ANNO QUADRAGESIMO QUINTO

GEORGII III. REGIS.

Cap. 21.

An Act for regulating the Police of the City of *Edinburgh*, and the adjoining Diſtricts; and for other Purpoſes relating thereto. [10th *April* 1805.]

WHEREAS, by the Extenſion of the City of *Edinburgh*, and the great Increaſe of Inhabitants therein, and in its Vicinity, it has become neceſſary to provide for a more ſteady and regular Adminiſtration of internal Government and Police within the ſame, and to eſtabliſh more effectual Regulations for apprehending and puniſhing Vagrants and diſorderly Perſons, Suppreſſion of Common Begging, removing Nuiſances, lighting and cleaning the Streets and Paſſages, and, in general, for the Preſervation of Peace and good Order within the ſaid City and Places adjoining, and for the Comfort of the Inhabitants: And whereas it is expedient to veſt the Lord Provoſt and Magiſtrates of *Edinburgh* with more ample Powers for licenſing and making and enforcing Regulations and Fares for Hackney Coaches, Chairs, and Carts, and for Porters and Meters of Corn, as well in *Edinburgh*, as in the Port of *Leith*: And whereas the Inhabitants of the ſaid City and Places adjacent, are liable to great Impoſitions in the Weight of Coals, Hay, Straw, and other Matters brought into the ſame, and it is proper

that ſuch Abuſes ſhould be prevented and remedied: And whereas it is expedient that Regulations ſhould be adopted, with reſpect to the Weight of Bread baked for Sale within the ſaid City and Liberties and the Suburbs thereof, and brought from the Parts adjacent, and ſold within the ſame; but the ſeveral Purpoſes aforeſaid cannot be effected without the Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Regulations herein-after made with reſpect to the Eſtabliſhment of a General Syſtem of Police, and for cleanſing and lighting the Streets and Paſſages, for apprehending and puniſhing Vagrants and diſorderly Perſons, ſuppreſſing common Begging, preventing Nuiſances and Obſtructions, and for other Purpoſes tending to the Preſervation of Peace and good Order within the ſaid City and Suburbs, and for impoſing a Tax or Aſſeſſment for the Purpoſes aforeſaid,

Places over which the Act extends.

ſhall extend over the Places following, *videlicet*, the City of *Edinburgh*, including the *Extended Royalty*, the *Canongate*, *Pleaſance*, *Calton*, *Saint Ninian's Row*, *North Back* of the *Canongate*, Precincts of the Abbey of *Holyroodhouſe*, *Abbey Hill*, *Saint James's Square*, and adjacent Streets, *Picardy*, the Eaſter and Weſter Roads to *Leith*, to the Line of Boundary after mentioned, the Eight Diſtricts to the South of the City, as deſcribed in Two Acts paſſed in the Eleventh and Twenty-fifth Years of the Reign of His preſent Majeſty, *videlicet*, the Street or Road leading from *Briſto Street*, weſtward by *Tiviot Row* and *Lawrieſton* to the *Two-penny Cuſtom*, being One Diſtrict, called the Diſtrict of *Tiviot Row* and *Lawrieſton*; the Streets of *Briſto* and *Potter-row*, from *Briſto* and *Potter-row Ports*, to where theſe Streets join each other, and the Places lying between them, built or to be built, and croſs Streets from one to the other, being One Diſtrict, called *Briſto* and *Potter-row* Diſtrict; *George's Square*, including the Streets leading to it, called *Charles* and *Creighton Streets*, (excluſive of the corner Houſe of *Creighton Street*, which belongs to *Briſto* and *Potter-row* Diſtrict), with the other Streets leading to the Square to be hereafter built, being One Diſtrict, called *George's Square* Diſtrict; *Nicolſon's Park*, including the croſs Streets interſecting the ſame, from *Chapel Street* to *Pleaſance*, and the Street along the Back of the City Wall, from *Potter-row Port* to *Pleaſance*, being One Diſtrict, called *Nicolſon's Park* Diſtrict; the *Croſs Cauſeway*, from where the *Briſto* and *Potter-row* Streets join each other, to the Eaſt End of the Street, and from thence along the *Gibbet Street* Northward, to where it is divided from the Juriſdiction of the *Canongate*, being One Diſtrict, called *Croſs Cauſeway* Diſtrict; from the Eaſt End of *Croſs Cauſeway*, Southwards to the *Gibbet Toll*, including *Gibbet Loan*, being One Diſtrict, called *Gibbet Street* Diſtrict; from the Chapel of Eaſe Southwards, to the Toll Gate called *Grange Toll*, including *Shiens*, and likewiſe the whole Grounds, Houſes, and others (not included in any of the other Diſtricts) on the Eaſt and North of the Road leading from the *Wrights Houſes* to the *Grange Toll-Bar*, and from thence along *Mayfield Loan* to the Road to *Dalkeith*, and from that Road in a ſtraight Line Eaſtward to that Part of the March Dyke of the *King's Park* neareſt to *Mayfield Loan*, and the whole Grounds to the Weſt of that March Dyke, to where it joins the Burgh of *Canongate*, being One Diſtrict, called *Cauſeway Side* Diſtrict; from the South

End

End of the Property of *Joseph Gavin* Merchant on the Weſt, and of the Property of *John Straitton* Brewer in *Portſburgh*, on the Eaſt of the Road leading from *Two-penny Cuſtom* to *Wrights Houſes* Southward, to the Toll called *Wrights Houſes* Toll, being One Diſtrict, called *Toll-Croſs* Diſtrict; alſo *Weſter Portſburgh*, commonly called *Weſt Port*, *Fountain Bridge*, and all other Places within the preſent Toll Bars erected on the reſpective High Roads leading to the City and Houſes adjacent thereto, and extending beyond the Toll Bars, in ſo far as any of the Places before mentioned extend beyond the ſame, but limited as follows, with reſpect to the Boundary between the City of *Edinburgh* and the Town of *Leith*, *videlicet*, that this Act ſhall only extend to that Point upon *Leith Walk*, where the Road through the Lands of *Pilrig* to *Bonnington* Toll Bar breaks off, comprehending the ſaid Road and Houſes immediately adjoining both Sides thereof, and extending from the ſaid Point to the Eaſtern Road to *Leith*, in a direct Line with the ſaid Road from *Leith Walk* to *Bonnington* Toll Bar; and the ſaid Authorities and Regulations ſhall alſo extend over the Villages of *Canonmills*, *Water of Leith*, *Reſtalrig*, *Jock's Lodge*, and *Portobello*, all in the Neighbourhood of the City, and the Roads leading from the ſaid City to the ſaid Towns and Villages, and the Houſes on both Sides of the ſaid Roads.

Divided into Wards.

II. And be it enacted, That for the more effectual Execution of the Powers hereby granted, the ſaid City and Places herein-before deſcribed ſhall be divided into the following Diſtricts or Wards, *videlicet*, The Firſt Ward to comprehend the Ancient Royalty of the ſaid City of *Edinburgh*, down to *Leith Wynd*, and *Saint Mary's Wynd*, the North Boundary to be the Keyſtones of the Middle Arch of the North Bridge, running Eaſtward to *Trinity College* Church, and Weſtward to the North Side of the Caſtle, along the Middle of the low Ground formerly called the *North Loch*; the Second, to comprehend the Extended Royalty of the ſaid City, from the Weſtmoſt Part thereof Eaſtward to *Saint Andrew Street*, with the Whole of *Saint Andrew Street* and *Duke Street*, and running Northward, ſo as to include the Houſes on both Sides of that Line, the Houſe of *Bellevue*, now the Cuſtomhouſe, and the whole Houſes built or to be built to the Weſtward of the Line, alſo to include *Kirkbraehead*, Places adjacent, and the Village of *Water* of *Leith*; the Third, to comprehend that Part of the Extended Royalty Eaſtward of the Line of *Saint Andrew Street*, and of the Houſes in that Street, with that Part of *Princes Street* over which the Royalty does not extend, deſcending to the Weſtward of *Canal Street*, and running from thence Eaſtward along the Northern Boundary of the Ancient Royalty, as before ſpecified, and including the *Calton*, *Saint Ninian's Row*, *Saint James's Square* and Streets adjoining, *Picardy*, both Sides of *Leith Walk*, and both Sides of the Weſter Road to *Leith*, to the Point and Road before mentioned, where the Limits of this Act terminate in that Direction, and ſo comprehending *Canonmills*, and the whole Space between the laſt-mentioned Road and the Eaſtern Boundary of the Second Ward; the Fourth, to comprehend *Canongate*, South and North Back thereof, *Leith Wynd*, *Saint Mary's Wynd*, *Pleaſance*, *Saint John's Hill*, Precincts of the Abbey of *Holyroodhouſe*, *Abbey Hill*, and both Sides of the Eaſter Road to *Leith*, to the Point where the Limits of this Act terminate in that Direction, and ſo comprehending *Reſtalrig*, *Jock's Lodge*, *Portobello*,

tobello, and the Space Eaſtward of the Firſt Ward; the Fifth, to comprehend that Part of the South Diſtricts before mentioned to the Eaſtward of the Middle Walk of the Meadow, and running in a Line Southward in the Direction of that Walk, ſo far as the Act extends, including the Houſes within the Line, and joining the Fourth Ward upon the Eaſt, alſo including *Tiviot Row*, *Park Street*, and *Park Place*; the Sixth, to comprehend that Part of the South Diſtricts to the Weſtward of the Middle Walk of the Meadow, and Line Southward from thence, and including *Weſter Portſburgh*, *Fountain Bridge*, and whole Space to the Southweſt and Weſtward of the Firſt and Second Wards; but with Power to the General Commiſſioners after mentioned to alter the Limits of theſe Diſtricts or Wards, or any of them, if they ſhall find ſuch Alteration neceſſary for the more effectual Execution of this Act.

Wards may be altered.

General Commiſſioners.

III. And be it enacted, That the Lord Provoſt, the Four Bailies, the Dean of Guild, the Treaſurer, and the Deacon Convener of the Trades of the City of *Edinburgh*, the Lord Preſident of the Court of Seſſion, the Lord Juſtice Clerk, the Lord Chief Baron of the Court of Exchequer, His Majeſty's Advocate for *Scotland*, the Dean of the Faculty of Advocates, His Majeſty's Solicitor General for *Scotland*, the Keeper of His Majeſty's Signet, or in caſe of his Abſence, or that he holds any other Office in virtue of which he is entitled to act as a General Commiſſioner, then the Deputy Keeper of the Signet, or in the Abſence of the Deputy Keeper, the Treaſurer of the Society in his Place, the Senior Clerk of Seſſion, and in caſe either His Majeſty's Advocate or Solicitor ſhall be Dean of Faculty, then the Senior Member of the Dean's Council, or in his Abſence, the Treaſurer of the Faculty in his Place, the Repreſentative in Parliament for the City of *Edinburgh*, the Repreſentative in Parliament for the County of *Edinburgh*, His Majeſty's Sheriff Depute of the County of *Edinburgh*, the Principal of the Univerſity of *Edinburgh*, the Preſident of the Royal College of Phyſicians, the Maſter of the Company of Merchants, the Preſes of the Society of Solicitors before the Supreme Courts in *Scotland*, the Baillie of the Abbey of *Holyroodhouſe*, all for the Time being, Two Juſtices of the Peace, being Heritors of the Pariſh of *Saint Cuthbert's* or *Weſt Kirk*, to be named by the other Juſtices of the County, with Seven Commiſſioners from each of the Wards before mentioned, ſhall be General Commiſſioners for putting this Act into Execution; the firſt Election of the ſaid Juſtices to be at the Firſt Quarter Seſſions to be held after the paſſing of this Act, and the after Elections to be at the Quarter Seſſions in *March* yearly.

Reſident Commiſſioners.

IV. And be it enacted, That the Commiſſioners for the ſaid Wards, beſides being General Commiſſioners as aforeſaid, ſhall alſo be termed Reſident Commiſſioners of their reſpective Wards; and the Perſons following ſhall be and they are hereby conſtituted and appointed Commiſſioners for the ſaid ſeveral Wards; *videlicet*,

For Ward Firſt, *John Anſtruther* Advocate; *Henry David Inglis* Advocate; *Claud Ruſſell* Accomptant, *Alexander Manners* Bookſeller, *Andrew Gardner* Linen Manufacturer, *William Lamb* Upholſterer, and *James Robertſon* Ironmonger:

For Ward Second, Sir *William Forbes* of *Pitſligo* Baronet, the Reverend Sir *Henry Moncrieff Wellwood* Baronet, *John Wauchope* Writer to the Signet, *Gilbert Innis* of *Stow*, *William Porter* of Prince's Street, *James Joilie* Writer to the Signet, and *Henry Jardine* Writer to the Signet:

For Ward Third, *Donald Maclachlan* Advocate, *John Pringle* Clerk of Seſſion, *Robert Dundas* Writer to the Signet, *Alexander Oſborn* Solicitor of Cuſtoms, *Thomas Hutcheſon* Merchant, *Patrick Crichton* of Leith Walk, and *James Donaldſon* Printer:

For Ward Fourth, *George Rae*, Senior Reſident Magiſtrate, Sir *John Stuart* of *Allanbank* Baronet, *Andrew Balfour* Advocate, *Alexander Keir* Brewer, of Pleaſance, *John Somerville* Brewer, of Canongate, *John Brown* Coachmaker, of Abbeyhill, and *William Jameſon*, Portobello:

For Ward Fifth, *Robert Simpſon* Reſident Magiſtrate, *Archibald Campbell* Advocate, *David Williamſon* Advocate, Captain *James Tod*, Captain *Ninian Louis*, *Robert Sym* Writer to the Signet, and *Walter Lothian* Merchant:

And for Ward Sixth, *David Smith* Reſident Magiſtrate, *James Walker* of Dalry, *David Brown* of Lawrieſton, *Alexander Gardener* of the Exchequer, *Thomſon Bonar* Merchant, *James Haig* Diſtiller, and *James Mackay* Jeweller.

Annual Election of Two Reſident Commiſſioners for each Ward.

V. And be it enacted, That the Reſident Commiſſioners hereby appointed ſhall continue in Office till the laſt *Monday* of *April* One thouſand eight hundred and ſix, when the Two Commiſſioners higheſt in the Liſt for each Ward ſhall go out of Office, and Two others ſhall be choſen in their Stead, by a Majority of Votes of the Occupiers of Dwelling Houſes, Shops, Warehouſes, and other Buildings within the reſpective Wards, valued in Manner herein-after mentioned at Ten Pounds Sterling or upwards of Free Rent, except in the Fourth and Sixth Wards, where the occupying of a Dwelling Houſe, Shop, Warehouſe, or other Buildings, of Six Pounds Sterling or upwards, of Free Rent, ſhall be a ſufficient Qualification for voting; and the ſaid Commiſſioners ſhall be Houſeholders, whoſe Dwelling Houſes, excluſive of Shops or Warehouſes, ſhall be valued at Twenty Pounds Sterling or upwards of Free Rent, except in the ſaid Fourth and Sixth Wards, where the occupying of a Dwelling Houſe of Twelve Pounds Sterling or upwards, of Free Rent, ſhall be a ſufficient Qualification for a Reſident Commiſſioner; and where Dwelling Houſes and Shops or Warehouſes are valued *in cumulo*, One Half of the Rent ſhall be held to be applicable to the Houſe, and the other Half to the Shop or Warehouſe: Provided always, that no Perſon ſhall have more than One Vote upon his total Valuation, and ſhall only vote in One Ward.

Perſons to have only One Vote, and to vote only in One Ward.

What Qualification ſhall entitle to Vote where more than One.

