, which Appeal it shall be competent for any Rate-payer interested in such Account to institute and prosecute, due Notice in Writing of such Appeal having been given to the Clerk of the Trustees at the Time of presenting the same by leaving with him a Copy thereof and of the Reasons of Appeal.

To be final, unless appealed from.

Statement of Accounts to be open

XXI. And be it enacted, That for the Space of Ten Days at least previous to such Meeting for the Audit of Accounts the Trustees shall allow

for Inspection.

allow such Statement and Account to remain open for Inspection in such Place as the said Trustees may appoint, due Notice being given of the same by public Advertisement in at least Three *Edinburgh* Newspapers; and every Creditor on the Rates and Assessments by this Act authorized to be levied, and every Person paying any such Rate or Assessment, may at all reasonable Times inspect such Statement and Account on Payment of the Sum of One Shilling for every such Inspection.

Abstract of Account to be printed and circulated.

XXII. And be it enacted, That so soon as the said Account shall have been allowed and certified by the said Trustees as aforesaid the Clerk or other Officer of the said Trustees shall with all convenient Speed thereafter prepare, print, and circulate such a Number of Abstracts of such Account as may be necessary for the Information of the said Trustees, and shall also cause a Copy of such Abstract to be transmitted, free of Charge, to the Sheriff Clerk of the said County of *Edinburgh* on or before the First Day of *September* in each Year, which shall be open to the Inspection of the Public at all reasonable Hours on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the said Trustees shall omit to transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Ten Pounds, besides being obliged still to transmit such Account.

Appointment of Creditor.

XXIII. And be it enacted, for the Purpose of auditing the said Accounts, That the Sheriff of the County of *Edinburgh* shall annually appoint an Auditor whose Duty shall be to audit the Accounts of the said Trustees to be received from them with the Vouchers thereof, and examine the same, for which Purpose the said Accounts and Vouchers shall be open for his Examination at least One Month previous to the Meeting at which they are to be examined every Year by the said Trustees, and such Auditor may either make a special Report on such Accounts, or simply confirm the same, and such Report or Confirmation shall be read at the Meeting of the said Trustees to be held in every Year for Examination of such Accounts: Provided always, that in case the Office of such Auditor, before such Accounts shall be audited by him, be vacant by Death or from any other Cause, the said Sheriff shall from Time to Time appoint an Auditor to supply such Vacancy.

Power to borrow Money on the Credit of this Act.

XXIV. And in order to enable the said Trustees to execute such Improvements as they may deem necessary upon any of the Streets within the said Middle District, be it enacted, That it shall be lawful for the said Trustees from Time to Time to borrow at Interest on the Credit of the Conversions by this Act granted any Sum of Money which, together with any Sum previously borrowed, shall not exceed the Sum of Ten thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Trustees, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Ten thousand Pounds in the whole at any one Time; and for securing the Repayment of the Money so borrowed, with Interest, the Trustees, or any Three or more of them, may assign over the said Conversions or other Sums hereby authorized to be levied, or any Part thereof, to the Person who shall advance or lend such Money as a Security for the

Payment

Payment of the Money so to be borrowed, together with Interest for the same.

Form of Assignment.

XXV. And be it enacted, That every such Assignment shall be by Deed duly stamped, in which the Consideration shall be truly stated, and every such Deed shall be under the Hands of any Three or more of the Trustees, and may be according to the Form in the Schedule (A.) to this Act annexed, or to the like Effect; and the Trustees shall not be personally liable by reason of having signed such Assignments for the Repayment of the Money borrowed, or Interest thereon, or for Payment of any Sum which they shall not have bound themselves personally to pay as Individuals, independent of their Office as Trustees under this Act.

Assignments to be without Preference.

XXVI. And be it enacted, That all Persons to whom such Assignments or Securities shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Conversions equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Securities or Assignments respectively, to the Extent of the foresaid Sum of Ten thousand Pounds.

Transfer of Assignment.

XXVII. And be it enacted, That from Time to Time any Party entitled to any such Assignment may transfer his Right and Interest therein to any other Person, by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (B.) to this Act annexed, or the like Effect.

Register of Assignments and Transfers to be kept, and to be open to Inspection.

XXVIII. And be it enacted, That a Register shall be kept by the said Trustees in the Form in the Schedule (C.) to this Act annexed, or to the like Effect; and within Twenty-one Days after the Date of any Assignment or Transfer of Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Designations, shall be made in such Register, and for each of such Entries the Clerk may demand a Fee of Five Shillings, and such Register may be perused at all reasonable Times by any Person interested therein without Fee or Reward.

For ascertaining the Bounds of the Middle District.

XXIX. And be it enacted, That from and after the passing of this Act all Dwelling Houses or Tenements situated within the City of *Edinburgh*, or within the Toll Bars next adjacent to the said City of *Edinburgh* as the said Toll Bars shall be placed for the Time being by Authority of any General Meeting of the Trustees for the Turnpike Roads in the County of *Edinburgh*, and also all Dwelling Houses or Tenements having a Horse Road or Access to the City of *Edinburgh*, the Inhabitants of which in coming into the City may enter the same without passing through or making Payment at any Toll Bar or Check Bar erected by Authority of the said Trustees for the County, 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 herein-after directed: Provided always, that no Toll Bar shall be erected nearer to the said City of *Edinburgh* than

the present Toll Bars adjacent thereto, except Check Bars, for preventing the Evasions of the Payment of Toll at the present Toll Bars; and such Check Bars, when so erected, shall not be held in anywise to alter the Bounds of the Middle District; and nothing herein contained shall be held or construed to embrace any Part of the Town of *Leith* within the Parliamentary Bounds thereof.

Trustees in the Middle District to maintain the Streets and Roads, with certain Exceptions.

XXX. And be it further enacted, That from and after the passing of this Act the Trustees of the said Middle District shall, out of the Funds herein-after provided to them, maintain and uphold the whole Streets which before the passing of this Act were maintained and upheld by the Trustees of the Middle District under the Provisions of the said recited Act of the Fifth and Sixth Year of the Reign of His Majesty King *William* the Fourth (including that Portion of *Leith Walk* from and including *Pilrig Street* to *Constitution Street*, the Street called *Duke Street*, leading thence to the Road called the *Easter Road*, and the said *Easter Road*), with the Exception of the following Roads and Streets which are presently maintained and upheld out of the Funds of the Turnpike Roads of the County of *Edinburgh*; *videlicet*, the Roads from *Jock's Lodge Toll Bar* to *Leith Walk* at *Baxter's Buildings*, to the *Calton Convening House*, and the *Old London Road* to *Rose Lane*, with *Rose Lane* itself, the Road from *Cameron Toll Bar* by *St. Leonard's Street* to the *Crosscauseway*, the Road from *Mayfield Toll Bar* to the *Crosscauseway*, the Road by *Causewayside* to the *Crosscauseway*, *East* and *West Preston Street*, the Road from the *Wright's Houses Toll Bar* to *Toll Cross*, the Road from *Tynecastle* and *Slateford Toll Bars* by *Fountain Bridge* to the *Lothian Road* at the *Canal Basin*, the Roads from *Tynecastle* and *Whitehouse Toll Bars* through *Maitland Street* to the West End of *Princes Street*, and through *Tobago Street* to the *Lothian Road*, the Road from the Toll Bar at *Lynedoch Place*, and from that on the *Dean Road* through *Queensferry Street* to the West End of *Princes Street*, and the Road from the Toll Bar in *Stockbridge* to the *Water of Leith*.

Trustees of the Middle District to repair and maintain certain private Streets within the District.

XXXI. And be it enacted, That immediately after the passing of this Act, or as soon thereafter as Circumstances will admit of, the Trustees of the said Middle District shall put in a complete State of Repair, and in all Time thereafter maintain and uphold in like Repair, the Carriageway of the whole private Streets within the Limits of the said Middle District as defined by this Act, excepting such as shall be exempted under the Provisions herein-after contained which are now maintained and upheld by Superiors, Owners of Houses or other Premises, Feuars or other Persons, and the Carriageway of such other Streets within the Limits of the said Middle District as defined by this Act as are or shall from Time to Time be open and patent to the Public: Provided always, that such Streets as the said Trustees shall from Time to Time under the Authority of this Act repair, maintain, and uphold shall be at all Times open and patent to the Public as fully in every respect as the Streets presently repaired, maintained, and upheld by the Trustees of the said Middle District are open and patent to the Public; and it shall be lawful to the said Trustees to enter upon the same, and to adopt such Measure as may be necessary for making and maintaining the said Streets, and carrying into effect the Provisions of this Act, or any of them.