VI. And be it declared, That where any Perſon ſhall have a Qualification in One Ward upon a Dwelling Houſe, and in another Ward upon a Shop, Warehouſe, or other Buildings, ſuch Perſon ſhall vote and act in reſpect of the Dwelling Houſe; and that where any Perſon ſhall have Dwelling Houſes affording a Qualification in different Wards, ſuch Perſon ſhall vote and act in reſpect of the Houſe of greateſt Value.

Magiſtrates of Canongate, etc. may be choſen without Regard to Qualification.

VII. Provided always, and be it enacted, That the Reſident Magiſtrates of *Canongate*, *Potterrow*, and *Weſter Portſburgh*, ſhall be eligible as Reſident Commiſſioners within their reſpective Wards, without regard

to the Amount of the Rent of the Dwelling Houſes which they may occupy: Provided likewiſe, that the Reſident Commiſſioners hereby appointed, who may have Dwelling Houſes in different Wards, ſhall be entitled to act, and ſhall act for the Wards for which they are hereby named, without regard to the relative Value of their Dwelling Houſes in their different Wards.

Mode of Election.

VIII. And it is hereby declared, That the Election of the ſaid Reſident Commiſſioners ſhall be conducted as follows; *videlicet*, the Votes ſhall be given in each Ward ſeparately by written Notes, ſubſcribed by the Voters, ſpecifying their Names, Deſignations, and Qualifications, and containing the Names and Deſignations of the Perſons voted for, put into Boxes to be prepared for that Purpoſe, the Box for the Firſt Ward to be placed within *Saint Giles'* or High Church; for the Second, within *Saint Andrew's* Church; for the Third, within the College Church; for the Fourth, within the *Canongate* Church; for the Fifth, within the Chapel of Eaſe; and for the Sixth, within *Saint Cuthbert's* Church; the Boxes to be placed in the ſaid ſeveral Places on or before the ſaid laſt *Monday* of *April* One thouſand eight hundred and ſix, and to remain open from Ten of the Clock in the Forenoon till Four of the Clock in the Afternoon of the ſaid Day, when the Election ſhall be cloſed and the Boxes ſhall be ſealed up, and removed by Perſons to be appointed for that Purpoſe, by the Reſident Commiſſioners of the ſeveral Wards, and upon the Day following the Box for each ſeveral Ward ſhall be opened and the Votes ſcrutinized by the Reſident Commiſſioners of ſuch Ward, who ſhall remain in Office, at a Meeting to be held for that Purpoſe at Twelve of the Clock at Noon, either at the Place where the Box of the Ward was placed, or at any other Place which may be previouſly fixed by the ſaid Reſident Commiſſioners reſpectively for that Purpoſe, and at which Meetings the Commiſſioners elected for the different Wards ſhall be declared; and all Diſputes with reſpect to the Qualification of the Electors or Perſons elected, ſhall be finally determined by a Majority of Votes of the Commiſſioners preſent in the ſeveral Wards; and in caſe there ſhall be an Equality of Votes for any of the Commiſſioners in any of the Wards, the Preſes of the Meeting in ſuch Ward ſhall determine the Preference by caſting Lots, and the Preſes of the Meeting in each ſeveral Ward ſhall alſo in like Manner by caſting Lots determine the Order in which the Names of the Commiſſioners newly elected are to ſtand in the Liſts for the Ward, declaring that at all ſuch Meetings the Perſon preſent whoſe Name ſtands higheſt on the Liſt of the Ward ſhall act as Preſes, and that Three of the Commiſſioners of each Ward ſhall upon ſuch Occaſions be held to be a ſufficient Quorum; and the ſame Proceedings ſhall take place upon the laſt *Monday* of *April* in every Year thereafter during the Continuance of this Act.

Inhabitants of a Ward failing to elect Two Commiſſioners annually.

IX. And be it enacted, That in caſe the Perſons entitled to elect in any of the Wards ſhall fail to chuſe Two Commiſſioners, duly qualified upon the laſt *Monday* of *April* One thouſand eight hundred and ſix, or upon the laſt *Monday* of *April* in any Year thereafter, to ſupply the Place of the Two Commiſſioners who ſhall go out of Office, it ſhall be lawful for the Commiſſioners of ſuch Ward who remain in Office, to meet and chuſe Two Commiſſioners duly qualified as before ſpecified, to ſupply the

Vacancy,

Vacancy, by the Majority of Votes of the Commiſſioners preſent; and, in caſe of an Equality of Votes, the Commiſſioner whoſe Name ſhall ſtand firſt upon the Liſt ſhall have the caſting Vote; and in this caſe alſo Three Commiſſioners ſhall conſtitute a Quorum.

Reſident Commiſſioners refuſing to act.

X. And be it enacted, That in caſe any of the Reſident Commiſſioners hereby appointed or to be elected as aforeſaid ſhall refuſe to act, he ſhall forfeit a Sum equal to Triple his Aſſeſſment for that Year impoſed by this Act for the Purpoſes of Police; and in caſe any Commiſſioner ſhall die, or remove from the Ward, or ſhall otherwiſe become diſqualified or incapable of acting, the other Commiſſioners ſhall fix a Day for another Election, to be held in the Manner before preſcribed, and ſhall give Notice thereof in the Churches within the Ward upon a Sabbath Day, before diſmiſſing the Congregation from Forenoon Service, at leaſt Forty eight Hours before the Election ſhall take place; and in caſe the Perſons entitled to elect ſhall then fail to make an Election, the remaining Commiſſioners of the Ward ſhall be entitled to fill up the Vacancy as before directed.

Commiſſioners dying or removing from the Ward.

Commiſſioners may be re-elected.

XI. Provided always, and be it enacted, That any Perſon who ſhall have acted as a Commiſſioner may be re-elected immediately after his going out of Office, but ſhall not incur the Forfeiture before-mentioned if he refuſes to act upon being re-choſen within a ſhorter Space of Time than Two Years after going out of Office.

Powers of General Commiſſioners.

XII. And be it enacted, That the ſaid General Commiſſioners, including the Reſident Commiſſioners for the Wards, in this and in every other Caſe where General Commiſſioners are mentioned in this Act, ſhall hold regular Meetings, as after ſpecified, at which they ſhall have full Power and Authority to make Aſſeſſments in the Manner and for the Purpoſes after mentioned, as alſo to chuſe a Superintendant or Maſter of Police for the whole City and Limits aforeſaid, and to fix the Number and Deſcription of Officers of Police, Watchmen, and others, to be employed by Night or by Day within the ſeveral Wards; and they are hereby empowered and required to give Orders and Directions for the ſtrict Obſervance of ſuch Rules and Regulations of Police as they ſhall, in the Execution of their Duty under this Act, find it neceſſary to preſcribe, for apprehending Vagrants and diſorderly Perſons, and other Offenders againſt the Law, within their Bounds, for Suppreſſion of common Begging; preventing and removing Nuiſances and Obſtructions, enforcing the Rules which are or may be laid down as to lighting and cleaning the Streets, and Paſſages; and in general for all other Purpoſes connected with the Preſervation of Peace and good Order, and the general Safety and Comfort of the Inhabitants of the ſaid City and Limits; and it ſhall be lawful for them to appoint a Clerk to the General Meetings, who ſhall alſo be Clerk to the Superintendant, and Clerk to the Court of Police after mentioned, and the Clerk ſhall have Power to appoint a Depute or Deputes, for whom he ſhall be anſwerable, in all or any of the Departments of his Office, ſuch Depute or Deputes being approved of by the Superintendant before acting; and during any Vacancy, the ſaid Superintendant ſhall be entitled to appoint an Interim Clerk or Clerks: And it ſhall alſo be lawful for the ſaid General Commiſſioners to appoint Surveyors for aſcertaining

taining the Rents in order to the Aſſeſſment, and a Collector or Collectors for uplifting the Money aſſeſſed, and to fix all Salaries and Allowances to the Perſons to be employed for carrying this Act into Execution; at which Meetings Twenty-one Commiſſioners ſhall make a Quorum; and all Matters ſhall be determined by the Majority of Votes of thoſe preſent; and the Lord Provoſt, or in his Abſence His Majeſty's Sheriff Depute, and in his Abſence the Senior Magiſtrate preſent, ſhall preſide; and in caſe no Magiſtrate ſhall be preſent, then the other official Commiſſioners in the Order in which they ſtand in the Liſt; and the Preſes ſhall have no Vote but a caſting Vote in caſe of Equality: Provided always, that the ſaid Commiſſioners may, if they think proper, authoriſe the Commiſſioners for any Diſtrict to appoint Sub-Collectors; and the ſaid Collectors and Sub-Collectors ſhall give ſufficient Security for their Intromiſſions, and for the due Performance of the Truſt repoſed in them reſpectively.

Powers of Reſident Commiſſioners.

XIII. And be it enacted, That the Reſident Commiſſioners of each Ward ſhall alſo hold regular Meetings, as herein-after ſpecified, at which they ſhall give ſuch Directions as may be neceſſary for carrying the Orders and Appointments of the General Commiſſioners into Execution, and for promoting the general Peace, Order, and Comfort of the Ward; and at thoſe Meetings, if authoriſed as aforeſaid, may appoint a Clerk for their Ward, who ſhall alſo be Sub-Collector; and alſo an Inſpector to execute the Powers herein-after ſpecified, and who ſhall be reported to and approved of by the General Commiſſioners; and the ſaid Reſident Commiſſioners ſhall and may appoint ſuch a Number of Officers of Police, Watchmen, and others, for the Ward, as ſhall be authoriſed by the General Commiſſioners; but the ſaid Inſpectors, Officers of Police, Watchmen, and others, ſhall be entitled, and are hereby required, when Occaſion demands, to act within any Part of the ſaid City and Limits: And for the more ready and effectual Communication of Intelligence and Execution of Orders and other Purpoſes of this Act, it ſhall be lawful to have One Officer of Police in every Ward properly armed and mounted on Horſe back: And it is hereby declared, that the ſaid Officers of Police and Watchmen, when upon Duty, ſhall poſſeſs all the Powers given by the Law of *Scotland* to the Office of Conſtable: Provided always, that at all Meetings of the Reſident Commiſſioners Four ſhall make a Quorum, excepting in the Caſes before ſpecified where Three are declared to be ſufficient; and all Matters ſhall be determined by the Majority of Votes of the Commiſſioners preſent; and the Commiſſioner preſent ſtanding higheſt upon the Liſt ſhall preſide, and ſhall have a caſting as well as a deliberative Vote, in caſe of Equality.

Meetings of General Commiſſioners.

XIV. And be it enacted, That the Firſt Meeting of the General Commiſſioners for putting this Act into Execution, ſhall be within the Parliament Houſe in *Edinburgh*, upon the Third *Monday* after the paſſing of this Act, at Twelve of the Clock Midday, when they ſhall take ſuch Steps and give ſuch Orders and Directions as may be neceſſary; and they ſhall meet again at the ſame Place and Hour upon the Second *Monday* thereafter, to give further Directions, and ſo on every Fortnight thereafter, until all neceſſary Orders, Directions, and Appointments ſhall be made and given for putting this Act into Execution; and that they ſhall meet again upon the Third *Monday* of *November*, at the ſame Place

Place and Hour, to receive Reports of the Progreſs made, and to give further Directions, with Power to adjourn if neceſſary; and thereafter they ſhall meet regularly every Year upon the Third *Monday* of *May*, at the ſame Place and Hour, to receive Reports of the State of the different Wards, and again at the ſame Place and Hour a Fortnight thereafter, to give ſuch Directions as may be neceſſary, with Power to adjourn if requiſite; and they ſhall meet again upon the Third *Monday* of *November* in every Year, at the ſame Hour and Place, to receive Reports, to give further Directions, and with Power to adjourn, as is preſcribed with reſpect to the firſt Year: Provided always, that in caſe the Parliament Houſe ſhall be occupied by the High Court of Juſticiary, or by any Meeting of the County uſually held at that Place, at any Time at which the General Commiſſioners are appointed to meet, it ſhall be competent to them to adjourn to any other convenient Place, of which Notice ſhall be given by a Writing, to be placed upon the Outer Door of the Parliament Houſe, there to remain till the Meeting of the General Commiſſioners breaks up.

Meetings of Reſident Commiſſioners.

XV. And be it enacted, That the Firſt Meeting of the Reſident Commiſſioners ſhall be at ſuch Time as ſhall be determined by the General Commiſſioners, and ſhall be held at Twelve of the Clock Midday, at the Places in the different Diſtricts where the Elections are appointed to take place, or at any other Places to be directed by the General Commiſſioners; and Notice in Writing of the Time and Place of holding the Firſt Meetings ſhall be ſent to each Reſident Commiſſioner by the Clerk to be appointed by the General Commiſſioners; and the ſaid Firſt Meetings may be adjourned from Time to Time, and to ſuch Places as the Reſident Commiſſioners preſent may think fit, until all neceſſary Directions and Appointments be given and made for carrying this Act into Execution as aforeſaid; and the ſaid Reſident Commiſſioners ſhall hold their Meetings at ſuch Hours and Places as they ſhall reſpectively appoint, upon the Firſt *Monday* of *November*, to prepare Reports for the then enſuing Meeting of the General Commiſſioners, to be held upon the Third *Monday* of that Month; and they ſhall meet regularly, at ſuch Hours and Places as they themſelves ſhall appoint, upon the laſt *Monday* but one of *April* in every Year thereafter, to prepare a Report to the Meeting of the General Commiſſioners to be held in *May* following, wherein they ſhall deſcribe the Situation of the Ward with reſpect to all Matters connected with the Objects of this Act, and ſuggeſt what may be proper to be attended to by the General Commiſſioners; and again upon the Firſt *Monday* of *November* in every Year, to prepare a Report of the Progreſs made, and other Matters connected with this Act, to be laid before the Meeting of the General Commiſſioners to be held upon the Third *Monday* of that Month; and the Reports ſo made up ſhall be lodged with the Superintendant of Police in Manner following; the Reports made up in *May*, on or before the Firſt *Monday* of *May*, and the Reports made up upon the Firſt *Monday* of *November*, on or before the Second *Monday* of that Month; at which Meetings the Reſident Commiſſioners, beſides preparing the Reports as aforeſaid, ſhall take ſuch other Steps, and give ſuch Directions as may be neceſſary for the effectual Execution of this Act; and at all ſuch Meetings the Reſident Commiſſioners ſhall have Power to adjourn to ſuch Time as they ſhall think proper.

Occaſional Meeting of General and of Reſident Commiſſioners.

XVI. And be it enacted, That beſides the Meetings herein-before ſpecified, occaſional Meetings of the General and Reſident Commiſſioners may be held, if found neceſſary; which occaſional Meetings of the General Commiſſioners ſhall be called by the Lord Provoſt as Preſes, or by any Three of the General Commiſſioners; and the Meetings of the Reſident Commiſſioners ſhall be called by the Perſon whoſe Name ſhall ſtand higheſt on the Liſt as Preſes of the Ward, or by any Two Reſident Commiſſioners; and Notice in Writing ſhall be ſent to every General Commiſſioner at leaſt Forty-eight Hours before any Meetings of General Commiſſioners ſhall be held, and to every Reſident Commiſſioner at leaſt Twenty-four Hours before any Meetings of Reſident Commiſſioners ſhall be held: Provided always, that at all the Meetings, whether of General or Reſident Commiſſioners, the Commiſſioners preſent ſhall defray their own Expences.

Commiſſioners to defray their own Expences.

Duty and Powers of Inſpectors.