XXXII. And

To define what is Carriageway.

XXXII. And in order to define what Part of the said Streets is to be held as Carriageway, be it enacted, That such Part of the said Streets as shall be within the Curbstones of the Foot Pavement on each Side where there shall be Foot Pavement on both Sides, and between the Curbstone of the Foot Pavement where only One, and the opposite Boundary of said Street, shall be held to be the Carriageway under the Provisions of this Act: Provided always, that if any Question or Dispute shall arise upon the Subject, it shall and may be lawful to apply by Petition to the Sheriff, who may inspect the Premises, hear Parties summarily, and thereafter dispose of the same.

Where Streets have never been made, or new Streets are contemplated.

XXXIII. And whereas in some Cases within the said District, although Houses have been erected in certain Streets, the Carriageway of the said Streets has never been constructed or made up; be it enacted, That nothing herein contained shall be held or construed to compel the said Trustees to assume the Charge and Maintenance of any such Street until the Carriageway of the same shall have been constructed and made up to the Satisfaction of the Surveyor of the said Trustees for the Time being; and when it shall be intended to make and construct any such Street previous Intimation thereof shall be made in Writing to the Clerk of the said Trustees of such Intention by the Proprietor or other Party intending to lay out and construct such Street or Streets; and the Carriageway of such Street or Streets shall be made and constructed at the Sight and to the Satisfaction of the said Trustees or their Surveyor for the Time being; and the whole of the Carriageway of such Street or Streets being so made and constructed, such Street or Streets shall thereafter in all Time coming be maintained and repaired by the said Trustees, and the additional Rates shall be levied under the Provisions of this Act.

Parties liable may be compelled to construct Streets.

XXXIV. And be it enacted, That in all Cases where the Parties liable shall not have made and constructed any Street at the passing of this Act, or shall not within a reasonable Time make and construct any Street which may be opened in manner after mentioned as a public Thoroughfare after the passing of this Act, it shall and may be competent to the said Trustees to compel such Parties to make and construct the same, for which Purpose they shall give Notice to the Parties liable by previous Intimation to be made by Advertisement in Two Newspapers published in *Edinburgh*, and by leaving a Copy of such Intimation within each Dwelling House in such Streets, which shall be held to be sufficient Intimation to the House Owners, calling upon them to make up and construct the said Street or Streets; and if they shall fail or neglect within Two Months so to make up and construct the said Street or Streets, it shall and may be competent to the said Trustees to present an Application to the Sheriff of the County setting forth the Circumstances, and the Reasons why the said Street or Streets should be so constructed or repaired, who may hear the same summarily, inspect the Premises, and, if he shall think it necessary for the Convenience of the Public, it shall and may be lawful to the said Sheriff, by Decree or Decrees to be pronounced by him, to authorize the said Trustees to construct and make up such Carriageway in a good and sufficient Manner, and having so made up

and

and constructed such Carriageway the said Trustees shall be entitled to assess the Expence of making and constructing the same as such Expence shall be ascertained by an Account under the Hand of the Surveyor of the said Trustees for the Time being, and that by Proportions effeiring to the Rentals on which the Rates herein-before authorized shall be levied, and that over and above and in addition to the Rates authorized as aforesaid; and it shall be lawful to the said Trustees to recover the Amount of such Assessment from the Owners of such Houses and Lands in the same Manner as the Assessments in respect of private Streets are hereby authorized to be recovered; and after such Assessment for making and constructing the said Street shall have been fully paid the said Trustees shall maintain and uphold the same in all Time thereafter: Provided always, that nothing herein contained shall be held or construed to confer any Right on the said Trustees to compel the Construction of any new Street which may be opened up after the passing of this Act until they shall have received Intimation in Writing from the Superior that the said Street is an open and patent Thoroughfare for public Use, or until Three Fourths of the intended Houses in such Street shall either have been erected or are in course of being erected, or the Areas for such intended Houses shall have been feued under an Obligation to erect Houses, and that the said Trustees shall not be bound to accept the Maintenance and Repair of the same until such Street shall be completely made and constructed, or, having been so made and constructed, until the same shall be put into a complete and efficient State of Repair.

Provision as to Ground not built upon.

XXXV. And whereas in many of the Roads and Streets of *Edinburgh* which have been made and constructed there are Areas of Ground upon which Dwelling Houses have not hitherto been built, and the same Thing may happen in Roads or Streets which may hereafter be formed, and be under the Charge of the said Trustees; be it enacted, That the said Trustees shall and they are hereby required to repair, maintain, and uphold the Carriageways opposite to such Areas in a proper and sufficient Manner, and at all Times and so often as they shall expend any Money thereon, of which an Account under the Hand of their Surveyor for the Time being shall be sufficient Evidence, they shall be entitled to assess such Expences upon said Areas according and in proportion to the lineal Frontage of such Areas, and to recover the Amount of such Assessment from the Owners of such Areas in the same Manner as the Assessments hereinafter imposed are herein-after authorized to be recovered.

Streets exempted from Supervision of Trustees if a Majority of Proprietors object.

XXXVI. And be it enacted, That where a Majority of the Owners in Value of yearly Rent of Premises in any private Street shall agree that the said Street shall not be upheld and maintained by the said Trustees under the Provisions of this Act, and shall intimate such Agreement to the said Trustees or their Clerk for the Time being by delivering the same, duly subscribed by such Majority of the Proprietors, or by Persons duly authorized to act and subscribe for them, then and in every such Case it shall not be lawful to nor in the Power of the said Trustees to undertake the Maintenance of such Street, or to levy the commuted Rate herein-before authorized from any Owners of Premises in such Street: Provided always, that such Agreement shall

shall be entered into, and Intimation thereof made as aforesaid, within Three Months from and after the passing of this Act, of which due Intimation shall be given by the said Trustees by Advertisement in any Three *Edinburgh* Newspapers within Two Weeks after the passing of the same: Provided always, that it shall and may be competent to such Owners, agreeing as aforesaid, at any Time to rescind such Agreement, and to bring their Streets under the Provisions of this Act, upon Payment to the said Trustees of all Arrears of Assessment which would have been payable from and after the passing of this Act up to the Time such Street shall be given over to the said Trustees as aforesaid, together with the Interest on such Arrears of Assessment.

Trustees may compel Repair of Streets exempted.

XXXVII. And be it enacted, That in the event of any such Streets so to be exempted, or any Portion thereof, being at any Time in a State of Disrepair, and a Complaint to that effect being lodged with the said Trustees, it shall and may be lawful for the said Trustees, so often as the same may happen, to require the Owners of Premises to repair the same by leaving within each Dwelling House or other Premises a Copy of a Notice to that Effect which shall be deemed sufficient Intimation to the Owners of such Premises; and if such Owners shall fail or neglect, within Fourteen Days from and after the Date of such Notice, to put the said Street or Portion thereof (as the Case may be) in a complete and efficient State of Repair, it shall and may be lawful to and in the Power of the said Trustees and they are hereby required to execute all such Repairs upon the said Street as to them may seem proper or necessary, and to levy the Expence of such Repairs from the Owners failing or neglecting as aforesaid as the same shall be ascertained by an Account under the Hand of their Surveyor for the Time being, and to recover the same from such Owners in like Manner as the Assessments hereby authorized are appointed to be recovered.

Conversions to be levied in the Middle District.

XXXVIII. And be it enacted, That from and after the Term of *Whitsunday* in this current Year there shall and may be levied yearly from all Parties liable to the Payment of the Assessment under the before-recited Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth in respect of the Conversion of Statute Labour within the Bounds of the Middle District of Roads as herein-before limited and defined, in lieu and place of the Rates leviable under the said last-recited Act, the Sum of Four-pence Sterling in each Pound of the Rental or yearly Value of the Premises in respect of the Occupation of which such Parties are liable for such Assessment, which Conversion or Rate shall be calculated from *Whitsunday* to *Whitsunday*, and shall be payable at *Martinmas* yearly, and shall be levied upon and paid by the Parties liable therefor at or after the Term of *Martinmas* notwithstanding of any Change during the Year in the Occupation of such Premises; and no new or amended Assessment shall be required to be made in consequence of any such Changes in the Occupation of such Premises; and no Assessment shall be challenged or affected by reason of any Mistake or Variance in the Christian Name or Surname or Designation of any Person chargeable therewith, but all such Assessments shall be valid and effectual against the Person or

Persons intended to be charged, and *bonâ fide* liable in Payment of the same.