XVII. And be it further enacted, That every Inſpector ſhall, and he is hereby directed to diſtribute over the Ward committed to his Charge, the Officers of Police, Watchmen, and others, allowed by the General Commiſſioners, according to the Directions of the Reſident Commiſſioners, if any ſuch ſhall be given; and he is hereby authoriſed to take the Charge of all Matters within the ſaid Ward connected with the Objects of this Act, and ſhall alſo poſſeſs all the Powers given by the Law of *Scotland* to the Office of Conſtable; and, along with the Conſtables to be appointed as herein-after mentioned, and with the Officers of Police, Watchmen, and others aforeſaid, ſhall aſſiſt in ſuppreſſing diſorderly Houſes, Mobs, and Riots, in extinguiſhing Fires, and preventing Danger of every Kind to the Lives and Properties of the Inhabitants, and ſhall apprehend and carry before the Superintendant all Perſons found tranſgreſſing againſt any of the Proviſions of this Act, and all Perſons detected in Diſorders or Riots of any Kind, Aſſaults, Street Robberies, Houſebreakings, Thefts, Reſets of Thefts, Shoplifting, Depredations of every Kind by Servants or others under Truſt, Picking Pockets, Swindling, and other Offences againſt Peace and good Order: And the ſaid Inſpector ſhall make a daily Report to the Superintendant of all Offences againſt this Act committed within his Ward, in ſo far as the ſame ſhall have come to his Knowledge; and ſhall alſo make up Liſts of the Inhabitants entitled to vote for Commiſſioners within the Ward, to be delivered to the Reſident Commiſſioners at leaſt Six Days before the annual Election in the Month of *April*, and with reſpect to all Proſecutions for Offences committed within the reſpective Wards, and all Trials of Offenders reſiding therein, under the Authority of this Act, the Inſpector of the Ward ſhall be held as Procurator Fiſcal therein; and in thoſe Wards where Soldiers are in uſe to be quartered, the Inſpector of the Ward ſhall be, and is hereby appointed Billet Maſter for the Ward or Bounds liable to be quartered on.

Inſpectors to be Fiſcals.

Inſpectors to be Billet Maſters.

Superintendant to be Principal Billet Maſter.

XVIII. And be it enacted, That the Superintendant of Police, when appointed as aforeſaid, ſhall be and he is hereby appointed principal Billet Maſter for the whole Bounds uſually quartered on, under the Denomination of *Canongate* and Suburbs of *Edinburgh*, and at all Times, when any of His Majeſty's Forces ſhall be quartered in the ſaid Bounds, Application ſhall be made to the ſaid Superintendant for Billets, and he ſhall thereupon

thereupon either by himself or by some fit Person to be appointed by him for that Purpose, distribute the Officers and Soldiers in the most equal and impartial Manner, on the several Wards or Bounds liable to be quartered on, in such and the like Manner as is or may be directed by any Law in force to that Effect, reserving to the Precincts of the Abbey of *Holyroodhouse* all Exemption from quartering Soldiers to which they may be entitled; and the said Superintendant, as principal Billet Master aforesaid, shall keep regular Books, which shall at all reasonable Times be open to the Inspection of the Commissioners, or of Householders interested; as also the Inspectors or Billet Masters of the several Wards or Bounds shall keep regular Books for entering the Billets, and in those Wards where a Locality has been in use to be levied, as also in those Wards where the Householders may in Time coming desire to have a Locality in lieu of actual Quartering, the Inspectors shall keep regular Books, to shew the Money levied, and how applied in providing actual Quarters for Soldiers.

Superintendant of Police to receive a Commission as Sheriff Substitute, &c.;

XIX. And be it further enacted, That when the Superintendant or Master of Police is appointed by the General Commissioners, as before mentioned, His Majesty's Sheriff Depute of the County of *Edinburgh* shall be, and is hereby authorized and required to grant to the said Superintendant, a Substitution of Sheriffship within the Bounds aforesaid, to the Effect of enabling him to grant Warrants against Offenders, and to act as a Judge or Magistrate in the Execution of his Duty under this Act: And the said Superintendant, after he shall receive a Substitution from the Sheriff Depute, as aforesaid, shall have full Power to act as a Sheriff Substitute accordingly, in all Matters and Things falling under the Authorities given by this Act.

also a Commission from the Lord Provost as Sheriff Principal of the City, etc.

XX. And be it further enacted, That the Lord Provost of the said City (such Lord Provost being Sheriff Principal within the Bounds thereof) shall also be authorized and required to grant to the said Superintendant, and the said Superintendant, when appointed in Manner aforesaid, shall receive from him a Commission as an Additional Sheriff Depute within the said City and Liberties, with Power to act in all Matters necessary for the Execution hereof; and which Commission shall continue in Force as long as the Person to whom the same is granted shall continue Superintendant, notwithstanding the annual Changes in the Magistracy of the said City, by the Set or Constitution of the same.

Warrants for apprehending may be executed anywhere within the County.

XXI. And be it declared, That the Warrants issued by the said Superintendant, after he is appointed a Sheriff Substitute and Additional Sheriff Depute as aforesaid, against Persons committing Offences within the Limits of this Act, for the Purpose of bringing such Persons before him, for Examination and Trial, shall and may be executed anywhere within the said County of *Edinburgh*; reserving always to the Palace and Abbey of *Holyroodhouse*, and the Precincts thereof, their Privileges, and to the Officers acting within the same, their Powers, Privileges, and Jurisdiction, as heretofore enjoyed.

Duty and Powers of Superintendant.

XXII. And be it enacted, That the said Officer so appointed and authorized, shall have the immediate Charge and Superintendancy over the whole City

City and Bounds aforeſaid, in all Matters and Things connected with the Police thereof, and ſhall communicate the Directions and Orders of the Commiſſioners to the ſeveral Inſpectors and Officers in the different Wards, and ſhall grant Warrants when neceſſary, for bringing before him all Perſons charged with any of the Offences herein ſpecified and deſcribed, with Power to examine ſummarily into the Grounds of the Charge, and either to liberate the Party charged, or admit to Bail till a Court is held, or to grant Warrant for impriſoning or detaining him or her in Cuſtody, until ſuch Perſon can be brought before the Court to be held under Authority of this Act as a Court of Police, there to be proceeded againſt as the Caſe may require, and in which Court the ſaid Superintendant ſhall uſually attend, and act as the Judge or Magiſtrate in all Matters which concern the Execution of this Act, in his Character of Sheriff Subſtitute, by virtue of his Commiſſion from the Sheriff Depute of the County, and as Sheriff Depute within the City and Liberties, by virtue of his Commiſſion from the Lord Provoſt as Sheriff Principal; or in caſe of his Abſence from Indiſpoſition or other Cauſe, his Place ſhall be ſupplied either by One of the Bailies of the City of *Edinburgh*, attending and acting as a Police Magiſtrate in ſo far as concerns Offences committed or Matters ariſing within the City of *Edinburgh* or Liberties of the ſame; or by His Majeſty's Sheriff Depute of the County of *Edinburgh*, or his other Subſtitutes, as to all ſuch Offences committed or Matters ariſing within any Part of the Bounds ſpecified in this Act; and the ſaid Superintendant ſhall, with Concurrence of the General Commiſſioners, or a Majority of thoſe preſent at any regular Meeting, have Power to appoint any Number of Perſons, not exceeding Eight, to be Conſtables to attend the ſaid Court of Police, and to execute the Warrants or Sentences of the ſame, and for the other Purpoſes of this Act, and with the whole Powers belonging to Conſtables by the Law of *Scotland*; and the ſaid Conſtables, if Occaſion requires, may alſo be armed, and mounted on Horſeback.

Conſtables to be appointed for executing Warrants, etc.

Summary Form of Procedure to be eſtabliſhed in Police Court.

XXIII. And whereas it is highly expedient that in all ſuch Caſes the Proceedings ſhould be attended with as little Expence or Delay as poſſible; be it enacted, That the ſaid Sheriff Depute of the County, and the Lord Provoſt and Magiſtrates of the City, with the Advice and Approbation of the Lord Preſident of the Court of Seſſion, and the Lord Juſtice Clerk, for the Time being, are hereby authorized and required to adapt the Forms of the ſaid Court of Police accordingly, ſo as to diſpatch the Buſineſs under this Act in the eaſieſt and moſt expeditious Manner, without written Pleadings: Provided always, that a Record ſhall be preſerved of the Charge and of the Judgment pronounced.

Extent of Puniſhment, etc. in Police Court.

XXIV. And be it enacted, That it ſhall be competent to the Judge acting in the ſaid Police Court, to commit either to the Tolbooth of *Edinburgh* or to Bridewell, any Perſon or Perſons who ſhall be convicted of any of the Offences ſpecified or deſcribed in this Act, for a Space not exceeding Sixty Days, and in all Caſes where Perſons are committed to Bridewell, he may preſcribe the Kind of Labour in which ſuch Perſons are to be employed, conſiſtent with and ſubject to the Regulations of Bridewell; and alſo with Power to the ſaid Judge to fine any Perſon or Perſons convicted as aforeſaid, in any Sum not exceeding Forty Shillings Sterling, and to

give Judgment in Damages for any Sum not exceeding Three Pounds Sterling, with the Expences in either Cafe; the Fines to be paid to the Collector or Collectors appointed by the General Commiſſioners, or to any Perſon authorized by him or them to receive the ſame, to be diſpoſed of as after mentioned, and the Damages to be paid to the Perſon or Perſons by whom the Loſs has been ſuſtained, and in caſe the Perſon charged with any Offence or Offences ſhall be acquitted, with Power to the ſaid Judge, if he ſees Cauſe, to ſubject the private Party who has made the Complaint in the Expences occaſioned, to be paid to the Party acquitted; and all Perſons employed in the Execution of this Act, who ſhall either be negligent or ſhall act unwarrantably, may be proceeded againſt to the Extent after mentioned, notwithſtanding the ſaid Limitations; and it is hereby alſo declared, that no Appeal ſhall lie to the Sheriff Depute of the County from Sentences pronounced by the ſaid Superintendant as a Sheriff Subſtitute, nor to the Lord Provoſt as Sheriff Principal, from Sentences pronounced by the ſaid Superintendant, as an additional Sheriff Depute within the City and Liberties; and that the Sentences pronounced, in ſo far as concerns Fines, Damages, and Expences of any Kind, ſhall not be ſubject to Advocation, Suſpenſion, or other Stay of Execution; and the Perſon or Perſons againſt whom ſuch Sentences ſhall be pronounced, or who may be found liable in ſuch Expences, if in Cuſtody at the Time, ſhall be ſo kept; and if not in Cuſtody at the Time, ſhall immediately be taken into Cuſtody, and ſo kept till the Money be paid; and if the ſame ſhall not be paid within Twenty-four Hours from the Date of the Sentence, he, ſhe, or they ſhall be committed to the Tolbooth of *Edinburgh*, till liberated in due Courſe of Law, in ſo far as concerns Damages and Expences, and till liberated in Manner after mentioned, in ſo far as concerns Fines and Penalties; and in all Caſes a Copy of the Charge and Sentence, certified by the Clerk, ſhall be deemed ſufficient Warrant of Commitment.

Where a higher Degree of Puniſhment, etc. is merited.

XXV. And be it enacted, That where the Judge acting in the ſaid Police Court ſhall think the Caſe deſerving of a higher Puniſhment or Fine than is authorized by this Act, he ſhall and may commit ſuch Offender to the Tolbooth of *Edinburgh* till liberated in due Courſe of Law; and the Clerk ſhall give Notice of ſuch Commitment to the Agent for the Crown; and alſo to the Procurator Fiſcal of the City or County, in order that ſuch Perſon may be further proceeded againſt, conformably to Law; and in caſe it ſhall appear that the Loſs ſuſtained by the private Party exceeds the Sum hereby authorized to be given in the Name of Damages, the Judge acting in the Police Court ſhall and may give Judgement for Damages to the Amount hereby authorized; and ſhall inſert in the Sentence a Reſervation of ſuch further Claim as may be competent, to be inſiſted in before any Judge to whoſe Juriſdiction the Offender is amenable, ſuch further Claim to be inſiſted in at the Expence of the private Party; and to whom it ſhall be competent to inſiſt in ſuch further Claim, whether the Sentence contain ſuch Reſervation or not.

Apprehenſion and Puniſhment of Vagrants and Common Beggars.

XXVI. And be it enacted, That the ſaid Inſpectors, Conſtables, Officers of Police, Watchmen, and others, ſhall alſo apprehend and bring before the Superintendant, all Vagrants and Common Beggars for Examination; and if by ſuch Examination it ſhall appear that the Perſons ſo apprehended are

are Vagrants, connecting themſelves with no particular Pariſh, they ſhall be detained in Cuſtody, and the Judge officiating in the Police Court ſhall proceed againſt them in Manner before preſcribed, and ſhall commit them to Bridewell for any Space not exceeding Sixty Days; and if it ſhall appear that any of the ſaid Vagrants or Beggars belong to the ſaid City, or to any of the ſaid Wards, then they ſhall be ſent to the Charity Workhouſe of the Place to which they belong; and if to the Pariſhes of *South Leith* or *Duddingſton*, in which there are no Workhouſes, they ſhall be delivered over to the Seſſion Clerk of the Pariſh to which they belong; and if any of the ſaid Vagrants or Beggars ſhall appear to belong to Pariſhes without the Limits of this Act, then they ſhall be carried to the Boundaries of the Ward next adjacent to ſuch Pariſhes, and there diſmiſſed; and if any of the ſaid Vagrants or Beggars, whether belonging to Places within the Limits of this Act, or to Pariſhes without the Bounds thereof, ſhall again be found within any of the ſaid Wards, they ſhall be apprehended and detained as aforeſaid, and the Judge officiating in the ſaid Police Court ſhall commit ſuch Offender to Bridewell for any Space not exceeding Sixty Days: Provided always, that in caſe any of the Vagrants connecting themſelves with no particular Pariſh, or any of the other Vagrants or Beggars who may have been once committed to Bridewell, ſhall again be found within the Limits of this Act, ſuch Offender ſhall be apprehended and detained as aforeſaid, and if convicted of the ſaid Offence, by the Oaths of two Witneſſes to be taken in Writing, ſhall be committed to Bridewell; and upon the firſt *Wedneſday* after Expiry of Ten Days from ſuch Conviction, ſhall be whipped within the Walls of Bridewell, receiving ſuch Number of Laſhes as ſhall be preſcribed in the Sentence of Conviction, not exceeding Fifteen in Whole, and ſhall then be diſmiſſed; and if ſuch Perſon ſhall again be found within any of the ſaid Wards, he or ſhe ſhall be apprehended and detained as aforeſaid; and if convicted of the ſaid further Offence before the Police Court, by the Oaths of Witneſſes to be taken in Writing as aforeſaid, then he or ſhe ſhall be committed either to the Tolbooth at *Edinburgh*, or to Bridewell, and upon the firſt *Wedneſday* after Expiry of Ten Days from ſuch Conviction, ſhall be whipped through the Streets of the City by the Hands of the common Hangman, receiving ſuch Number of Laſhes as ſhall be preſcribed in the Sentence of Conviction, not exceeding Twenty in Whole, and ſhall then be again diſmiſſed, and ſo on as often as ſuch Perſon ſhall be again found within the Limits of this Act; but nothing herein contained ſhall affect the Powers of the Managers of the Workhouſes of *Edinburgh*, *Canongate*, or *Saint Cuthbert's*, to judge of the Title of Paupers ſent to or claiming to be received into theſe reſpective Workhouſes, only it is hereby provided, that if the Perſons ſent to thoſe Workhouſes ſhall not be received into the ſame, they ſhall be ſent by the Managers of the reſpective Workhouſes to the Limits of the Ward in which they were apprehended; and if afterwards found within any of the Wards contained in this Act, they ſhall be proceeded againſt in Manner before directed.

Declaration as to Powers of Managers of Charity-Workhouſes

Birth in the Tolbooth etc. ſhall not confer a Right of Settlement.