Tenants and Occupiers under Five Pound Rents exempted.

XXXIX. And be it enacted, That the Tenants and Occupiers of all such Premises in respect of the Occupation of which such Assessment is leviable within the Bounds of the said Middle District as aforesaid, the Rental of which shall not amount to Five Pounds *per Annum* of actual Rent or Value, shall be exempt from Payment of the foregoing Rates or Conversion, but not from the other Rates herein-after authorized to be levied in so far as they shall be liable for the same.

Assessment for private Streets.

XL. And be it enacted, That from and after the passing of this Act the said Trustees of the Middle District shall, in addition to the Rates herein-before provided, be entitled to levy from the Tenants or Occupiers of all Dwelling Houses, Shops, Warehouses, or other Premises situated in the private Streets, Roads, and Squares herein-before specified which are now maintained and upheld by Superiors, Proprietors, Tenants, Bodies Politic or Corporate, or other Person or Persons, the Sum of Two-pence Sterling on each Pound of the yearly Rent or yearly Value of the said Dwelling Houses, Shops, Warehouses, or other Premises which are at present liable in the Burden of maintaining the Carriageways of the said Streets, which additional Rates shall be calculated from *Whitsunday* to *Whitsunday*, and shall be payable at *Martinmas* yearly, and shall be levied upon and paid by the Person or Persons who shall be the Occupier or Occupiers of such Dwelling Houses, Shops, Warehouses, and other Premises at or after the Term of *Martinmas*, notwithstanding of any Change during the Year in the Occupation of any such Houses, Shops, Warehouses, and other Premises; and no new or amended Assessment shall be required to be made in consequence of any such Changes in the Occupation of such Houses, Shops, Warehouses, and other Premises; and no Assessment shall be challenged or affected by reason of any Mistake or Variance in the Christian or Surname or Designation of any Person chargeable therewith, but all such Assessments shall be valid and effectual against the Person or Persons intended to be charged, and *bonâ fide* liable in Payment of the same.

No Fractions of a Pound to be entered in Rentals.

XLI. And be it enacted, That in computing the Rentals or yearly Values according to which for the Time being the Rates or Assessments shall be levied under the Provisions of this Act there shall in no Case be computed or entered in such Rentals any fractional Part of a Pound Sterling of the assessable Rent or yearly Value aforesaid; and where such fractional Part shall amount to or exceed Ten Shillings the same shall be taken, computed, and entered as One Pound Sterling of such yearly Rent or yearly Value aforesaid, in addition to the Numbers of Pounds of such Rental or Value, and shall be rated and assessed accordingly.

Tenants to retain Amount of Assessment from Landlords.

XLII. And be it enacted, That the Tenant and Occupier of such Dwelling Houses, Shops, Warehouses, and other Tenements making Payment of the Sums of Money herein-before last authorized to be levied shall be entitled, and they are hereby authorized, in making Payment

Payment of the Rent of the same to the Owner of such Dwelling Houses, Shops, Warehouses, or other Tenements in respect of which they shall make Payment of the said Assessment, to retain from such Rent the Amount of such Assessment paid by them as aforesaid.

Unoccupied Premises, or Tenants failing, Owners to be assessed.

XLIII. And be it enacted, That if any Premises, the Owner of which is liable in the Burden of maintaining and upholding the Carriageway of the said Streets, shall at the Time of levying the said Assessment be unoccupied, or, being occupied, the Tenant of which shall fail within Three Months after the said Assessment shall be due to make Payment of the same, it shall and may be lawful for the said Trustees to levy the said Assessment direct from the Proprietor or Owner of such Premises, and to recover the same from such Proprietor or Owner in the same Manner as the said Assessments are hereby authorized to be recovered.

On Payment of Fifteen annual Instalments, the Assessment to cease.

XLIV. And be it enacted, That so soon as the Tenants, Occupiers, or Owners (as the Case may be) of Premises liable in the Burden of maintaining and upholding Streets shall in respect of such Premises have made Payment to the said Trustees of Fifteen annual Payments according to the Rates herein-before provided, the said Rates shall thenceforth cease and determine, and the said Streets shall thenceforth be maintained and upheld in a complete and efficient State of Repair by the said Trustees in all Time thereafter.

Owners may compound by a single Payment.

XLV. And whereas it may happen that many Owners of Premises situated in the said Streets may be desirous of compounding for the said annual Payments, or for a Portion of the same, by making Payment of a commuted Sum; be it enacted, That the said Trustees shall and they are hereby authorized to accept of such commuted Sum according to the Rates of Conversion specified in the Table contained in Schedule (D.) hereunto annexed.

Trustees to grant Certificate of Payment.

XLVI. And be it enacted, That so soon as the Tenant, Occupier, or Owner (as the Case may be) shall have made Payment of the foresaid Fifteen annual Payments, or of the commuted Sum in lieu thereof as aforesaid, the said Trustees shall be bound and they are hereby required to deliver to the Owner of such Premises, on Demand, a Certificate of the same under the Hand of their Clerk for the Time being in the Form contained in Schedule (E.) hereunto annexed, which shall be held equivalent to a Discharge of the same, and of the Conditions contained in the Grants of the Premises relative to the Repair and Maintenance of the Carriageways of the said Streets in so far as such Repair and Maintenance is undertaken by the said Trustees in Terms of this Act.

Where Owners not liable, to have Relief.

XLVII. And whereas it may happen in some Cases that the Owner of such Premises from whom the Tenant may retain the Amount of such Assessment may not be the Party liable in the Maintenance of the Street; in such Case be it enacted, That such Owner shall be entitled to be relieved by the Party liable in the same from Payment of the said Assessments (such Right of Relief, and all existing Contracts, or other Obligations in relation to the same, being hereby reserved entire), and

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to that Effect, in order that he may operate such Relief, the Receipt for the Sum so paid shall be held equivalent to an Assignation in his Favour: Providing always, that in the event of any Party not so liable establishing by legal Evidence to the Satisfaction of the said Trustees, who the Party is that is liable, then and in that Case the said Trustees shall assess and levy directly from the Party so liable, or the Tenants and Occupiers of his Premises, the Proportion of the Assessment falling upon the Party not so liable, and to recover the same in the same Way and Manner as they are entitled to assess and recover the Assessment imposed by this Act.

Trustees may demand Exhibition of Title.

XLVIII. And whereas Doubts may exist in some Instances as to the Liability of certain Parties in the Maintenance of their Streets; be it enacted, That it shall and may be lawful to the said Trustees to demand from all and every the Owner or Owners of Premises in private Streets Exhibition of the Title Deeds of all Premises in private Streets to the effect of settling and adjusting the Owners Liability; and failing the said Parties producing, when demanded, the Title Deeds foresaid, the said Trustees shall be entitled to hold the Parties liable in the Assessments herein-before authorized, and to assess them accordingly.

Trustees to make a Fund for the Maintenance of private Streets.

XLIX. And be it enacted, That in order to provide a Fund from the Income of which the said Trustees may be enabled, along with the other Funds hereby provided for the Maintenance of the said Streets, to maintain the said private Streets after the Lapse of the foresaid Period of Fifteen Years when the additional Rates hereby provided are to cease and determine, it shall and may be lawful to the said Trustees and they are hereby required, from the foresaid additional Rates or commuted Sums herein-before authorized to be paid, to set apart and apportion annually such Part of the annual Amount thereof as to them may seem proper until the Sums so set apart shall amount to the Sum of Ten thousand Pounds Sterling, which Sums so to be set apart shall, from Time to Time as the same are set apart, be invested in Name of the said Trustees in some one of the chartered Banks of *Scotland*, or in such other Security as to the Trustees shall seem proper; provided that nothing herein contained shall be held or construed to prevent the said Trustees from receiving and expending the Income arising annually for the Time from the Sum or Sums so set apart and invested; and providing further, that the foresaid Sum of Ten thousand Pounds shall be fully set apart and invested before the Expiry of the foresaid Term of Fifteen Years.

Yearly Rental, how to be ascertained.