XXVII. And, in order that the Number of Perſons claiming to be received into the ſaid Workhouſes may not be improperly increaſed, be it alſo provided, That neither Children born of Parents ſent either to the Tolbooth of *Edinburgh*, or to Bridewell, or to any of the ſaid Workhouſes

by virtue of this Act, nor Children born in the *Edinburgh* Lying-in-Hospital, shall, by such their Birth, acquire a legal Settlement within the said City, or any of the Parishes to which this Act extends, unless they have in other Respects a legal Right to such Settlement: And it is hereby declared, that it shall be competent to the Judge officiating in the said Police Court to shorten the Period of any Person's Commitment to Bridewell by virtue of this Act, upon being satisfied of the good Behaviour of such Person during his or her Confinement, and that he or she shews evident Marks of Penitence and Amendment.

Power to shorten Time of Confinement.

XXVIII. And be it enacted, That it shall be lawful to and for the said Superintendant to direct the Inspectors of Wards, or other Persons to be appointed by him, to make Enumerations of the Inhabitants from Time to Time, and as often as he shall think expedient, by requiring signed Lists of the Persons therein; and all Innkeepers and Masters of Hotels, Publick Houses, Lodging Houses, and other Houses of Entertainment, shall give, and they are hereby directed, when required by the Inspectors, or other Persons acting under a written Order from the Superintendant, to give the Names and Occupations of, and otherwise describe all Persons living in their Houses and Families, under the Penalty of forfeiting for every Refusal or erroneous Statement, any Sum not exceeding Ten Shillings Sterling, to be recovered by Authority of the said Court of Police in Manner hereby directed with respect to other Offences: And in case the Inspectors shall observe, in their respective Wards, any Person or Persons under suspicious Circumstances, they shall give Notice thereof to the Superintendant, who, if he shall see sufficient Cause, may grant a Warrant or Warrants to bring such suspected Person or Persons before him for Examination, and to be dealt with according to Law.

Inhabitants may be enumerated.

Suspected Person may be examined.

XXIX. And be it enacted, That the said Superintendant shall and may order and direct the Names of the Streets, Squares, Places, Lanes, or Passages within each Ward, or any of them, to be properly marked on some conspicuous Part of any House or other Building; and the Houses, Buildings, Shops, Warehouses, or any of them, to be properly numbered; and in case any Person shall wilfully destroy or injure any of such Marks or Numbers, he or she shall be apprehended and taken before the Superintendant, and proceeded against in Manner before directed with respect to other Offences, and shall be subjected in a Fine not exceeding Forty Shillings, nor less than Ten Shillings Sterling.

Streets, etc. to be marked, and Houses, etc. to be numbered.

XXX. And whereas the Shops and Houses fronting some Parts of the Streets of the said City are situated in Piazzas behind Pillars, whereby the said Shops and Houses are not only rendered dark and incommodious, but the said Piazzas are filled with Nuisances, and, in the Evenings and at Night are Receptacles for idle and disorderly Persons of various Descriptions, be it therefore enacted, That it shall and may be lawful for the Dean of Guild of the said City, and his Council for the Time being, to authorise such of the Proprietors of the said Shops and Houses as are desirous to do, to bring forward their respective Shops and Houses to the Front of the said Pillars, so as to include the Area of the said Piazzas in the said Shops and Houses; and to alter the Doors and Windows of the

Shops and Houses under Pillars may be extended.

the ſaid Shops and Houſes, ſo as to give the proper Light and Entries to the ſame; but never to encroach upon the Streets or Foot Pavements by carrying out Stairs thereon, or otherwiſe.

Alterations not to occaſion Damage to the Superior Tenements.

XXXI. Provided always, and be it enacted, That the Alterations and Improvements ſhall be made ſo as in no Manner of Way to damage or prejudice the neighbouring Shops and Houſes, or the Tenements or Stories erected above the Shops and Houſes to be altered and improved; and that before any Alterations or Improvements are made, the Authority of the Dean of Guild Court of the ſaid City ſhall be obtained for that Purpoſe; and if there ſhall be any Chance of Danger from the Alterations or Improvements propoſed, the Proprietors of the neighbouring Shops and Houſes, and ſuperior Tenements and Stories, ſhall be entitled, before the Alterations are begun, to demand and take ſufficient Security from the Proprietors of the Shops or Houſes which are to be altered and improved, for Indemnification againſt all Loſs or Damage which may be occaſioned.

Foundations of Houſes, Buildings, etc. to be fenced in.

Perſons creating Nuiſances or Obſtructions on the Streets, etc. to be puniſhed.

XXXII. And be it enacted, That it ſhall and may be lawful to and for the ſaid Inſpectors, Conſtables, Officers of Police, Watchmen and others, and they are hereby required to take Charge, that where any Houſes ſhall be built or repaired, or other Operations of the like Kind carried on, the Foundations or Ground adjoining ſhall be fenced in, ſo as that the Inhabitants may run no Riſk of Danger thereby; and that no Perſon create any Nuiſances or unneceſſary Obſtructions on or near the Streets or Foot Pavements, Roads or Paſſages, within the Limits of this Act; and that ſuch Nuiſances or Obſtructions, if created, ſhall be removed as ſoon as poſſible by the Perſon creating the ſame; and in caſe the Perſons concerned ſhall fail to fence in the Foundations or Ground as aforeſaid, or in caſe the Perſons creating ſuch Nuiſances or Obſtructions ſhall fail to remove the ſame, after an Appointment by the Judge of Police applicable to the particular Caſe, then the ſaid Foundations or Ground ſhall be fenced in, and the ſaid Nuiſances or Obſtructions removed, by Perſons to be employed by the ſaid Inſpectors, at the Expence of the Perſon or Perſons neglecting to perform what ſhall be ſo appointed to be done by the ſaid Judge, the ſaid Expences to be recovered in the ſame Manner with the Sums authoriſed to be given in Name of Damages by virtue of this Act, but to be payable to the Perſon entitled to receive the Fines; and that it ſhall alſo be lawful to and for the ſaid Inſpectors, Conſtables, Officers of Police, Watchmen and others, and they are hereby likewiſe required to take Charge that no Carter, Waggoner, or other Perſon ſhall drive Carts, Waggons, or other Carriages contrary to Law, nor leave the ſaid Carts, Waggons, or other Carriages ſtanding in the Streets, yoked or unyoked, either during the Day or Night, to the Obſtruction of the free Paſſage of other Carriages and Paſſengers along the ſaid Streets longer than ſhall be neceſſary for loading or unloading the ſame; and that no Perſon ſhall ride Horſes furiouſly or improperly in the Streets, or drive Houſes or Cattle or Carriages of any Kind in that Manner; or ride or drive Horſes or Cattle, or drive or draw Carriages of any Kind upon the Foot Pavements; or roll Caſks or Barrels of any Kind upon the Streets or Foot Pavements, (except directly to or from Houſes, Shops, Warehouſes, or Cellars), or do any other Thing

to render the general Communications from Place to Place dangerous or incommodious; nor shall any Log, Plank, or Piece of Timber exceeding the Length of Twenty Feet, be carried on any Street or Road within the said Wards, upon or by Means of any Machine or Carriage having less than Four Wheels, nor any Log or Plank under that Size, except upon or by Means of Carriages with Two Wheels: And if the said Inspectors, Constables, Officers of Police, Watchmen, and others, shall find any Person or Persons neglecting or transgressing in any of the said Particulars, they shall carry such Person or Persons before the Superintendant, to be proceeded against in Manner before directed with respect to other Offences, only the Fine shall not exceed Ten Shillings Sterling, besides the Damages incurred, excepting in the Case of Neglect to fence in the Foundations where Houses are building, or other Operations of the like Kind carried on, where the Fine may be Twenty Shillings Sterling, besides the Damages and Expences occasioned.

Inspector, etc. to make Reports to the Superintendant as to the State of the Streets, etc.

XXXIII. And be it also declared, That it shall be lawful to and for and incumbent upon the said Inspectors and other Persons foresaid, to attend to the State of the Streets, Roads, and other Communications within the Limits of this Act, and incumbent upon the said Inspectors to report thereupon, from Time to Time to the said Superintendant, as he may direct or Circumstances may require; and if it shall appear from the Reports made, that any of the said Streets, Roads, or other Communications are in Disrepair, it shall be incumbent upon the said Superintendant to appoint Notice thereof to be given to the Person or Persons who by Law or Contract are bound to keep such Streets, Roads, or other Communications in Repair, and to require him, her, or them to do and perform what may be incumbent upon him, her, or them in this respect.

Penalty on breaking Lamps wilfully.

XXXIV. And be it enacted, That if any Person or Persons shall wilfully take away, break, or throw down any Lamp or Lamps, which now is or are, or hereafter shall be set up within the Limits of this Act, or shall wilfully extinguish the Light or Lights within the same, or damage the Lamp Posts, Irons, or Appurtenances thereof; it shall be lawful for any Inspector, Constable, Officer of Police, Watchman, or any other Person whatever, who may see such Offence committed, to seize, and for any other Person or Persons to assist in seizing the Offender or Offenders; and by the Authority of this Act, without any other Warrant, to carry such Offender or Offenders before the Superintendant; and if the Party or Parties accused of such Offence, whether apprehended as aforesaid, or afterwards apprehended upon a Warrant for that Purpose, shall be convicted of the said Offence before the Court of Police, either upon the Confession of the Offender or Offenders, or by the Evidence of any Witness or Witnesses to be examined relative thereto, such Offender or Offenders shall be proceeded against in the Manner before directed with respect to other Offences, and shall be fined in a Sum not exceeding Two Pounds Sterling for every Offence, besides Damages and Expences.

Satisfaction for breaking Lamps accidentally.

XXXV. And be it enacted, That if any Person or Persons shall accidentally break, throw down, or damage any of the said Lamps or the Lamp Posts, Irons, or Appurtenances thereof, it shall be lawful to proceed against such Person or Persons in Manner aforesaid, and to decern in a Sum not exceeding

ceeding the real Damage ſuſtained by ſuch Accident, beſides the Expence incurred in recovering the ſame.

Rate of Aſſeſſment.

XXXVI. And be it further enacted, That the ſaid General Commiſſioners ſhall, and they are hereby authorized and empowered to aſſeſs all and every Perſon or Perſons who do or ſhall inhabit any Houſe, or inhabit or poſſeſs any Shop or Warehouſe, Cellars, Vaults, or other Tenements within the Wards before mentioned, in any Sum not exceeding Three Pounds *per Centum* of the Free Rent of ſuch Houſe, Shop, Warehouſe, Cellars, Vaults, and other Tenements; that is to ſay, Four-Fifths of the Real Rent at which ſuch Houſe, Shop, Warehouſe, Cellars, Vaults, or other Tenements are let, or would be worth if the ſame were to be let, the remaining One-Fifth of the ſaid Rent being allowed for Repairs and other neceſſary Expenditure, ſo as to raiſe a Fund which ſhall be ſufficient to defray the Expences neceſſary to carry this Act into Execution for One Year, as to Watching and other Matters of Police, and for Cloathing and Alimenting ſuch Perſons as may be committed to Bridewell by virtue hereof; which annual Aſſeſſment ſhall be calculated for the Year from *Whitſunday* One thouſand eight hundred and five to *Whitſunday* One thouſand eight hundred and ſix, and ſo on yearly thereafter; and if it ſhall be found that the ſaid Aſſeſſment, after ſatisfying the Purpoſes of this Act, as to Watching and other Matters of Police, is not ſufficient, along with the Half of the Fines to be recovered in virtue hereof, as after mentioned, alſo to defray the whole Expence of Cloathing and Alimenting the Perſons who may be committed to Bridewell by virtue hereof, the ſaid General Commiſſioners ſhall, and they are hereby authorized and empowered to aſſeſs all and every the Perſons foreſaid in any further Sum, not exceeding One-Fourth of One Pound *per Centum* of the Free Rent, to be aſcertained in Manner before ſpecified, for the Purpoſe of defraying ſuch Part of the ſaid Expences as may remain unpaid after the Application aforeſaid; the ſaid additional Aſſeſſment to be calculated as aforeſaid, but ſo as to be applicable in all Caſes to the Deficiency of the Year preceding; and the ſaid Aſſeſſment and additional Aſſeſſment, when ſuch ſhall be requiſite, ſhall be payable to the Collector or Collectors, Sub-Collector or Sub-Collectors, appointed to receive the ſame in Manner foreſaid, the Aſſeſſment for the Firſt Year to be paid at *Martinmas* One thouſand eight hundred and five, and ſo on at the Term of *Martinmas* yearly thereafter; and the additional Aſſeſſment, when ſuch ſhall be requiſite, to be paid at the Term of *Martinmas* of the Year in which it ſhall be neceſſary to levy ſuch additional Aſſeſſment; and in caſe any Perſon or Perſons who ſhall be ſo rated and aſſeſſed, either for the original Aſſeſſment or additional Aſſeſſment, when ſuch ſhall be requiſite, ſhall refuſe or neglect to pay the Rates or Aſſeſſments charged upon him, her, or them for the Space of Ten Days next after his, her, or their Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be due and demanded by the Collector or Collectors, Sub-Collector or Sub-Collectors, entitled to receive the ſame as aforeſaid, (ſuch Demand being either perſonally made, or left in Writing at his, her, or their reſpective Dwelling Houſes, or Place or Places of Abode), then and in every ſuch Caſe it ſhall be lawful for the ſaid Collector or Collectors, Sub-Collector or Sub-Collectors, to apply to any of the Magiſtrates, if the Perſon or Perſons deficient in Payment ſhall live within the City or Liberties, and to the Sheriff Depute or Subſtitute, if ſuch Perſon or Perſons ſhall

Additional Aſſeſſment for Bridewell.

Rates may be levied by Diſtreſs.

live without the Limits of the City, for a Warrant to any of their Officers, to enter his, her, or their House or Houses, and to seize and take Possession of his, her, or their Goods and Effects; and which Warrant the said Magistrate or Sheriff Depute or Substitute is hereby authorized and required to grant, upon a Certificate, to be signed by the Collector or Collectors, Sub-Collector or Sub-Collectors, or such Demand having been made, and of such Person or Persons being in Arrear to the Amount to be stated in the Certificate, and if such Rate or Assessment shall not be paid within Three Days next after such Seizure is made, together with the Costs or Charges thereby incurred, then the Collector or Collectors, Sub-Collector or Sub-Collectors, is and are hereby authorized to sell, by public Auction, at the Market Cross of *Edinburgh*, such Part of the said Goods and Effects as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, with the Costs and Charges attending such Seizure and Sale, returning the Surplus, if any be, to the said Owner or Owners, the Costs or Charges to be ascertained by the Magistrate or Sheriff Depute or Substitute who shall issue the Warrant: And be it declared, that the said General Commissioners shall not assess any House, Shop, Warehouse, Cellar, Vault, or other Tenement, the real Rent or which shall not exceed Three Pounds Sterling, *per Annum*: Provided that no Spirituous Liquors of any Sort are sold therein, and shall and may, if they judge it expedient, exempt Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements, the real Rent of which shall be under Five Pounds Sterling *per Annum*: Provided also, that nothing herein contained shall be construed to extend the before mentioned Assessment to the Royal Palace of *Holyrodhouse*: And it is hereby declared, that, from and after the Commencement of this Act, the Rules laid down by the Act of the Thirty-first of His present Majesty, for building and maintaining a Bridewell and Correction House in and for the City and County of *Edinburgh*, and Powers thereby granted, for raising certain Assessments for defraying the Expence of cloathing and alimenting Persons committed thereto, shall have no further Effect, in so far as concerns Persons committed to Bridewell by virtue hereof, reserving the said Act in all other Respects: Provided also, that nothing herein contained shall affect the Powers and Privileges of the Officers acting within the Jurisdiction of the Abbey of *Holyroodhouse*, and the Precincts thereof; and declaring always, that in case any Person or Persons shall be brought from the Limits of the Sanctuary of *Holyroodhouse*, as charged with Offences against this Act, or to give Evidence in any Matter relative to such Offences, such Person or Persons shall be safely conducted, after satisfying the Purposes for which he, she, or they shall have been brought therefrom, without being liable to be arrested or detained for any Debt.