L. And be it enacted, That in order to ascertain the yearly Rents or yearly Values of all Premises within the Bounds of the said Middle District, the Tenants, Occupiers, or Owners of which are liable to be assessed as aforesaid, as from *Whitsunday* to *Whitsunday* in each Year, the said Trustees may either appoint an Officer or Officers of their own, with Power to survey and report upon the yearly Rents or yearly Values of all such Premises from *Whitsunday* to *Whitsunday* in each Year as aforesaid, or the said Trustees may and they are hereby entitled to obtain Access in each Year to the Surveys or Rentals by which the Police Assessment

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in the City of *Edinburgh* is or may for the Time be raised or levied, for which Purpose they shall be entitled to demand from the Surveyor of Police, who, on Demand, and on Payment of a reasonable Remuneration for his Trouble, shall be bound, before the first *Monday* of *August* in each Year, to furnish to the said Trustees a Copy of such Surveys or Rental, and from such Surveys or Rental the said Trustees shall annually cause a Rent Roll of the yearly Rent or yearly Value of the aforesaid Premises within the Bounds aforesaid to be made up, according to which the Assessments of the said Rates and Compositions shall be made and levied.

Assessment, how to be imposed.

LI. And be it enacted, That at a General Meeting of the said Trustees, to be held on the first *Monday* of *September* after the passing of this Act, and on the first *Monday* of *August* in each Year thereafter, the said Trustees shall annually for the Year then current from *Whitsunday* to *Whitsunday* fix and declare the Assessment according to the said Rental within the Bounds of the said Middle District in lieu of the Six Days Labour herein-before first authorized to be imposed, at which Meeting it shall be competent to and in the Power of the said Trustees to consider whether they shall assess for the full Amount of the Rates herein-before authorized to be levied, or for a reduced Proportion thereof as herein-after authorized; and at such Meeting the said Trustees shall likewise fix and declare the Assessment according to the said Rental herein-before authorized to be imposed upon all Premises in private Streets, the Rates of which Assessment shall not be reducible by the said Trustees, except as herein-after provided.

Assessment Rolls or Rentals annually to remain open for Inspection.

LII. And be it enacted, That the Assessment Rolls or Rentals to be made up under this Act shall annually remain open for the Inspection of all Persons concerned, in such Place as the said Trustees shall appoint, for a Period of Three Weeks subsequent to such Assessment Rolls or Rental being made up and completed, and public Notice shall be given by Advertisement in at least Two Newspapers in general Circulation in the said City of the particular Period fixed for such Assessment Rolls or Rental remaining open for Inspection as aforesaid, and the Place where they are so to remain open, during which Period it shall be competent to any Person included in such Assessment Rolls or Rental to object to the Rental or Valuation made therein upon themselves or others to the said Trustees of the said Middle District within the aforesaid Period of Three Weeks, stating specifically his Objections to such Rental or Valuation; and it shall be competent to any such Person who may be dissatisfied with the Decision of the said Trustees upon such Objection to appeal therefrom within Fourteen Days after such Decision shall be intimated to him to the next General Quarter Session of the Justices of the Peace of the said County, the Appellant giving previous Notice in Writing of such Appeal to the Clerk of the said Trustees; and the Judgment of such Justices on such Appeal shall be final and conclusive, and not subject to Review by Suspension, Advocation, Reduction, or other Process of Law whatsoever.

Persons dissatisfied may appeal.

LIII. And be it enacted, That with regard to Premises liable to be assessed as before provided which shall be let for a less Period than One

Amended Assessment

may be made.

One Year, the Owners thereof may be deemed and taken as the Tenants or Occupiers for the Purposes of this Act, and shall be liable to be assessed accordingly; and in all Cases where Premises liable to be assessed as aforesaid shall remain unoccupied during the Part of the Year previous to the said last *Monday* of *September*, and shall thereafter be occupied, or shall be omitted or not included in the Rent Roll made up previous thereto, the said Surveyors or Assessors shall be and they are hereby authorized and empowered to survey and report upon the Rent or Value of such Premises, occupied as aforesaid, at any Period of the Year previous to the First Day of *February*; and the said Trustees shall within Six Days thereafter cause an additional or supplementary Rent Roll of the Value of the foresaid Premises to be made up, and shall fix and declare the Assessments according to the said Rent Roll in lieu of the Six Days Labour herein-before mentioned; and such Assessment may be made upon the Owners of such Premises as aforesaid, and shall be payable before the First Day of *March* yearly.

Power to Trustees to make Abatements.

LIV. And be it enacted, That it shall be in the Power of the said Trustees of the said Middle District to diminish and lessen the aforesaid Rates or Conversions in lieu of Six Days Labour herein-before authorized to be levied within such Middle District, and again to raise and augment the same to any Rates not exceeding those hereby authorized to be levied, and that either by reducing the Rental One Fifth in Amount, or by reducing the said Rates themselves, one or both, in such Manner and to such Extent as from the State of the Funds of the said Middle District may to the said Trustees appear to be just and proper, and to relieve such Persons as they shall know to be in indigent Circumstances from the Payment of all or any Part of the same; and declaring farther, notwithstanding the Mode of Assessment herein-before provided for levying the said Rates or Conversions in lieu of Six Days Labour on the yearly Rent or Value, if the said Trustees shall think it expedient, without any View to Reduction of the Rates, they may at any Time abate their Rental to the Extent of One Fifth in Amount, in which Case they are hereby authorized to increase the Rate to any Rate not exceeding Five-pence in the Pound, and levy the same according to the Provisions herein contained in regard to the said Conversions.

Assessment may be reduced where Streets are not Thoroughfares.

LV. And whereas there are certain of the private Streets hereby authorized to be maintained by the said Trustees which ought not to be considered as public Carriage Thoroughfares in the Sense of this Act; be it enacted, That it shall and may be in the Power of the said Trustees to modify or reduce the Rate or Rates of Assessment for the Maintenance of such Streets to such Extent as to them may seem proper, so long as such Streets shall continue not to be public Thoroughfares as aforesaid, it being understood that upon any such Street in which the Rate shall have been modified becoming a Carriage Thoroughfare in the Sense of this Act, all such Modifications shall cease and determine; and if the Owners of such Houses shall deem themselves aggrieved by the Decision of the said Trustees, it shall and may be lawful to such Owners or any of them to apply by Petition to the Sheriff of the County, who may inspect the Premises, hear the Parties summarily, and thereafter regulate the Amount of such Assessment.

LVI. And

Conversions and additional Rates to be paid on or before Martinmas to the Collector.

LVI. And be it enacted, That the whole of the aforesaid Sums payable as Conversions for Statute Labour in the said Middle District, and the whole of the aforesaid additional Rates, shall be payable yearly to a Collector to be appointed or continued by the Trustees of the said Middle District within his Office at the Term of *Martinmas* yearly.

Conversions and additional Rates how to be enforced.

LVII. And be it enacted, That if any Person who shall be so rated and assessed and liable as aforesaid shall refuse or neglect, on or before the last Day of *February* yearly, to pay the aforesaid Conversions, or the additional Rates payable in the said Middle District, it shall be lawful for the said Trustees to make Application to the Sheriff, or to any Two of the Justices of the Peace of the said County, who, upon Proof of due Notice having been given to the Defaulters included in such Application Seven Days before presenting the same, shall grant summary Warrant for Recovery of the Conversions of the additional Rates so remaining unpaid, and a Third Part more in Name of Penalty and Expences; and such Warrant shall authorize any Messenger-at-Arms or Officer of Court to enter the Houses or other Premises of the Person so refusing or neglecting to make Payment as aforesaid, and to seize and take possession of so much of the Goods and Effects therein as shall appear to such Messenger or Officer to be sufficient for satisfying by the Sale thereof the said Conversions or the additional Rates remaining unpaid, and a Third Part more as aforesaid, which Warrant shall be granted upon an Application made by the Collector, and an Attestation in Writing by him bearing that the Person complained of has been deficient in paying the said Conversions or the additional Rates on or before the said last Day of *February* yearly; and if such Conversions or the additional Rates, and Third Part more, together with the Costs and Charges incurred in carrying the said Warrant into execution, shall not be paid within Three Days next after Seizure is made as aforesaid, it shall be lawful for the said Messenger or Officer forthwith to sell the said Goods and Effects so seized by public Roup at the Market Cross of *Edinburgh*, returning the Surplus of the Price, if any be, after Payment of the said Conversions, and the additional Rates and One Third Part more, together with the said Costs and Charges, and the Expences of such Sale, to the Owner or Owners of the said Goods and Effects.

Alternative Mode of Recovery of Assessments.

LVIII. And be it enacted, That it shall be competent to the said Trustees to recover any Sum under One hundred Pounds *Scots* due or leviable as aforesaid according to the Provision of an Act passed in the Session of Parliament holden in the Seventh Year of His late Majesty King *William* the Fourth and in the First Year of Her present Majesty, intituled *An Act for the more effectual Recovery of Small Debts in the Sheriff Courts, and for regulating the Establishment of Circuit Courts for the Trial of Small Debt Causes by the Sheriffs, in* Scotland, any thing herein contained to the contrary notwithstanding: Provided always, that from and after the passing of this Act it shall not be competent to imprison any Person for Non-payment of the Conversions in lieu of Statute Labour, and other Assessments herein-before contained.

7 W. 4., & 1 Vict. c. 41.

LIX. And

Misnomers, &c., not to affect Proceedings.

LIX. And be it enacted, That no Misnomer, Mistake, or Informality committed in any of the aforesaid Proceedings shall prejudice the Recovery of the said Conversions or the additional Rates, and Third Part more, nor subject the said Trustees, Collector, Messenger, or Officer aforesaid to any Claim of Damages on account of any such Proceedings, Misnomer, Mistake, or Informality, it being hereby expressly provided and declared that it shall not be competent for any Person to sue, nor for any Court of Law or Equity to entertain any Action or Proceeding against, the said Trustees, Collector, Messenger, or Officer applying for or employed in executing any such Warrant by reason of any Mistake, Informality, or Misnomer therein, if there shall have been reasonable Ground to presume that the Goods or other Effects seized or sold under such Warrant were *bonâ fide* the Property or in the lawful Possession of the Person actually liable in Payment of the said converted Values under the Provisions of this Act.

Proceedings not to lapse by Death of Collector, &c.

LX. And be it enacted, That none of the aforesaid Proceedings for Recovery of the said Conversions of the additional Rates and Third Part more shall fall, lapse, cease, or abate by the Death or Removal of such Collector, nor by the Death or Removal of such Messenger or Messengers, or of such Officer employed in the Execution of such Warrant as aforesaid; and it shall be lawful for the Collector for the Time being to prosecute and follow forth any Procedure commenced and carried on in Name of any previous Collector in all respects as if such Procedure had been all along carried on by himself, and for the said Trustees to employ any other Messenger or Officer of Court to execute such Warrant in lieu of such Messenger or Officer so dying or being removed as aforesaid; and all such Conversions and additional Rates, and Third Part more, imposed and leviable in virtue of this Act, shall in all Cases of Bankruptcy or Insolvency be paid out of the first Proceeds of the Estate of the Person so become bankrupt or insolvent, and shall be preferable to all other Debts of a private Nature due by such Person.

Preference in case of Bankruptcy.

Legal Proceedings to be commenced within Six Months.

LXI. And be it enacted, That it shall not be lawful to commence any legal Process or Proceeding for the Recovery of any Sum due or leviable under the Provisions of this Statute after Six Months from and after the aforesaid Term of *Martinmas* annually when the same becomes leviable.

Causeway Mail reserved.

LXII. And be it enacted, That nothing herein contained shall be held or construed to impair the Right of the said Trustees to levy the Causeway Mail heretofore levied by the said Trustees under the Authority of the foresaid Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, it being declared that the Sums arising from the said Causeway Mail shall continue to be applied by the said Trustees, along with the Assessments herein-before provided, towards the Repair of the Streets within the said District, but declaring that from and after the passing of this Act it shall not be lawful to nor in the Power of the said Trustees to levy the said Causeway Mail from Hearses, or Coaches used as Hearses, unless the same shall be drawn by more than Two Horses, or unless more than One Coach drawn by Two Horses accompany a Hearse.

LXIII. And

Power of general Turnpike Act as to providing Materials, and preventing Nuisances and Injuries to Roads and Streets within the District.

LXIII. And whereas by the said recited Act passed in the First and Second Years of the Reign of His Majesty King *William* the Fourth it is enacted, that all the Enactments, Provisions, Matters, and Things therein contained should extend to all Acts of Parliament then in force, as well as those which should thereafter be passed; be it enacted, That only such of the Powers, Authorities, Penalties, Matters, and Things contained in the said recited Act as relate to the making, repairing, widening, and altering Turnpike Roads, and to acquiring the necessary Land for these Purposes, and Payment of the Compensation for the same, to the shutting up, exchanging, and disposing of old Roads, to digging for, taking, and carrying away Materials for the Use of such Roads, and ascertaining Damages for the same, to removing Nuisances from the Roads and preventing Obstructions therein, to erecting Buildings along or near the Sides of the Roads, laying down Materials for Buildings thereon, making Drains or Ditches, watering Roads and Streets, and appointing Officers, and for regulating the Drivers of Carts, Waggons, and other such Carriages, and also which relate to the prohibiting and preventing any Injury to the said Roads, shall be and they are hereby extended to the Roads and Streets within the District comprised within this Act, which for that Purpose shall be held to be Turnpike Roads in the Sense of the foresaid Act of the First and Second Years of the Reign of King *William* the Fourth.

Streets may be repaired and Levels altered.

LXIV. And be it enacted, That it shall and may be lawful to the said Trustees and they are hereby authorized and empowered in executing the Purposes of this Act to remove the Pavement, Road Metal, or Materials of any of the said Streets, and repave or relay the same in the same or in a different Manner, with the same or with different Materials, as they shall think proper, and also that it shall and may be lawful to the said Trustees to cause the Ground or Level of the said Streets to be raised or lowered, but so as not to impair or injure the Houses or Shops therein, and for that Purpose to raise, lower, divert, or alter the Course of Drains, Common Sewers, Water Channels, Soil Pipes, Water Pipes, and all other Pipes in said Streets, and in lieu thereof to make and construct, at the Expence of the Trust, other Drains, Common Sewers, Water Channels, and relay the Soil Pipes, Water Pipes, and other Pipes, in a proper and efficient Manner.

To provide for Repair of Openings and Drains.

LXV. And be it enacted, That it shall and may be lawful for the said Trustees in maintaining and repairing the Causeways of the said Streets to repair, amend, renew, or replace all Eyes, Plates, Coverings, or Openings on the Surface of the said Streets connected with Drains, Pipes, or other Materials laid under the Causeway thereof, and to charge the Expence of such Repairs to the Parties liable in the Maintenance of the said Drains or Common Sewers, or to whom the said Pipes or others shall belong; and in the event of any Common Sewer or Drain under the Surface of the said Streets falling in or becoming ruinous in such way as to injure the Surface of the same, it shall and may be lawful to the said Trustees, after giving Twenty-four Hours Notice of such their Intention to the Party liable in the Maintenance of such Drain or Common Sewer, to repair or reconstruct the same with a view to the Repair of the said Street,

and to charge the Expence of the Reconstruction of such Drain to the Party liable for the same.

Regulating Water-cocks, Gas-plugs, and others.

LXVI. And be it enacted, That from and after the passing of this Act it shall not be lawful to place on the Surface of the Carriageways of the Streets within the said District any Water-plates, Gas-plugs, Stopcocks, Tobbies, Coverings, or Openings connected with the Service or Branch Pipes of Gas, Water, or other Companies, but the same shall in all Cases where practicable be placed in the Back-lay, or that Portion of the Street between the Curbstone of the Foot Pavement and the Water-run of the Street; and it shall and may be lawful to the said Trustees, if they think it expedient, at their Expence, to remove or cause to be removed all existing Water-plates, Gas-plugs, or others aforesaid at present on the Carriageway of the said Streets, therefrom to the foresaid Portion of the same.

Stones, Lime, &c. on Streets to be inclosed and Lights placed thereon.