Exemptions from Assessment.

Declaration as to Limits of Bailie of Holyrood-house.

XXXVII. And in order to ascertain the Rents, conformably to which the Assessment is to be levied, be it further enacted, That the General Commissioners, at their First or any subsequent Meeting for putting this Act in Execution, shall appoint such Number of Persons as they shall think proper, (with Power to encrease the Number afterwards if they shall see Cause), as Surveyors, for the Purpose of ascertaining the free Rent of all assessed Houses, Shops, Warehouses, Cellars, Vaults, or other Tenements within the whole Wards before mentioned, by the Rule before specified, in so far as the same are occupied by Tenants, and of stating what

Surveyors to be appointed to ascertain Rents.

what Sums ought to be taken as the free Rent, if the ſame be occupied by the Proprietors; and the ſaid Perſons, when they make the Survey, ſhall leave for every Occupier, at his or her Dwelling-place, or at the Place ſurveyed, a Note of the Rent with which ſuch Occupier is to be charged; and ſuch Survey ſhall be made between and ſuch Time as ſhall be fixed by the ſaid General Commiſſioners, which ſhall be ſpecified in the Note left for the different Occupiers; and immediately thereafter the ſaid Surveyors ſhall depoſit with the General Commiſſioners, or their Clerk, a diſtinct Rent-roll of every Ward, conformably to the Survey ſo made; and the ſaid Surveyors ſhall have full Power to inſpect the Surveys for the House Duty within the ſaid Wards, or either of them: And in caſe any Occupier ſhall think him or herſelf overcharged, it ſhall be lawful for ſuch Occupier, within Ten Days after the Time fixed by the General Commiſſioners for making the Survey, as aforeſaid, to give Notice, in Writing, to the Clerk to the General Commiſſioners, of the Overcharge complained of; and a Committee of Appeal ſhall meet in the Parliament Houſe, *Edinburgh*, upon the Firſt *Monday* after Expiry of One Month from the Time fixed by the General Commiſſioners for making the ſaid Survey, at Ten of the Clock in the Forenoon, and again, in the ſame Place, and at the ſame Hour, upon the Two *Mondays* following, with Power to adjourn, if neceſſary, for a Space not exceeding One Week; which Committee ſhall conſiſt of at leaſt Four of the Commiſſioners, being ſuch by virtue of their Offices, and One Commiſſioner to be named by the Commiſſioners of each Ward, or ſo many of the laſt-mentioned Commiſſioners as ſhall attend, who ſhall finally aſcertain the Amount of Rent chargeable on any ſuch Occupier; and the Commiſſioner preſent who ſhall ſtand higheſt on the Liſt of Commiſſioners ſhall preſide, and have a deliberative as well as a caſting Vote, in caſe of Equality; and the Clerk to the General Commiſſioners ſhall be Clerk to the ſaid Committee: And in caſe the Inſpectors of the reſpective Wards, the Superintendant, or any of the Commiſſioners, ſhall think the Rents of any Occupier undercharged, they ſhall and may give ſimilar Notice to the Perſon whoſe Rent is ſuppoſed to be undercharged; and the ſaid Committee of Appeal ſhall alſo finally determine the Rent chargeable in ſuch Caſes; and ſimilar Surveys ſhall take place, and ſimilar Meetings ſhall be held, for correcting the Rent-roll yearly thereafter; the Surveys to be made between the Firſt Day of *July* and the Firſt Day of *September*; and the Meetings of the Committee to take place upon the Firſt, Second, and Third *Mondays* of *October* in every Year, with Powers of Adjournment as aforeſaid: Provided always, that the Surveys ſhall only include ſuch Houſes, Shops, Warehouſes, Cellars, Vaults, and other Tenements as are actually inhabited or occupied, or with Furniture or Goods therein at the Time; but a Second Survey ſhall take place in the Month of *December* or Month of *January* yearly, of the Houſes and other Premiſes aforeſaid which were uninhabited or unoccupied, or without Furniture or Goods, at the Time of the Firſt Survey; and if any ſuch Houſes or other Premiſes ſhall be inhabited or occupied, or have any Goods or Furniture therein at the Time of the Second Survey, they ſhall be added to the Rent-roll, and aſſeſſed for the whole Year, which Aſſeſſments ſhall be paid at *Candlemas*; and in caſe of Failure in Payment at that Time, ſuch and the like Proceedings ſhall be had as are preſcribed for Recovery of the Aſſeſſ-

Committee of Appeal for rectifying Rent Roll.

ment under the First Survey: Provided also, that if any Occupier, or the Inspector, Superintendant, or Commissioners, shall, at any Second Survey, conceive that any Premises are overcharged or undercharged, the real Amount shall be ascertained at the Time appointed for rectifying the Rent Roll in the succeeding Year, in Manner before mentioned; and if the Assessment has been erroneous, the Difference shall either be repaid by the Collector, or paid to him, as the real Amount may be fixed by the Committee of Appeal: Provided likewise, that it shall be competent to the Faculty of Advocates to appoint Two of their Number, the Society of the Writers to the Signet to appoint Two of their Number, the Merchants Company of *Edinburgh* to appoint Two of their Number, and the Convenery of the Trades of the City of *Edinburgh* to appoint Two of their Number, to attend and assist at the different Meetings to be held for rectifying the Rent Roll; these several Appointments to be made annually.

Watch Houses, etc. to be provided, also an Office for the Superintendant, Court House, etc.

XXXVIII. And be it enacted, That there shall be a Watch-house provided in every Ward, in which Persons apprehended by virtue of this Act shall be detained till the Matter is inquired into by the Inspector, and till such Persons can be conveniently carried before the Superintendant, if that shall appear necessary; and a proper Place shall be provided as an Office, in which the said Superintendant may conveniently examine the Persons brought before him, and as a Court Place in which the Judge officiating in the Police Court may sit and judge as aforesaid, in virtue of this Act, but with Power to the said Superintendant to take Examinations in any Place within the Limits of the Act, as Circumstances may require; and a sufficient Number of Watch Boxes, Watch Coats, Watch Poles, or other proper Weapons, shall likewise be provided for the due Execution of this Act; the Property of which Watch-houses, Office, Court Place, Watch Boxes, Watch Coats, Watch Poles, and other Weapons shall be vested in the said General Commissioners; but with Power to them nevertheless to authorize their General Collector or Collectors to take at Rent, by the Year or otherwise, such Houses as may be requisite for the Purposes aforesaid, till Purchases are actually made.

Expences of Watch Boxes, etc. Office for Superintendant, Court House, and Expences of Act, to be paid in First Place

An Additional Assessment for that Purpose.

XXXIX. And be it enacted, That the Expence of providing and maintaining the said Watch-houses, Office, Court Place, Watch Boxes, Watch Coats, Watch Poles, or other Weapons, as well as the Expences of this Act, shall be defrayed out of the first Money to be raised in consequence hereof; and if the said General Commissioners shall think proper, they shall and may authorize an additional Assessment for the Purpose of replacing the same, not exceeding One Pound *per Centum* of the Free Rent, conformably to the Rules herein before laid down, for each of the Three first Years of the Duration of this Act, or until the said Expences are fully paid and discharged; the said additional Assessment to be levied at the same Time, and recovered in the same Manner, as the annual Assessment itself; but Tenants paying the said additional Assessment shall be entitled to deduct the same from the Rents of their respective Possessions.

Money may be borrowed to replace Advances.

XL. And, in order to raise the Money which may be necessary in the mean Time, be it enacted, That the said General Commissioners shall and may authorize the Collector or Collectors to be appointed by them

to borrow any Sum or Sums of Money, not exceeding Three thouſand Pounds Sterling; with Power to ſuch Collector or Collectors to grant Bond or Bonds for the ſame; and, for the farther Security of the Perſon or Perſons from whom ſuch Money may be borrowed, to aſſign to ſuch Perſon or Perſons the Additional Aſſeſſment of One Pound *per Centum* authorized as aforeſaid, until the Sum or Sums ſo to be borrowed, with Intereſt thereof, ſhall be repaid and diſcharged; and the ſaid General Commiſſioners ſhall, in like Manner, be entitled to authorize Money to be borrowed annually to anſwer the neceſſary Diſburſements, from the Term of *Whitſunday* till the annual Aſſeſſment can be recovered, with the ſame Power to the Collector or Collectors to grant Bonds, and to aſſign the annual Aſſeſſment in Security of the Money ſo to be borrowed; but the annual Borrowing never to exceed Two thouſand Pounds Sterling; and the Money borrowed for One Year to be paid up and diſcharged before any Money is authorized to be borrowed for another.

Money veſted in the Commiſſioners for the Purpoſes of the Act.

XLI. And be it enacted, That all the Money ariſing from the ſaid Aſſeſſments ſhall be, and the ſame is hereby veſted in the ſaid General Commiſſioners, to be applied for the Purpoſes of this Act, and for no other Purpoſe whatſoever; and in caſe any Surplus Money ſhall remain, after executing the Purpoſes aforeſaid for One Year, the ſame ſhall be applied to the Purpoſes of this Act for the Year following, ſo that the Aſſeſſment for that Year may thereby be diminiſhed, ſo far as may appear expedient; and when it ſhall be neceſſary to levy the ſaid Additional Aſſeſſment, the Money ariſing therefrom ſhall alſo be, and the ſame is hereby veſted in the ſaid General Commiſſioners, to be applied to make up the Deficiencies of the Expence neceſſary for clothing and alimenting Perſons committed to Bridewell by virtue of this Act, as aforeſaid.

Minute Books of Proceedings to be kept,

and received in Evidence.

XLII. And be it enacted, That all the Acts, Orders, and Proceedings of the General and Reſident Commiſſioners reſpectively, ſhall be regularly inſerted in Books to be kept for that Purpoſe; which Books ſhall at all Times be open to the Inſpection of any Perſon who is qualified to vote for a Reſident Commiſſioner, in Terms of this Act, without Fee or Reward; and the ſaid Books ſhall and may be produced and read in Evidence in all Courts whatſoever.

Account Books to be kept by Subcollectors and General Collectors.

XLIII. And be it enacted, That Books ſhall alſo be kept by the Subcollectors within the reſpective Wards, ſhewing the Amount of the Sums received by them, and the Payments made to the Collector or Collectors appointed by the General Commiſſioners, to whom alone they ſhall be entitled to make ſuch Payments, and to whom they ſhall account regularly upon the Firſt lawful Day of every Month, for the Money received during the Month preceding, and which Books ſhall be open to the Inſpection of any Perſon within the Ward entitled to vote for a Reſident Commiſſioner, without Fee or Reward; and Books ſhall likewiſe be kept by the Collector or Collectors appointed by the General Commiſſioners, ſhewing the whole Sums levied or received in Terms of this Act, and the Application thereof, which Books ſhall be open to the Inſpection of any Perſon who is qualified to vote for a Reſident Commiſſioner in any of the Wards, without Fee or Reward; and which laſt mentioned Books ſhall be regularly balanced as at the Term of *Whitſunday* yearly; and from which Balance a

Books to be balanced annually and Statement printed.

State

State shall, on or before the First Day of *September* yearly, be made out, of the Receipts and Payments for the preceding Year, which State shall be printed, and a Copy thereof delivered to each of the General Commissioners, to the Superintendant, and to each of the Inspectors for the different Districts, and Copies shall also be lodged with the City Clerks of *Edinburgh*, and Sheriff Clerk of the County, for the Inspection of all concerned; and any Three or more Persons qualified to vote for Resident Commissioners shall be, and are hereby authorized to call for and examine any of the Vouchers of the said State, at any Time between the said First Day of *September* and the First Day of *November* following in every Year; and the General Commissioners shall, at their annual Meeting in *November*, take into Consideration the Accounts terminating at the *Whitsunday* preceding, and after due Examination thereof, and of what may be stated relative thereto, shall then pass the said Accounts, but with Power to adjourn the Proceedings to a subsequent Meeting or Meetings, if they shall see Cause.

Accounts to be passed by General Commissioners.

XLIV. And be it enacted, That the General Commissioners shall have full Power and Authority, if they shall think proper, to remove the Collector or Collectors appointed by them, and to appoint another or others in his or their Place or Places, also to supply any Vacancies occasioned by Death or Resignation; and in like Manner the Resident Commissioners, in the respective Wards, shall and may, when they think proper, remove the Sub-Collector or Sub-Collectors appointed by them, and appoint another or others in his or their Place or Places, and supply any Vacancies occasioned by Death or Resignation, in so far as they shall be authorized by the General Commissioners so to do.

On Removal or Death of Collectors, others to be appointed.

XLV. And be it enacted, That in case any Collector or Collectors appointed by the General Commissioners shall become insolvent, and the Sum or Sums chargeable against such Collector or Collectors shall not immediately be paid by his or their Securities, then and in every such Case the Sum deficient shall be assessed upon all the Wards in the Manner before prescribed, and shall be payable at such Time as the General Commissioners shall appoint; and in case of Failure in Payment, the same Proceedings shall be competent as are hereby directed in case of Failure in Payment of the annual Assessment; and in case any Loss shall be sustained by the Insolvency of any Sub-Collector or Sub-Collectors, it shall be made up by an Assessment upon the Ward for which such Person was sub-Collector, and shall be payable and recoverable in Manner aforesaid; and in such Cases the General and Resident Commissioners respectively, shall and may give such Directions as shall appear necessary for the Recovery of the Deficiencies for Relief of the Wards or particular Ward subjected to such additional Assessment: Provided always, that as soon as any such Deficiency, or any Part thereof, shall be paid to the Collector for the Time being, or to the Sub-Collector of the Ward in which the Deficiency shall have happened, as the Case may be, the same shall be applied in Aid of any future Rate of Assessment.

On Insolvency of Collectors or Sub-Collectors, the Deficiency to be assessed.

XLVI. And be it enacted, That the Superintendant shall from Time to Time examine the Minute Books or Proceedings, and Books to be kept by the Collectors and Sub-Collectors, and shall enquire into the Conduct of

Superintendant to examine Books, and to enquire into Conduct of Persons employed.

of the Persons keeping those Books, and also into the Conduct of the Inspectors, Constables, Officers of Police, Watchmen, and all others employed in the Execution of this Act, or who may be employed in any Matter or Thing hereby authorized to be done; and if he shall find that any of the said Persons have either been negligent, or have acted unwarrantably in performing the Duties incumbent upon them respectively, it shall be competent to the Judge officiating in the said Police Court to commit such Person or Persons to the Tolbooth of *Edinburgh* or to Bridewell, for any Space not exceeding Three Months, and to fine such Person or Persons in any Sum not exceeding Four Pounds Sterling, and to give Judgment in Damages for any Sum not exceeding Six Pounds Sterling, besides the Expences; but where the Offence shall appear to proceed from Neglect only, the Fine shall not exceed a Sum equal to Four Weeks Pay or Wages of the Person guilty of such Neglect, besides the Damages incurred; and if the Superintendant shall see Cause, he may suspend the Person charged with Neglect, or with acting unwarrantably, till the next Meeting of the General Commissioners, when the Sentence of Suspension shall either be removed or confirmed; and in case the Inspector of a District shall be suspended, the Superintendant shall appoint a Person to discharge the Duties of the Office till such Meeting of the General Commissioners shall take place.

General Commissioners may make further Regulations, Bye-Laws, etc.

XLVII. And be it enacted, That the said General Commissioners shall, and they are hereby authorized to make such farther Regulations, and such Orders, Rules, and Bye Laws, as may be necessary for the Preservation of Peace and good Order; for promoting the Comfort and securing the Lives and Properties of the Inhabitants within the Wards before mentioned, and for the more effectually carrying this Act into Execution, in every Respect, in so far as such Regulations, Orders, Rules, and Bye Laws may be consistent with the Tenor hereof, and the Laws of *Scotland*; and also from Time to Time, as Occasion may require, to repeal, add to, amend, or alter such Regulations, Orders, Rules, and Bye Laws, or any of them, and to enforce the same by Penalties, not exceeding in any Case the Sum of Twenty-Shillings Sterling, to be recovered in Manner hereby directed; but it is hereby declared, that the Regulations, Orders, Rules, or Bye Laws here referred to, shall not be made, nor shall the same be repealed, added to, amended, or altered at the Meeting at which any such Measure shall be proposed, but an Adjournment shall take place for a Space not less than Fourteen Days, and in the mean Time, the Regulations, Orders, Rules, and Bye Laws proposed, or Repeals, Additions, Amendments, and Alterations intended, shall be communicated to all the General Commissioners, by sending Notice to each of them of what is proposed or intended to be done, Eight Days at least before the adjourned Meeting shall take place: Provided also, that none of the said Regulations, Orders, Rules, and Bye Laws, Repeals, Additions, Amendments, and Alterations shall become valid or take Effect, so far as concerns the City of *Edinburgh* and Liberties thereof, until they be ratified and confirmed by the Magistrates and Council of the said City in Council assembled, nor in so far as concerns the Palace and Abbey of *Holyroodhouse*, and the Precincts thereof, until they are ratified by the Keeper or Officer acting by his Authority; nor in so far as concerns the other Parts of the Wards comprehended in this Act, until they are ratified and confirmed

firmed by the Juſtices of Peace of the County aſſembled at Quarter Seſſions, or Adjournment thereof; and the ſaid Regulations and others, with ſuch Ratifications, ſhall be regiſtered in the City and Sheriff Court Books, and publiſhed Once at leaſt in each of the Newſpapers termed *The Edinburgh Evening Courant*, *Caledonian Mercury*, and *Edinburgh Advertiſer*, or ſuch of them as ſhall be publiſhed at the Time, and alſo printed and put upon the principal Door of each of the Pariſh Churches within the ſaid Wards.

City Guard ſo far reduced, and Aſſeſſment for the ſame ſo far ſuſpended.

XLVIII. And be it enacted, That, from and after the Term of *Whitſunday* One thouſand eight hundred and five, and during the Continuance of this Act, an Act, paſſed by the Parliament of *Scotland* in the Year One thouſand ſix hundred and ninety, intituled, *Act in Favour of the Town of* Edinburgh, *anent their Town Company*, ſhall be, and the ſame is hereby in ſo far ſuſpended, and from and after that Date the ſaid Company ſhall only conſiſt of One Lieutenant, Two Serjeants, Two Corporals, Two Drummers, and Thirty Men, the Lord Provoſt for the Time being to be Captain, without Pay, the ſaid Company to be armed and cloathed at the Expence of the City, but their Pay to be defrayed from the General Fund ariſing under this Act; and in no Caſe to exceed the Pay of His Majeſty's Infantry, the ſaid Company to attend upon His Majeſty's Commiſſioner to the General Aſſembly of the Church, the Magiſtrates and Town Council, and the Supreme Courts of Juſtice, upon all neceſſary Occaſions, and to act in general for the Support of the Syſtem of Police hereby eſtabliſhed, and when required by the Superintendant ſo to do, they ſhall march for that Purpoſe to any Place within the Wards before-mentioned, leaving only ſuch Guards or Centinels as are abſolutely neceſſary within the City; and from and after the ſaid Term, the Aſſeſſment authoriſed to be raiſed by the ſaid Act for maintaining the ſaid Eſtabliſhment ſhall ceaſe to be levied.

Sum allowed for the Fund appropriated for the City Guard.

XLIX. And whereas the Magiſtrates and Council of *Edinburgh* are Creditors upon the Fund appropriated for the City Guard in the Sum of Six thouſand two hundred and ninety-ſix Pounds Fourteen Shillings and Nine-pence Sterling, and that they have agreed to accept in lieu thereof the Sum of Six hundred and ninety-nine Pounds Twelve Shillings and Nine-pence Sterling *per Annum*, during Nine Years, the Firſt Payment or Inſtalment to commence at the Term of *Whitſunday* in the Year One thouſand eight hundred and ſix; be it therefore enacted, That the Stent Maſters of the City of *Edinburgh* ſhall be and are hereby authorized and required to aſſeſs, and the Collector of the public Duties for the City to uplift, receive, and enforce Payment from the Perſons heretofore in uſe to pay, and in the Way and Manner heretofore practiſed, the foreſaid annual Sum of Six hundred and ninety nine Pounds Twelve Shillings and Nine-pence during the foreſaid Nine Years, from and after the Term of *Whitſunday* in this preſent Year One thouſand eight hundred and five, and no longer.

Former Acts for Canongate and Eight South Diſtricts ſuſpended as to watching, and theſe and other Acts reſerved as to lighting, etc.

L. And as it will be of great Advantage to the Inhabitants and Publick at large, that the Syſtem of Watching hereby eſtabliſhed ſhould be uniform and complete, be it enacted, That the Act paſſed in the Twelfth Year of the Reign of His preſent Majeſty, for lighting, cleaning, and watching the Burgh of *Canongate* and Liberties of *Pleaſance* and *Leith Wynd*, and the

the ſaid Act paſſed in the Eleventh Year of the Reign of His preſent Majeſty, for cleaning, lighting, and watching the ſaid Eight Diſtricts upon the South Side of the City, ſhall, from and after the ſaid Term of *Whitſunday* One thouſand eight hundred and five, and during the Continuance of this Act, be ſuſpended in ſo far as concerns the Article of Watching, but ſaving and reſerving the ſaid Acts in all other Reſpects; and alſo ſaving and reſerving in all Reſpects the Act paſſed in the Twenty-fifth Year of the Reign of His preſent Majeſty, for lighting the ancient and extended Royalties of the City of *Edinburgh*, as the ſame is herein explained or extended.

Power to Magiſtrates of Edinburgh to make Regulations as to Hackney Coaches, etc.

LI. And be it enacted, That the Lord Provoſt and Magiſtrates of *Edinburgh* for the Time being ſhall have full Power and Authority, and they are hereby empowered and authoriſed, to licenſe any Number of Hackney Coaches, Landaus, Chariots, or other Carriages for Hire, as they from Time to Time ſhall think proper, and to exact the Sum of One Shilling for each Licence, ſuch Licence to continue for Two Years; and to prevent all others not licenſed from plying for Hire, or occupying any Part of the Streets or Highways of the ſaid City, Suburbs, or Liberties thereof; and if any Perſon or Perſons who ſhall obtain ſuch Licence ſhall not, within the Space of One Month after obtaining or receiving the ſame, keep and maintain ſuch Coach or other Carriage for which ſuch Licence ſhall be granted, for the Uſe and Convenience of the Public, and continue ſo to do during the Continuance of his or her Licence, and ſhall be convicted thereof before the ſaid Magiſtrates, or before the Sheriff Depute or Subſtitute of the County, or before the ſaid Judge of Police, by the Oath of One or more credible Witneſs or Witneſſes, ſuch Perſon or Perſons ſhall forfeit and pay any Sum not exceeding Five Pounds Sterling for each Offence, to be levied ſummarily, and the Licence thereafter ſhall be void; but in caſe the Perſon ſo offending ſhall ſurrender his Licence to the ſaid Magiſtrates, ſuch Fine or Penalty ſhall not be levied: And, that the ſaid Lord Provoſt and Magiſtrates ſhall be and are hereby authoriſed and empowered to make ſuch other Rules, Regulations, and Bye Laws as they ſhall think fit, for licenſing and regulating the ſaid Hackney Coaches and other Carriages, and alſo for Sedan Chairs, Carts, Waggons, Porters and Meters of Corn, as well within the City as in the Port of *Leith*, (to which Effect this Act is thereunto extended, notwithſtanding the Limitation in other Reſpects), and in the other Liberties adjoining; and for trying and puniſhing the Miſbehaviour of Coachmen, Drivers, Chairmen, Carters, Porters, and Meters of Corn, and for fixing and altering their Stands; and for aſcertaining what Rates and Fares, both as to Diſtance and Time, ſhall be allowed to be taken by them, and to what Diſtance and under what Penalties they ſhall be obliged to drive or ply in and round the ſaid City, not exceeding Seven Miles for Coaches, and Two Miles for Sedan Chairs and Porters; and from Time to Time to repeal, alter, or amend the ſaid Regulations and Bye Laws: Provided always, that the Juſtices of Peace of the ſaid County, aſſembled at Quarter Seſſions or Adjournment thereof, ſhall be and they are hereby authoriſed and empowered to make ſuch and ſimilar Rules and Regulations with reſpect to Sedan Chairs, Carts, Waggons, Chairmen, Carters, Drivers, and Porters employed or plying within the Limits of this Act, although not

not within the City itself or other Liberties adjoining, and from Time to Time to repeal, alter, or amend the said Rules and Regulations, and to impose reasonable Fines and Penalties for the Breach or Non-performance of such Rules and Regulations, declaring that no One Penalty imposed, either by the said Lord Provost or Magistrates, or by the said Justices of the Peace respectively, shall exceed One Pound Sterling; and that all such Rules and Regulations made by the said Lord Provost and Magistrates and Justices of Peace respectively, and the Fines and Penalties for the Breach or Non-performance thereof, shall from Time to Time, as often as they shall be made, altered, or varied, be put up, either in Print or Writing, on such Place or Places as the said Lord Provost, Magistrates, and Justices shall think proper, and at all Times to remain and be in the said Place or Places.

Power to Magistrates of Edinburgh to erect Steel-yards, and make Regulations for weighing Coals, &c.

LII. And whereas the Inhabitants of the City of *Edinburgh* and Places adjacent have been very much imposed upon in the Weight of Coals, which might be remedied by the Weight being properly ascertained; be it therefore enacted, That the Lord Provost, and Magistrates within the City and Liberties, and His Majesty's Justices of the Peace, so far as concerns adjacent Places without the City and Liberties, shall be, and they are hereby empowered and authorised, to erect and maintain Steel Yards, Scales, or other weighing Engines, upon or adjacent to the different High Roads leading to the City, or at convenient Places within the same, for the Purposes herein-after mentioned, or to grant Powers to others to that Effect, and to appoint proper Persons to attend the same, with suitable Allowances for their Trouble, and to order and appoint every Cart or Waggon employed for the Carriage of Coals for Sale to be numbered and weighed, and recorded in a Book to be kept for that Purpose within the City, and under the Direction of the said Lord Provost and Magistrates, and which Carts or Waggons are not to be altered, made heavier (further than may be occasioned by wet Roads), and used, until the Weight or Tare of such Cart or Waggon shall be ascertained as aforesaid; and every Cart or Waggon loaded with Coals shall be weighed at the said Steel Yards, Scales, or other Weighing Engines, and the Weight of the Coals marked on a Ticket, to be delivered to the Driver; and so soon as the said Steel Yards, Scales, or other Weighing Engines shall be put up, to exact from the Driver, for each Cart, a Sum not exceeding Two-pence, and for each Waggon a Sum not exceeding Four-pence, as necessary for erecting and keeping in Repair such Steel Yards, Scales, or other Weighing Engines, and for Payment of Persons necessary for weighing the Coals and delivering the Tickets, and certifying the Weight thereon, the Money to be repaid to the Drivers by the Purchasers of the Coals; and the Property of such Steel Yards, Scales, and Weighing Engines, shall be vested in the said Lord Provost and Magistrates, or Justices of Peace respectively, by whom the same shall be erected, or in the Persons authorized by them to erect the same.

For preventing Abuses therein.

LIII. And be it enacted, That it shall be lawful to seize all and every Cart or Waggon loaded with Coals within the City and Liberties, or within the Bounds where the respective Steel Yards, Scales, or other Weighing Engines are erected, without having been weighed, and a Ticket procured, and to seize, forfeit, and sell the whole Coals contained in such

such Cart or Carts, Waggon or Waggons, and to apply the Price thereof in the same Manner with the Fines imposed by virtue of this Act; but the Horses, Carts, and Waggons to be returned to the Driver; and in case it shall be discovered that any Coals are taken or abstracted from any Cart or Waggon, between the Time at which such Cart or Waggon shall be so weighed, and the Time at which the Coals shall be delivered over to the Purchaser, it shall be lawful to seize, forfeit, and sell the whole Coals remaining in such Cart or Waggon, or abstracted therefrom, in so far as the latter can be discovered, in the Way and Manner before prescribed with respect to Coals not regularly weighed in Terms of this Act; and also to seize the Driver of such Cart or Waggon, and any Person or Persons accessory to such Abstraction, and to carry them before the Judge of Police; and the said Judge shall be, and he is hereby authorized and empowered to punish such Driver, and any Person or Persons accessory to such Abstraction, by Fine, not exceeding Two Pounds Sterling, or by Commitment to the Tolbooth of *Edinburgh*, or to Bridewell, for any Space not exceeding Sixty Days, in the Manner before prescribed with respect to other Offences; and in all Cases where there is a Deficiency of Weight, either upon the First Weighing or upon any after Weighing of the Coals, it shall be lawful to seize, forfeit, sell, and punish in Manner foresaid; declaring that in ascertaining the Weight of the Coals contained in an ordinary Cart, until further Regulations are made, shall be reckoned to weigh Twelve hundred Weight, being the Weight at which Coals are usually delivered at present; and with Power to the Lord Provost and Magistrates, and the Justices of the Peace respectively, to impose Fines for altering the Tare or Weight of the Cart or Waggon as aforesaid, not exceeding Ten Shillings Sterling, and to make such further Regulations, from Time to Time, as they shall judge necessary relative to Carts and Waggons loaded with Coals as aforesaid, and the Weight of Coals to be contained therein, and to enforce Observance of the same, by Fines, not exceeding Ten Shillings Sterling, each: And be it declared, that before Erection of the said Steel Yards, Scales, or other Weighing Engines, it shall be competent in like Manner, to seize, forfeit, and sell, all Coals deficient in Weight, and to punish the Drivers of the Carts or Waggons, and all Persons accessory to the Embezzlement of the Coals.

Regulations about Straw and Hay.

LIV. And whereas the Purchasers of Straw are exposed to Frauds and Impositions, from there being no regular or established Weight for the same, and Persons purchasing Hay frequently suffer by the same being embezzled or abstracted from the Carts or Waggons, be it therefore enacted, That the Kemple of Straw shall consist of Forty Windlens, and each Windlen, at an Average, shall weigh Six Pounds Trone, so that the Kemple, upon the Whole, shall weigh Two hundred and forty Pounds, or Fifteen Stones Trone Weight, being equal to Three hundred and thirty Pounds Avoirdupois; and in case any Person shall be found selling or delivering as sold, within the Limits of this Act, Straw, under the Weight aforesaid, it shall be lawful to seize, forfeit, and sell such Straw, in the Way and Manner before prescribed with respect to Coals which have not been duly weighed, and to fine or imprison the Person driving or carrying the same, in the Way and Manner before prescribed in the Case of Coals being abstracted after they are weighed, and with

Power

Power in like Manner to fine or imprison Persons driving any Carts or Waggons from which Hay may be embezzled or abstracted, and all Persons accessory to such Embezzlements or Abstractions, and also to seize, forfeit, and sell, the Hay embezzled or abstracted, in so far as the same can be discovered, in the Manner herein-before directed with respect to Coals being embezzled after they have been weighed.

Power to Magistrates of Edinburgh to make Regulations about Bread.