LXVII. And be it enacted, That in case any Stones, Lime, Sand, or other Materials shall be intended to be deposited, or in case any Sheds for Masons or any other Erection or Inclosure shall be intended to be placed or formed upon any of the Streets within the said Middle District, or in case any Hole or Opening shall be intended to be made in or adjacent to any of the said Streets for the Purpose of digging Foundations for building, for digging Wells or Drains, laying Pipes, or for altering or repairing the same, or for any other Purpose, the Person or Persons intending to make or cause to be made such Depositations, Erections, Holes, or Openings, whether the same shall be any of the Gas, Water, or other Companies within or adjacent to the said City privileged to lay Pipes in any Part of the said District, or other Persons, shall at least Forty-eight Hours before commencing the same make Intimation thereof in Writing to the Clerk for the Time being of the Trustees of the said Middle District of Roads, who shall thereupon, if he see fit, issue a Warrant to the Party applying to execute such intended Operation: Provided always, that any Person or Persons acting in the contrary, by making such Depositations or commencing such Operations previous to the issuing such Warrant, shall be liable in a Penalty not exceeding Five Pounds for each Offence, and the Person or Persons employed or concerned in the Operations for which such Warrant shall be issued as aforesaid shall, at their own Expence, cause a sufficient Rail or Fence to be put round such Depositations, Holes, or Openings, and round such Erections or Inclosures, as also to construct and maintain temporary Footpaths for the Convenience of Foot Passengers round the same, if thought necessary, and shall also cause a sufficient Number of Lamps or Lights to be affixed at or near the same to be kept burning from Sunset to Sunrise during every Night that such Depositations, Erections, and Inclosures shall remain, or such Holes and Openings shall be unfilled up, all to the Satisfaction of the Surveyor of the said Trustees for the Time being; and in case any of the said Persons refuse or neglect to conform to the said Regulations, and to such other reasonable Regulations as the said Trustees may appoint, they shall be liable to pay to the said Trustees a Sum not exceeding Two Pounds for each Day or Night the same may remain without a sufficient Rail or Fence during the Day, or without such Lamps or Lights

Lights during the Night, declaring, besides recovering the Payment of the said Fine, that the said Trustees shall be entitled to cause the said Rails, Fences, or Inclosures to be made, and Lights to be exhibited, at the Expence of the Persons employed or concerned therein, and to levy and recover such Expence in the same Way as the Assessments herein-before authorized are appointed to be recovered: Providing farther, that it shall be lawful for the said Trustees and they are hereby authorized to seize and carry off all Lime, Sand, or other Materials deposited on any of the said Streets without Inclosure, and to sell or otherwise dispose of the same in such Manner as they shall think fit.

Parties upon Completion of Works to repair Pavement.

LXVIII. And be it enacted, That all Parties making such Depositations, Erections, Holes, or Openings shall, upon the Removal or Completion of the Operations (as the Case may be), be bound and they are hereby required to repair and relay the Causeway in the said Streets which may have been damaged or removed by the said Operations, within One Week after the Removal or Completion of the Operations (as the Case may be), at the Sight and to the Satisfaction of the Surveyor of the said Trustees for the Time being; and failing the said Parties doing so, then the said Trustees shall be entitled, and they are hereby required to repair and relay the said Causeway in the said Streets, and to charge the Expence of the same as the same shall be ascertained by an Account under the Hand of the said Surveyor, to the Parties failing or neglecting as aforesaid, and to recover such Sum in the same Way as the Assessments herein-before authorized are appointed to be recovered.

Gas and Water Companies not to lay Pipes without Intimation.

LXIX. And be it enacted, That it shall not be lawful to or for any Gas or Water Company, or other Person or Company privileged to lay Pipes in any Part of the said District, or any Persons acting by or under their Authority, to break or take up, or cause to be broken or taken up, any Part of the Causeway in any of the Streets within the foresaid District for the Purpose of laying down any Main or Mains of Pipes, or for relaying or replacing, altering, raising, or lowering, the same, without the Consent of the said Trustees being first obtained, and certified in Writing under their Hand, or under the Hand of their Clerk, Surveyor, or other Officer appointed by them, for which Purpose the Party proposing to break up the said Street as aforesaid shall give the said Trustees or their Clerk for the Time being Intimation of such their Intention at least Three Days before commencing the same, and in such Intimation they shall state distinctly how many and which of the Streets are proposed to be opened for the Purposes foresaid; and a Warrant having been obtained from the said Trustees as aforesaid, the said Pipes being so laid or relaid (as the Case may be), the said Gas, Water, or other Company or Person laying or relaying the same shall be bound and obliged immediately on the said Pipe or Pipes being laid or relaid to close up any Opening formed by them, and to causeway in a good and sufficient Manner to the Satisfaction of the said Trustees or their Surveyor for the Time being not only the Portion of the said Street which may have been broken up by them as aforesaid, but also an additional Space of not less than Six Inches in Breadth on each Side of the Space broken up as aforesaid; and

and such Portion of Street so causewayed by the said Water, Gas, or other Company or Person shall be upheld and maintained by them to the Satisfaction of the said Trustees or their Surveyor aforesaid by and through the Space of Twelve Months from the Period of their causewaying the same: Provided always, that nothing herein contained shall be held or construed to limit or control any Rights, Privileges, or Powers which any Gas, Water, or other Company may possess under the Provisions of their respective Statutes.

In the event of Neglect, Trustees to pave.

LXX. And be it enacted, That if the said Parties shall omit or neglect to causeway in a good and sufficient Manner the Pavement broken up as aforesaid, or to maintain the same in good and sufficient Repair for Twelve Months thereafter, it shall and may be lawful to the said Trustees, after giving Twenty-four Hours previous Notice of such their Intention to the Party failing or neglecting as aforesaid, to causeway or repair the said Street, and to charge the Expence of such Causeway or Repair as the same may be ascertained by an Account under the Hand of their Surveyor against the Party so failing or neglecting, and to recover Payment of the same in the same Manner as the Assessments herein-before imposed are authorized to be recovered.

Gas and Water Company to lodge Plans.

LXXI. And be it enacted, That within Three Months after the passing of this Act all Water Companies, Gas Companies, or others possessing the Privilege of laying Pipes in the Streets within the said District shall and they are hereby required to transmit to the said Trustees a Plan, on the Scale of not less than Twelve Inches to the Mile, exhibiting the Course of Pipes belonging to them respectively in the said Streets, and the Portions of the said Streets in which the same are laid, and shall also in like Manner transmit, within the like Period after making the same, similar Plans of any Alterations thereon and Additions thereto which may be made from Time to Time, and which Plans shall set forth all Openings, Plates, Eyes, Water-cocks, and Plugs, or other Communications with the Surface of the said Streets, wherever situated.

Streets not to be broken up without Consent.

LXXII. And be it enacted, That no Person or Persons shall take or break up, or cause to be taken or broken up, any Pavement or Causeway in any Street within the foresaid District which shall be upheld and maintained by the said Trustees without the Consent of the said Trustees being first obtained and certified in Writing under their Hand, or under the Hand of their Clerk, Surveyor, or other Officer appointed by them in that Behalf; and every Person or Persons acting in the contrary, by taking or breaking up such Pavement as aforesaid, without such previous Consent, shall for every such Offence forfeit and pay to the said Trustees the Sum of Five Pounds, or such other Sum less than the above as the said Trustees shall in each Case determine, and further, the Party so offending shall be bound to repair and replace in a good and sufficient Manner the Pavement so broken up as aforesaid; and failing their doing so within Twelve Hours after being thereunto required by the said Trustees, or by their Clerk or other Officer foresaid, then the said Trustees shall be entitled and they are hereby required to execute the said Repair at the Expence of the Party so offending, over and above the foresaid Penalty, and which

which Penalty and penal Sum for Repair, as the same may be ascertained by an Account under the Hand of the Surveyor of the said Trustees for the Time being, shall be recovered from the said Parties in the same Manner as the Assessments herein-before imposed are authorized to be recovered.

Dean of Guild Jurisdiction reserved.

LXXIII. And be it enacted, That nothing herein contained shall be held or construed to abrogate or diminish the Jurisdiction of the Dean of Guild Court of the said City of *Edinburgh*, the same being hereby fully reserved in all Points.

Trustees may be compelled to repair Streets, &c.

LXXIV. And be it enacted, That it shall and may be lawful for any Four or more Persons assessed in virtue of this Act for Statute Labour Conversions who may consider that any Street within the Limits of the said District is not in a good and sufficient State of Repair to give Notice thereof in Writing to the Clerk of the said Trustees for the Time being, requiring the said Trustees to put such Street into and maintain the same in such good and sufficient State of Repair; and in the event of the said Trustees refusing, or failing or delaying within a Period of One Month after such Notice, so to do, it shall be lawful for such Persons assessed as aforesaid to repair the said Streets themselves at the Expence of the said Trustees, or to present a Petition to the Sheriff complaining of such Want of Repair; and the said Sheriff shall, upon such Petition being presented to him, order Notice thereof to be served on the said Trustees, and shall thereafter proceed in a summary Manner to examine into the said Complaint, and shall pronounce such Orders and Judgments therein, interim or final, in relation to the Repair and Maintenance by the said Trustees of such Street or Road, or the Refusal of the said Petition in whole or in part, and as to the Costs of Suit, as he shall under the whole Circumstances of the Case think necessary and expedient.