LV. And whereas, it hath of late been thought expedient not to set any Assize fixing the Price of Bread baked from Wheat within the City of *Edinburgh* and Liberties thereof; and a great Quantity of baked Bread is brought for Sale from the adjacent Villages into the City and Liberties, and other Parts of the Suburbs without the Liberties, and Doubts have arisen whether Bakers in this Situation are bound to make their Bread of an uniform Weight, upon Pretence that they sell it at different Prices, according to the Weight at which they bake it, by which the Public and Individuals may be imposed upon; for Remedy whereof, be it enacted, That the said Lord Provost and Magistrates within the said City and Liberties, and His Majesty's Justices of the Peace, so far as concerns adjacent Places without the City and Liberties, shall have full Power, and they are hereby authorized and required, to order and appoint, that no Bread shall be baked for Sale within the aforesaid Limits, or brought thereto, other than Peck Loaves, Half-peck Loaves, Quartern Loaves, or Half Quartern Loaves, except small Loaves, not exceeding the Price of Three-pence; and that the Peck Loaf shall weigh Seventeen Pounds Six Ounces, the Half-peck Loaf shall weigh Eight Pounds Eleven Ounces, and the Quartern Loaf shall weigh Four Pounds Five Ounces and an Half, all Avoirdupois, and the Half Quartern Loaf in Proportion, of whatever Quality or Fineness the Bread may be baked, or at whatever Price it may be sold, by publishing such Order Three Times in Two of the *Edinburgh* Newspapers, and affixing the same on the Door of each of the Parish Churches within the aforesaid Limits: And the said Lord Provost and Magistrates, and Justices of the Peace respectively, shall be, and they are hereby authorized, from Time to Time, and as often as they shall think necessary, to cause all Bread for Sale to be weighed, whether baked in or brought into the aforesaid Limits, and to impose and levy Fines and Penalties on Account of Deficiency of Weight, in the Way and Manner, and to the same Amount, as are contained in the several Acts of Parliament respecting the baking of Bread and setting of an Assize; saving and reserving to the Corporation of Bakers within the City of *Edinburgh*, and also to the other Corporations of Bakers within the Limits of this Act, all Rights and Privileges of which they respectively may have been and still are in the lawful Possession; but declaring always, that no Bread under the Weight before specified shall be baked for Sale, or brought for Sale within the foresaid Limits upon any Pretence whatsoever: And be it provided and declared, that it shall be competent to the said Lord Provost and Magistrates, at any Time when they may deem it expedient, to resume the Power and Privilege of fixing an Assize for the City and Liberties, and upon their doing so it shall be incumbent upon the said Justices of the Peace, to order the Bakers without the City and Liberties, but within the Limits of this Act, to bake and sell by the same Assize.

Regulations by the Magistrates to be enforced by the Police.

LVI. And be it enacted, That it shall be Part of the Duty of the Superintendant, and of the Inspectors, Constables, Officers of Police, Watchmen, and others aforesaid, to enforce the Observance of the Regulations made by this Act, and such further Regulations as shall be made in virtue hereof by the said Lord Provost and Magistrates, with respect to Hackney Coaches and other Carriages, and with respect to Sedan Chairs, Carts, Waggons, Coachmen, Drivers, Chairmen, Carters, Porters, and Meters of Corn; and all Rules and Regulations to be made by the said Justices, with respect to Sedan Chairs, Carts, Waggons, Chairmen, Carters, Drivers, and Porters, and all Regulations hereby made, or which may be made by the said Lord Provost and Magistrates, or the said Justices with respect to the Erection of Steel Yards, and the Weight of Coals; and also the Regulations with respect to the Weight of Straw and Hay, the Regulations with respect to the Weight of Bread, and all Regulations which have been or shall be made by the said Lord Provost and Magistrates, with respect to the public Markets, and Conduct of Persons resorting to the same; and in general to aid and assist the said Magistrates, the Sheriff, the Justices of Peace of the said County, and all other Magistrates within the Limits of this Act, in every Matter and Thing connected with the Premises, and in all Matters relative to regulating the Police, and preserving the Peace and good Order of the City and Places adjacent; and that it shall be competent to bring all Persons charged with Offences before the said Superintendant to be examined by him; and if there shall appear to be Ground for believing that any of the said Persons have been guilty of the Offences with which they are charged, it shall be competent to proceed against them before the said Court of Police, in the same summary Form and Manner as is prescribed by this Act with respect to the other Matters herein-before contained, and in so far as may be consistent with the aforesaid Regulations.

Powers for cleansing Ancient and Extended Royalties vested in Commissioners for Lighting.

LVII. And whereas the Lighting and Cleaning of the Streets and other Passages are united in the different Acts which at present subsist with respect to the Burgh of *Canongate* and Liberties of *Pleasance* and *Leith Wynd*, and the Eight Districts upon the South of the City; and the Dung within these Places makes Part of the Fund for Lighting and Cleaning; and as it is desirable that the Lighting and Cleaning within the Ancient and Extended Royalties should be united in the same Manner, be it therefore enacted, That the Persons who are, or hereafter shall be Commissioners for lighting the said Ancient and Extended Royalties respectively, by virtue of the said Act passed in the Twenty-fifth Year of the Reign of His present Majesty, shall also be Commissioners for cleaning the Streets, Foot Pavements, and Passages within the Two several Districts mentioned in the said Act; and the said Commissioners within their respective Districts shall have full Power to appoint such Persons as they shall think proper for cleaning the said Streets, Foot Pavements, and Passages, and if they see Cause, to authorize Carts and Horses to be purchased or hired, and to enter into all Contracts which may be necessary; with Power to the said Commissioners respectively to make all such Regulations as may be necessary for completely cleaning the Streets, Foot Pavements, and Passages within the said Two several Districts, and to repeal, add to, amend, or alter, the said Regulations as they shall see Cause, subject to such Penalties as they may think proper, not exceeding Five Shillings

Power to the Commissioners to make Regulations for Cleaning.

jings Sterling for any Offence or Neglect, the Payment of such Fines to be enforced by the Police Court aforesaid in the Form and Manner before described: Provided always, that such Regulations shall be registered in the City Court Books, and published in such of the Newspapers as the Commissioners within the said respective Districts shall direct, and also put upon the principal Door of each of the Parish Churches within the said Two Districts.

Fund for lighting and cleaning Ancient and Extended Royalties, and Rules of Assessment.

LVIII. And whereas it may be necessary that an additional Fund should be raised for the Purpose of lighting and cleaning within the Ancient and Extended Royalties respectively; it is hereby provided, That, in place of the Assessment of Two *per Centum* upon the valued Rent, authorized by the Act before mentioned, the Assessment from and after the Term of *Whitsunday* One thousand eight hundred and five, shall be levied upon the Free Rent to be ascertained as aforesaid, but so as that such Assessment shall never exceed Two and One Half *per Centum* of such Free Rent, and to regulate the Assessment which by the Act before mentioned is payable at *Martinmas* One thousand eight hundred and five, and so on thereafter; and the Commissioners under the said former Act shall be entitled to authorize such Assessment upon the Free Rent accordingly; and the Money assessed shall be payable by the same Persons, and at the same Terms with the Assessment authorized by the former Act, and in default of Payment, shall be recovered in the Way and Manner thereby prescribed; and that in all Time coming the Meetings for supplying the Place of the Commissioners who go out of Office annually within the said respective Districts, in place of the Days mentioned in the said Act, shall be held as follows; *videlicet*, for the Ancient Royalty upon the First *Monday* of *June*, and for the Extended Royalty upon the Second *Monday* of *June* yearly, at the Hour and Places specified in the said Act, and agreeable to the Forms thereby prescribed in all respects.

Alteration of Days for Election of Commissioners for lighting in Ancient and Extended Royalties.

Dung of Ancient and Extended Royalties to make Part of Fund for lighting and cleaning.

LIX. And be it enacted, That the Produce of the Dung or Fuilzie, within the Ancient and Extended Royalties, shall also make Part of the Fund for cleaning and lighting within the Two Districts mentioned in said Act respectively; and from and after the Term of *Whitsunday* One thousand eight hundred and five, the whole Dung or Fuilzie within the said Ancient and Extended Royalties shall accordingly be under the Management of the Commissioners for lighting the said Two Districts respectively, who shall make such Regulations as they may think proper with respect to the Disposal of the said Dung, and Removal thereof, so as that the same shall never be allowed to become a Nuisance; and the said Commissioners within their respective Districts shall have Power either to collect and dispose of the said Dung, Year by Year, or to let the same in Whole or in Lots, the Sales and Sets to be by publick Auction, to the highest Bidder or Bidders, who shall find sufficient Security for Payment of the Price or Rent to be offered; and the Letting shall be always for a specific Rent, and no Part for Grassum, and for such Term as shall be judged expedient, but never to exceed Three Years at a Time; and the Produce of the Dung shall be payable to the Collectors to be appointed by the Commissioners for the said Districts respectively, who shall find sufficient Security for the same: Provided always, that the Lease or Leases which at present subsist of the said Dung or Fuilzie, or certain

Dung may be disposed of annually, or let for Three Years.

Current Leases of Dung to subsist till Issue.

certain Parts thereof, shall continue during the Period or Periods of the same yet to run, but the Rent stipulated by the said Lease or Leases, from and after the said Term of *Whitsunday* One thousand eight hundred and five, shall be payable to the said Collectors respectively as aforesaid, and the Produce of the said Dung on the one Hand, and the Expence of cleaning on the other, shall be entered in the Books kept by the Collector appointed or to be appointed by the Commissioners within the said Ancient and Extended Royalties respectively, in the same Manner with the Assessment authorized by the Act before mentioned, as now extended, and the Expence of lighting in consequence; so that the said Assessment and Produce of Dung may make a common Fund upon the one Hand, and the Expence of lighting and cleaning a common Expenditure upon the other.

Powers to Resident Commissioners to light and clean Places to which former Acts do not extend.

LX. And whereas there are several Places within the Limits of this Act the lighting and cleaning of which are not regulated by any of the Acts of Parliament which have heretofore been passed, such as *Calton*, *Saint Ninian's Row*, North Back of *Canongate*, Precincts of the Abbey of *Holyrood-house*, *Abbeyhill*, *Saint James's Square*, and Streets adjoining, *Wester Portsburgh*, *Fountainbridge*, *Leith Walk*, and several other Places, Roads, Ways, Streets, Lanes, and Communications, as well as the Villages of *Canonmills*, *Water of Leith*, *Restalrig*, *Jock's Lodge*, and *Portobello*; and it is expedient that Powers should be given for lighting and cleaning the whole Places within the Limits of this Act; be it therefore enacted, That the Resident Commissioners of Police within the several Wards appointed by this Act, shall have Power, at Special Meetings to be called and held for that Purpose, to fix and ascertain the Places within their respective Wards to which the Acts heretofore passed for lighting and cleaning do not apply, and to appoint the said Places, or such of them as they shall think proper, to be lighted and cleaned in Time coming under the Authority of this Act, and for that Purpose, with Power to them to purchase and erect such Number of Lamps Lamp Posts, and Lamp Irons as they may find necessary, and to light, or enter into Contracts for furnishing Oil, and lighting such Lamps, and to alter or vary the Places to be lighted, and Number of Lamps, from Time to Time, as they shall find expedient.

Assessment for that Purpose, and for supplying Deficiencies in other Places.

LXI. And, in order that a Fund may be raised for lighting and cleaning the Places to be so appointed to be lighted, to which former Acts do not apply, be it enacted, That the said Resident Commissioners shall have Power to assess all and every Person or Persons who do or shall inhabit or possess any House, Shop, or Warehouse, Cellar, Vault, or other Tenement within the Places, or contiguous to the Roads, Ways, Streets, Lanes, and Communications so to be lighted, in any Sum not exceeding Two and One Half *per Centum* of the free Rent of such House, Shop, Warehouse, Cellar, Vault, and other Tenement so inhabited and possessed, the said Rent to be ascertained in Manner before specified, in order to raise a Fund for lighting and cleaning the said Places, Roads, Ways, Streets, Lanes, and Communications for One Year, to commence at the said Term of *Whitsunday* One thousand eight hundred and five, or at any other Term of *Whitsunday* from which the said Commissioners shall appoint the said Places to be lighted, and so on yearly thereafter; but no Part of the Fund to be raised for lighting and cleansing any Part or Parts of the

Wards

Wards before mentioned, to which former Acts apply, shall be laid out in the lighting and cleaning any Part of the Wards to which such Acts do not apply; and with respect to Places by this Act appointed to be lighted and cleaned, it shall be in the Power of the General Commissioners, for the Purpose of levying such Assessment, to divide such Places contained in any Ward in such Manner as to them shall seem proper, and that when so divided, each Division shall be separately assessed; and in case the said Assessment for lighting and cleaning all or any Places or Divisions by this Act appointed to be lighted and cleaned, with the Produce of the Dung or Puilzie after mentioned, shall not be sufficient for the Purpose intended, or in case the Fund for lighting any particular Place to which former Acts extend shall be found inadequate, then, as often as Occasion may be, with Power to the General Commissioners to assess the Possessors of the said Houses, Shops, Warehouses, Cellars, Vaults, and other Tenements, and also the Possessors of the whole Houses, Shops, Warehouses, Cellars, Vaults, and other Tenements within the Limits of this Act, in a further Sum, not exceeding One-Fourth of One Pound *per Centum* of the free Rent of their several Possessions, to be ascertained as aforelaid, to make up the Deficiency; and which Assessments shall be paid at the same Time with the Assessment authorised by this Act for watching and other Matters of Police, and to the same Collectors, to be by them applied for the Purpose intended, or paid over to the Persons having the Charge of lighting and cleaning the particular Places where the Deficiency of Fund occurs; and in case of Failure in Payment of the said Assessments, the same shall be recovered in the Manner appointed with respect to the said other Assessment; but declaring, that the said Commissioners shall have Power to exempt from the said Assessment any Tenement, the Real Rent of which shall not exceed Three Pounds Sterling, provided that no Spirituous Liquors of any Sort are sold therein; and for the Purpose of purchasing Lamps, Lamp Posts, and Lamp Irons, it shall be in the Power of the said Resident Commissioners to assess the Possessors of the Houses, Shops, Warehouses, Cellars, Vaults, and other Tenements within the respective Places, or contiguous to the respective Roads, Ways, Streets, Lanes, and Communications so appointed to be lighted, (but under the foresaid Declaration with respect to Tenements, the Rents of which shall be under Three Pounds Sterling), in a Sum not exceeding Three Pounds *per Centum* of the Free Rent of their respective Possessions, to be ascertained as aforesaid, to be paid along with the First Year's Assessment for lighting, and to be recovered in the same Manner; and in case the said Assessment shall not be sufficient for the Purpose, or in case the Fund for providing Lamps in any particular Place to which former Acts extend shall be found inadequate, then with Power to the General Commissioners to assess the Possessors of the said Houses, Shops, Warehouses, Cellars, Vaults, and other Tenements; and also the Possessors of the whole Houses, Shops, Warehouses, Cellars, Vaults, and other Tenements within the Limits of this Act, in a further Sum not exceeding One-Half of One Pound *per Centum* of the Free Rent of their several Possessions, to make up the Deficiency, and which additional Assessment shall be paid with the Assessment authorized by this Act for watching and other Matters of Police for the Year, for which such additional Assessment shall be imposed, and to the same Collectors, to be by them applied for the Purposes intended, or paid over

Assessment for putting up Lamps and Lamp Posts, and for supplying Deficiencies.

to the Perſons having the Charge of puting up the Lamps, Lamp Poſts, and Lamp Irons wanted; and in caſe of Failure in Payment of the ſaid Aſſeſſment, the ſame ſhall alſo be recovered in the Manner appointed with reſpect to the Aſſeſſment for Watching, and other Purpoſes of Police; and Tenants paying the ſaid Aſſeſſment for purchaſing Lamps, Lamp Poſts, and Lamp Irons, ſhall be entitled to deduct the ſame from the Rents of their reſpective Poſſeſſions; and the Property of the Lamps, Lamp Poſts, and Lamp Irons, and the Money raiſed by virtue of ſuch Aſſeſſment as aforeſaid, ſhall be veſted in the ſaid Reſident Commiſſioners within their reſpective Wards.