Sheriff's Judgments to be final.

LXXV. And be it enacted, That in all Cases under this Act in which it is provided or declared to be competent to refer to the Decision of the Sheriff of the County, all Orders and Judgments of the said Sheriff to be pronounced therein shall be held to be final and conclusive and binding on the Parties, and shall not be subject to Review by Advocation, Suspension, Reduction, or any other Process in any other Court, any Law or Custom to the contrary notwithstanding.

Expences of Act, how to be paid.

LXXVI. And be it enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and incident thereto, shall be paid by the said Trustees out of the first and readiest of any Monies in their Hands under the said recited Act or this Act.

Interpretation of Act.

LXXVII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Constructions; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender only shall include Females:

The Word "Month" shall mean Calendar Month:
The Word "Person" shall include Corporation, whether sole or aggregate:
The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in the Case of Persons exempted by Law from the Necessity of taking an Oath:
The Word "Sheriff" shall mean and include the Sheriff of the County of *Edinburgh*, or any of his Substitutes, except in the Appointment as Trustee under this Act:
The Word "Justices" shall mean any Justice of the Peace for the County or County of the City of *Edinburgh*:
The Word "Lands" shall extend to all Heritages and Premises whatsoever:
The Word "Street" shall include any Square, Bridge, Court or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place within the Limits of this Act, open and patent to be used by Carts and Carriages:
The Word "Causeway" shall include all Methods in which Carriage-ways or Streets are constructed and maintained:
The Words "private Streets" include those Streets the Burden of maintaining which rests upon the Proprietors of Houses in or of Lands adjoining the same:
The Word "Trustees" shall mean the Trustees of the Middle District of Roads in the County of *Edinburgh*:
The Word "Owner" shall include all Persons, Life-renters, Minors, Trustees, or joint Owners of any Description; and in Questions with the Occupiers the "Owner" shall be held to be the Person to whom the Occupier pays or is bound to pay his Rent:
The Word "Occupier" shall be held to be the Person who is in actual Tenancy of a House or other Premises at the Time of the Assessments being demanded, notwithstanding any Change in the Occupation during the Currency of the Year for which the Assessment is payable:
The Words "within the Limits of this Act," or "within the said "Limits," "within the said District," or Words to that Effect, shall include the whole Boundaries to which this Act extends.

Exemption from Statute Labour Act.

LXXVIII. And be it enacted, That nothing in this Act contained shall be construed to extend or apply the Provisions of an Act passed in the Eighth and Ninth Year of the Reign of Her present Majesty, intituled *An Act for amending the Laws concerning Highways, Bridges, and Ferries in* Scotland, *and the making and maintaining thereof by Statute Service, and by the Conversion of Statute Service into Money*, to the said Trustees of the Middle District, or Streets under their Charge.

8 & 9 Vict. c. 4.

So much of Act 7 W. & 1 Vict. c. 32. as relates to Repair of Streets repealed.

LXXIX. And be it enacted, That so much of the Powers and Provisions contained in an Act passed in the Seventh Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for continuing, altering, and amending certain Acts for regulating the Police of the City of* Edinburgh *and adjoining Districts, and for other Purposes relating thereto*; and in the several Acts therein recited, as relate to the Construction,

Construction, Repair, and Maintenance of the Carriageways of the Streets within the said District, shall be and the same are hereby repealed.

LXXX. And be it enacted, That nothing herein contained shall affect the Interpretation of the Word "Tenement" in the said recited Acts, or exclude the Jurisdiction of the Court of Session in any Question relating to the same.

Nothing to affect the Meaning of the Word "Tenement."

LXXXI. And be it enacted, That nothing herein contained shall exempt the said Middle District from the Provisions of any general Act relating to the rating for Conversions in lieu of Statute Labour in *Scotland* which may be passed in the present or any future Session of Parliament.

Act to be subject to Provisions of any general Act.

LXXXII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

Public Act.

SCHE

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Assignment of Mortgage.

By virtue of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title to this Act*], we, Three of the Trustees appointed by the said Act, in consideration of the Sum of advanced and paid to us by do hereby sell, assign, and make over to the said his Heirs, Executors, Representatives, and Assignees, all and sundry the Rates and Duties to be imposed and levied within the Middle District of Roads in the County of Edinburgh, payable to us by virtue of the said Act, and all our Right, Title, and Interest of, in, and to the same, to be held by the said and his foresaids until the said Sum of with the legal Interest thereof, [*or such Interest as may be agreed on, if less than Five Pounds per Centum,*] shall be fully satisfied and paid. In witness whereof we the undersigned Trustees have subscribed these Presents, written by at the Day of before these Witnesses, and .

SCHEDULE (B.)

Form of Transfer of Assignment.

I of in consideration of the Sum of paid to me by do hereby transfer a certain Assignment made in my favour by the Trustees for the Middle District of Roads in the County of Edinburgh bearing Date the Day of for securing the Sum of and Interest, and all Interest now due and to become due thereon, and all my Right and Property therein, to the said his Heirs, Executors, Representatives, and Assignees. In witness whereof I have subscribed these Presents, written by at the Day of before these Witnesses, and .

SCHEDULE (C.)

Form of Register of Assignments and Transfers.

No.	Name of Lender.	Sum lent.	Rate of Interest.	Date of Mortgage.	Reference to No. of Transfer.	Remarks.

SCHEDULE (D.)

Table of the commuted Payments to be made by Owners of Houses, &c. in private Streets desirous of compounding under this Act for the annual Rates leviable on them for maintaining and upholding these Streets.

Corresponding present Payment to be made at or before the Term of Martinmas if the Commutation (exclusive of the Year payable at that Term) be for—

Annual Rate to be commuted.			Fourteen Years.			Thirteen Years.			Twelve Years.			Eleven Years.			Ten Years.		
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
0	0	1	0	0	11	0	0	10	0	0	9	0	0	9	0	0	8
0	0	2	0	1	9	0	1	8	0	1	7	0	1	6	0	1	4
0	0	3	0	2	8	0	2	6	0	2	4	0	2	2	0	2	0
0	0	4	0	3	6	0	3	4	0	3	2	0	2	11	0	2	8
0	0	5	0	4	5	0	4	2	0	3	11	0	3	8	0	3	5
0	0	6	0	5	3	0	5	0	0	4	8	0	4	5	0	4	1
0	0	7	0	6	2	0	5	10	0	5	6	0	5	1	0	4	9
0	0	8	0	7	0	0	6	8	0	6	3	0	5	10	0	5	5
0	0	9	0	7	11	0	7	6	0	7	0	0	6	7	0	6	1
0	0	10	0	8	10	0	8	4	0	7	10	0	7	4	0	6	9
0	0	11	0	9	8	0	9	2	0	8	7	0	8	0	0	7	5
0	1	0	0	10	7	0	10	0	0	9	5	0	8	9	0	8	1
0	2	0	1	1	2	1	0	0	0	18	9	0	17	6	0	16	3
0	3	0	1	11	8	1	9	11	1	8	2	1	6	3	1	4	4
0	4	0	2	2	3	1	19	11	1	17	6	1	15	0	1	12	5
0	5	0	2	12	10	2	9	11	2	6	11	2	3	10	2	0	7
0	6	0	3	3	5	2	19	11	2	16	4	2	12	7	2	8	8
0	7	0	3	13	11	3	9	11	3	5	8	3	1	4	2	16	9
0	8	0	4	4	6	3	19	11	3	15	1	3	10	1	3	4	11
0	9	0	4	15	1	4	9	10	4	4	6	3	18	10	3	13	0
0	10	0	5	5	7	4	19	10	4	13	10	4	7	7	4	1	1
0	11	0	5	16	2	5	9	10	5	3	3	4	16	4	4	9	2
0	12	0	6	6	9	5	19	10	5	12	7	5	5	2	4	17	4
0	13	0	6	17	4	6	9	10	6	2	0	5	13	11	5	5	5
0	14	0	7	7	10	6	19	10	6	11	5	6	2	8	5	13	7
0	15	0	7	18	5	7	9	9	7	0	9	6	11	5	6	1	8
0	16	0	8	9	0	7	19	9	7	10	2	7	0	2	6	9	9
0	17	0	8	19	7	8	9	9	7	19	7	7	8	11	6	17	11
0	18	0	9	10	2	8	19	9	8	8	11	7	17	8	7	6	0
0	19	0	10	0	8	9	9	9	8	18	4	8	6	5	7	14	1
1	0	0	10	11	3	9	19	9	9	7	8	8	15	3	8	2	3
2	0	0	21	2	6	19	19	5	18	15	5	17	10	5	16	4	5
3	0	0	31	13	9	29	19	2	28	3	1	26	5	8	24	6	8
4	0	0	42	5	1	39	18	10	37	10	10	35	0	10	32	8	10
5	0	0	52	16	4	49	18	7	46	18	6	43	16	1	40	11	1

Annual Rate to be commuted.			Nine Years.			Eight Years.			Seven Years.			Six Years.			Five Years.		
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
0	0	1	0	0	7	0	0	7	0	0	6	0	0	5	0	0	4
0	0	2	0	1	3	0	1	1	0	1	0	0	0	10	0	0	9
0	0	3	0	1	10	0	1	8	0	1	6	0	1	4	0	1	1
0	0	4	0	2	6	0	2	3	0	2	0	0	1	9	0	1	6
0	0	5	0	3	1	0	2	10	0	2	6	0	2	2	0	1	10
0	0	6	0	3	9	0	3	4	0	3	0	0	2	7	0	2	3
0	0	7	0	4	4	0	3	11	0	3	6	0	3	1	0	2	7
0	0	8	0	4	11	0	4	6	0	4	0	0	3	6	0	3	0
0	0	9	0	5	7	0	5	1	0	4	6	0	3	11	0	3	4
0	0	10	0	6	2	0	5	7	0	5	0	0	4	4	0	3	9
0	0	11	0	6	10	0	6	2	0	5	6	0	4	10	0	4	1
0	1	0	0	7	5	0	6	9	0	6	0	0	5	3	0	4	6
0	2	0	0	14	10	0	13	6	0	12	0	0	10	6	0	8	11
0	3	0	1	2	4	1	0	2	0	18	0	0	15	9	0	13	4
0	4	0	1	9	9	1	6	11	1	4	0	1	1	0	0	17	10
0	5	0	1	17	2	1	13	8	1	10	0	1	6	3	1	2	3
0	6	0	2	4	7	2	0	5	1	16	0	1	11	5	1	6	9
0	7	0	2	12	1	2	7	2	2	2	0	1	16	8	1	11	2
0	8	0	2	19	6	2	13	10	2	8	0	2	1	11	1	15	7
0	9	0	3	6	11	3	0	7	2	14	0	2	7	2	2	0	1
0	10	0	3	14	4	3	7	4	3	0	0	2	12	5	2	4	6
0	11	0	4	1	9	3	14	1	3	6	0	2	17	8	2	9	0
0	12	0	4	9	3	4	0	10	3	12	0	3	2	11	2	13	5
0	13	0	4	16	8	4	7	6	3	18	0	3	8	2	2	17	10
0	14	0	5	4	1	4	14	3	4	4	0	3	13	5	3	2	4
0	15	0	5	11	6	5	1	0	4	10	0	3	18	8	3	6	9
0	16	0	5	19	0	5	7	9	4	16	0	4	3	11	3	11	3
0	17	0	6	6	5	5	14	5	5	2	0	4	9	1	3	15	8
0	18	0	6	13	10	6	1	2	5	8	0	4	14	4	4	0	2
0	19	0	7	1	3	6	7	11	5	14	0	4	19	7	4	4	7
1	0	0	7	8	8	6	14	8	6	0	0	5	4	10	4	9	0
2	0	0	14	17	5	13	9	4	12	0	1	10	9	8	8	18	1
3	0	0	22	6	1	20	4	0	18	0	1	15	14	6	13	7	1
4	0	0	29	14	10	26	18	7	24	0	2	20	19	4	17	16	2
5	0	0	37	3	6	33	13	3	30	0	2	26	4	3	22	5	2

Annual Rate to be commuted.			Four Years.			Three Years.			Two Years.			One Year.		
£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
0	0	1	0	0	4	0	0	3	0	0	2	0	0	1
0	0	2	0	0	7	0	0	6	0	0	4	0	0	2
0	0	3	0	0	11	0	0	8	0	0	6	0	0	3
0	0	4	0	1	3	0	0	11	0	0	8	0	0	4
0	0	5	0	1	6	0	1	2	0	0	9	0	0	5
0	0	6	0	1	10	0	1	5	0	0	11	0	0	6
0	0	7	0	2	1	0	1	7	0	1	1	0	0	7
0	0	8	0	2	5	0	1	10	0	1	3	0	0	8
0	0	9	0	2	9	0	2	1	0	1	5	0	0	9
0	0	10	0	3	0	0	2	4	0	1	7	0	0	10
0	0	11	0	3	4	0	2	7	0	1	9	0	0	11
0	1	0	0	3	8	0	2	9	0	1	11	0	0	11
0	2	0	0	7	3	0	5	7	0	3	9	0	1	11
0	3	0	0	10	11	0	8	4	0	5	8	0	2	11
0	4	0	0	14	6	0	11	1	0	7	7	0	3	10
0	5	0	0	18	2	0	13	10	0	9	5	0	4	10
0	6	0	1	1	9	0	16	8	0	11	4	0	5	9
0	7	0	1	5	5	0	19	5	0	13	2	0	6	9
0	8	0	1	9	0	1	2	2	0	15	1	0	7	8
0	9	0	1	12	8	1	5	0	0	17	0	0	8	8
0	10	0	1	16	4	1	7	9	0	18	10	0	9	7
0	11	0	1	19	11	1	10	6	1	0	9	0	10	7
0	12	0	2	3	7	1	13	4	1	2	8	0	11	6
0	13	0	2	7	2	1	16	1	1	4	6	0	12	6
0	14	0	2	10	10	1	18	10	1	6	5	0	13	6
0	15	0	2	14	5	2	1	8	1	8	3	0	14	5
0	16	0	2	18	1	2	4	5	1	10	2	0	15	5
0	17	0	3	1	8	2	7	2	1	12	1	0	16	4
0	18	0	3	5	4	2	9	11	1	13	11	0	17	4
0	19	0	3	9	0	2	12	9	1	15	10	0	18	3
1	0	0	3	12	7	2	15	6	1	17	9	0	19	3
2	0	0	7	5	2	5	11	0	3	15	5	1	18	6
3	0	0	10	17	10	8	6	6	5	13	2	2	17	8
4	0	0	14	10	5	11	2	0	7	10	11	3	16	11
5	0	0	18	3	0	13	17	6	9	8	7	4	16	2

SCHEDULE (E.)

Form of Certificate of Redemption of the Burden of Paving.

We, the Trustees of the Middle District of Roads for the County of Edinburgh, appointed by an Act passed in the
Year of the Reign of Her Majesty Queen Victoria, intituled [*take in Title of this Act*], do hereby certify, that
Owner of that Dwelling House [*or "other Premises"*], situated in
Street, being No. thereof, has, under the Provisions of the foresaid Statute, made Payment to us of the Sum of
as the commuted Amount payable by the said Act, in lieu of the Assessment thereby imposed for private Streets, [*or, as the Case may be,* 'has made Payment to us of Fifteen annual Instalments of the Assessment for private Streets imposed under the foresaid Statute,' *or* of certain Instalments and commuted Allowances combined, *as the Case may be,*] therefore we, the Trustees foresaid, do hereby declare the said
, his Heirs and Successors, and the foresaid Premises, to be freed and relieved from all Conditions specified in the Title Deeds of the same in reference to the Maintenance of the Carriageway of said Street, in so far as such Repair and Maintenance is undertaken by the said Trustees, declaring that the said Trustees are and shall be bound to maintain and uphold such Carriageway in all Time coming.

Given under the Hand of our Clerk, in our Name and by our Authority, at Edinburgh the Day of
Eighteen hundred and before these Witnesses hereto with him subscribing, and adding their Designations thereto.

A. B., Clerk.

C. D., Witness, of Street, Edinburgh, Merchant.
E. F., Witness, Clerk to the above-named Clerk.

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