Powers for cleaning the Places ſo to be lighted veſted in Reſident Commiſſioners.

Powers to them to make Regulations for cleaning.

LXII. And be it enacted, That the ſaid Reſident Commiſſioners, within the ſeveral Wards, ſhall have full Power to appoint ſuch Perſons as they ſhall think proper for cleaning the Streets, Foot Pavements, and Paſſages within the Places, and the Roads, Ways, Streets, Lanes, and Communications ſo appointed to be lighted, and if they ſee Cauſe, to authorize Carts and Horſes to be purchaſed or hired, and to enter into all Contracts which may be neceſſary; and with Power to make Regulations for cleaning, and to alter and enforce the ſame, agreeably to the Powers hereby given to the Commiſſioners within the Ancient and Extended Royalties, except that the Regulations relative to cleaning, hereby authorized, ſhall be regiſtered in the Sheriff Court Books of the County, in place of the City Court Books of *Edinburgh*.

Dung of Places ſo to be lighted to make Part of Fund for lighting and cleaning them.

Same Powers in this Reſpect given to the Reſident Commiſſioners as are given to Commiſſioners in Ancient and Extended Royalty.

Allowance to Reſident Magiſtrate of Weſter Portſburgh.

LXIII. And be it enacted, That the Produce of the Dung or Fuilzie within the ſeveral Places, and upon the ſeveral Roads, Ways, Streets, Lanes, and Communications ſo appointed to be lighted, ſhall alſo make Part of the Fund for lighting and cleaning the ſame; and from and after the ſaid Term of *Whitſunday* One thouſand eight hundred and five, the ſaid Dung or Fuilzie ſhall accordingly be under the Management of the Reſident Commiſſioners of the reſpective Wards, within which the ſaid Places, Roads, Ways, Streets, Lanes, and Communications, ſo appointed to be lighted, are ſituated; and the ſaid Reſident Commiſſioners ſhall have the ſame Powers in this reſpect as are hereby given to the Commiſſioners within the Ancient and Extended Royalties with reſpect to the Dung or Fuilzie within their ſeveral Diſtricts: Provided always, that it ſhall be competent to the Reſident Commiſſioners of the Sixth Ward to allow ſuch a Sum as they ſhall judge reaſonable, out of the Produce of the Dung within the ſaid Ward, to the Reſident Magiſtrate of *Weſter Portſburgh*, for defraying the Expence of his Office annually.

Inſpectors of Police, etc. to attend to the lighting and cleaning in the whole Diſtricts.

LXIV. And be it enacted, That it ſhall and may be lawful to and for the Inſpectors, Conſtables, Officers of Police, Watchmen, and others to be appointed by virtue of this Act, and they are hereby required to take Notice that the whole Streets, Foot Pavements, Lanes, and Paſſages within the Ancient and Extended Royalties, be properly lighted and cleaned in Terms of the Powers granted by the Act before mentioned, and by the preſent Act; alſo that the whole Streets, Foot Pavements, Lanes, and Paſſages within the Borough of *Canongate*, and Liberties of *Pleaſance* and *Leith Wynd*, and within the Eight Diſtricts upon the South Side of the City, be properly lighted and cleaned, in Terms of the Powers granted by the ſeveral Acts for that Purpoſe; and that the Regulations to be made by the Commiſſioners

missioners for lighting the Ancient and Extended Royalties, and the Regulations made or to be made by the Commissioners for lighting the Burgh of *Canongate*, and Liberties of *Pleasance* and *Leith Wynd*, and the Eight Districts upon the South Side of the City respectively, with respect to cleaning, shall be duly enforced.

If Commissioners for lighting and cleaning are deficient in their Duty, Resident Commissioners may perform it.

If Resident Commissioners are deficient in this, or in lighting and cleaning Places not in former Acts, the General Commissioners may do what is necessary.

LXV. And it is hereby provided and declared, That in case of any Charge of Neglect against the Commissioners in the Acts for cleaning and lighting within any of the Wards comprehended in this Act, it shall be competent to the Superintendant to grant Warrant for summoning the Convener or any Three of the Body of Commissioners complained of, for the Purpose of ascertaining the Charge; and if the Charge shall be be ascertained before the Police Court, it shall be competent and incumbent upon the Resident Commissioners within the Wards where the Neglect shall occur, to order and direct, do and perform, every Matter and Thing which might have been ordered and directed, done and performed, by the Commissioners complained of; and if in any such Case the Resident Commissioners shall fail to give the necessary Orders and Directions, or if they shall fail to give the necessary Orders and Directions for lighting and cleaning Places to which former Acts do not extend, it shall be competent to the General Commissioners to order and direct, do and perform, whatever may be necessary to accomplish the Purposes of this and the former Acts, agreeably to the Powers thereby given, in so far as regards lighting and cleaning.

Privileges of College of Justice and Court of Exchequer waved.

LXVI. And whereas the proper lighting, cleaning, and watching the City of *Edinburgh*, and Places adjacent, are Objects of great Importance to the Inhabitants and to the Public at large, but which cannot be completely accomplished, unless the Privileges of the College of Justice and Court of Exchequer are waved: And whereas the College of Justice and Court of Exchequer have agreed to wave their Privileges in so far as concerns the said Articles of lighting, cleaning, and watching; be it hereby declared, That the Rate and Assessment for lighting and cleaning within the Ancient and Extended Royalties, by the Act before-mentioned, as now extended, from and after the said Term of *Whitsunday* One thousand eight hundred and five, and the Rates or Assessments hereby granted for the other Purposes herein specified, shall and may be levied from all the Members of the College of Justice, Barons and Officers of the Court of Exchequer, in the same Manner as they are levied from the other Inhabitants; and that the Members of the College of Justice and Court of Exchequer shall be subjected to the same Procedure with the other Inhabitants in all the Matters and Things comprised in this Act: Provided always, that the Privileges of the College of Justice and Court of Exchequer, and all the Members thereof, as by Law established, shall continue in full Force and Effect in all other Respects.

Penalties upon Obstructions to the Execution of this Act.

LXVII. And be it enacted, That if any Person shall at any Time obstruct, hinder, or prevent the Execution of this Act, or molest or impede any Person employed in executing the same, such Person shall and may be apprehended, and brought before the Superintendant for Examination; and if there shall appear Ground for believing such Person is guilty of the Offence charged, it shall be competent to bring him or her before

the Court of Police, and for the ſaid Court to commit ſuch Perſon to the Tolbooth of *Edinburgh*, or to Bridewell, for any Space not exceeding Three Calendar Months, or to fine ſuch Perſon in any Sum not exceeding Ten Pounds Sterling; but if the Perſon employed in the Execution hereof ſhall be aſſaulted or hurt, it ſhall be competent to commit the Offender to the Tolbooth of *Edinburgh*, or to Bridewell for Double the Space, and to fine him or her in Double the Sum before-mentioned; and the Fines ſhall, in all ſuch Caſes, be recovered in the ſame Manner as the other Fines ſpecified in this Act.

Method of recovering them.

LXVIII. And be it enacted, That Perſons ſubjected to Fines, or found liable in Damages, ſhall and may in all Caſes be committed to Jail, in Default of Payment, within Twenty-four Hours after the Date of the Sentence, in Manner before preſcribed; and if Perſons committed for Fines ſhall not, within Ten Days after ſuch their Commitment, pay the Sums to which they are ſo ſubjected, it ſhall be competent to the Judge officiating in the Police Court, in Place of ſuch Fines, to remand the ſaid Perſons to the Tolbooth of *Edinburgh*, or to commit them to Bridewell, for ſuch Space as ſhall ſeem expedient, but ſo as that the whole Time of Confinement ſhall not exceed the Space authoriſed by this Act, according to the Nature of the Offence: And in caſe the Perſons found liable in Damages ſhall not pay the Sums awarded within the ſaid Space of Twenty-four Hours from the Date of the Sentence, it ſhall be competent to the Perſons to whom ſuch Damages are found due, to recover the ſame as follows; that is, the ſaid Perſons may apply to any Magiſtrate of any Royal Burgh, or to the Sheriff Depute or Subſtitute of any County where any Goods or Effects may be ſituated belonging to the Perſons ſo ſubjected in Fines, and upon producing an Extract of the Charge and Sentence, certified by the Clerk, may obtain from ſuch Magiſtrate or Sheriff a Warrant for immediate Diſtreſs and Sale of ſo much of the ſaid Goods and Effects as may be ſufficient to pay the Sums found due with the Expence of the Diſtreſs and Sale, and the ſaid Goods and Effects ſhall be carried to the Croſs, or moſt public Place of the Market Town, or Kirk Town, or Village, if they are ſituated in any ſuch, or if not ſo ſituated, then to the Croſs or the moſt public Place of the Market Town, or Kirk Town, or Village next adjacent, and there duly appraiſed; and afterwards, between the Hours of Eleven and Twelve in the Forenoon, and after One Hour's Notice to be given by a Crier, ſhall be ſold to the higheſt Bidder, returning the Overplus (if any) to the Owner, after paying the Damages and Expences; and in the caſe of Fines, as well as the caſe of Damages, the Extract of the Charge and Sentence, certified as aforeſaid, ſhall be a ſufficient Warrant for arreſting within the Limits mentioned in this Act, and alſo for obtaining Letters of Supplement, under the Signet, or Authority from any Judge Ordinary, to arreſt beyond thoſe Bounds; and it ſhall not be competent to looſe ſuch Arreſtments, either upon Caution or Conſignation: Provided, that where Perſons ſubjected to Fines are remanded to the Tolbooth, or committed to Bridewell in Manner aforeſaid, the Arreſtments ſhall become ineffectual as to ſuch Fines.

Application of Fines.

LXIX. And be it enacted, That all Fines and Penalties recovered by Authority of this Act, ſhall be paid to the Collector or Collectors appointed by

by the General Commissioners, or to any Persons authorized by him or them to receive the same; and One Half thereof shall belong to the Officers of Police, Watchmen, and others employed in the Execution of this Act, and shall be distributed among them according to their Activity and Exertions, in such Manner as the Superintendant shall direct, and the other Half, or as much thereof as is necessary, shall be paid over to the Treasurer for Bridewell, so as the same may be applied by him towards the Aliment and Clothing of the Persons committed to Bridewell by virtue of any Sentences pronounced under the Authority of this Act; and in case the said Fines and Penalties shall be more than sufficient to aliment and clothe the Persons committed to Bridewell by virtue of the Sentences aforesaid, the General Commissioners shall and may apply the Surplus in any Way and Manner they shall think proper, towards suppressing Vice and promoting Industry within the Limits of this Act: Provided, That in the Case of Fines imposed upon Persons convicted of breaking Lamps, it shall be competent to the Judge of the Police Court to appoint the Half of such Fines remaining, after deducting of the Half appropriated to the Persons employed in the Execution of this Act, or so much thereof as shall seem expedient, to be paid to the Person or Persons by whom the Lamps are maintained, to make up the Loss which may be occasioned in Cases where the Person or Persons by whom Lamps are broken cannot be detected.

Proviso as to Fines for breaking Lamps.

LXX. And, in order that the Superintendant may have an Opportunity of satisfying himself with respect to the Application of the Money paid to the Treasurer for Bridewell, it is hereby enacted, That the said Superintendant shall be added to the Number of the Commissioners appointed by the Act before mentioned for building and maintaining a Bridewell and Correction House in and for the City and County of *Edinburgh*, with the whole Powers which are given by the said Act to the Commissioners therein specified.

Superintendant to be a Commissioner for Bridewell.

LXXI. And whereas Inconveniencies are found to arise from the Days appointed by the said Act for the stated Meetings for carrying the same into Execution, in so far as a Committee, with full Powers of Management, is appointed to be chosen upon the First *Monday* of *July* yearly; be it therefore enacted, That an Election of the said Committee shall take place, as usual, upon the First *Monday* of *July* One thousand eight hundred and five; but the Committee then chosen shall only continue till the First *Monday* of *November* thereafter, when another Election shall be made, at the Place and Hour specified in the said Act, of a Committee to continue for One Year, with the whole Powers conferred by the said Act, and so on upon the First *Monday* of *November* yearly thereafter: And it is declared to be lawful and competent for the annual Committee, or any Two Members thereof, to shorten the Period of Confinement for which Persons may be committed to Bridewell, upon being satisfied of their good Behaviour during their Confinement, and that they shew Marks of Penitence and Amendment.

Alteration of Day for electing Committee for managing Bridewell.

Power to shorten Time of Confinement.

LXXII. And whereas it is expedient that certain unfortunate Females, labouring under Disease, should have an Opportunity of being kept secluded from Intercourse with Society, and a Chance afforded them of returning

Unfortunate Females may be received into Bridewell.

returning to more virtuous Habits; be it therefore enacted, That the Commiſſioners of Bridewell ſhall be and are hereby authorized, if they ſhall think proper, to fit up ſome Apartments in Bridewell for the Reception of ſuch Females as it may be expedient to keep in a retired Manner, although not committed by Order of a Judge or Magiſtrate, but who may be received upon Application of the Party with the Conſent of the Commiſſioners or their Committee of Management; provided always that the whole Expences thereby incurred ſhall be defrayed by Subſcription or otherwiſe, and be no Burden on the Funds appointed for the Support of the Bridewell, or the Funds to be raiſed by virtue of this Act.

Appeal.

LXXIII. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved, by having been committed either to the Tolbooth of *Edinburgh* or to Bridewell, in conſequence of having been convicted of any of the Offences ſpecified or deſcribed in this Act, ſuch Perſon or Perſons may apply to the Supreme Courts of Judicature in *Scotland* for Redreſs and Liberation, as accords; and if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved, by any Sentence pronounced by the ſaid Superintendant, either as Sheriff Subſtitute within the County, or as an additional Sheriff Depute within the City and Liberties of *Edinburgh*, decreeing Payment of any Sum in Name of Fine, Penalty, Damages, or Expences, ſuch Perſon or Perſons ſhall and may be at Liberty, at any Time within Three Months from the Date of ſuch Sentence, to raiſe and inſiſt in an Action of Reduction before the Court of Seſſion; but then, and in every ſuch Caſe, ſuch Perſon or Perſons, before being heard in ſuch Action, ſhall find ſufficient Caution or Surety for Payment of the Sum found due (if not already paid), and all Expences, in caſe the Sentence of the Superintendant ſhall be confirmed by Decree of the Court of Seſſion.

Limitations of Actions for Fines.

LXXIV. And be it enacted, That all Fines and Penalties impoſed by this Act ſhall be held to be departed from, if not demanded within Three Calendar Months from the Time at which the Facts by which they may be incurred ſhall be committed; and no Proſecution ſhall be competent for the ſaid Fines and Penalties, unleſs the ſame is commenced before the Expiration of the ſaid Three Calendar Months.

Limitation of Actions againſt Perſons executing this Act.

LXXV. And be it enacted, That no Action ſhall be commenced againſt the General or Reſident Commiſſioners, Collectors, Clerks, Superintendants, Inſpectors, Conſtables, Officers of Police, Watchmen, or others employed in the Execution of this Act, for any Matter or Thing connected therewith, after Three Calendar Months from the Time at which the Fact is committed to which ſuch Action relates; and the Defender or Defenders in ſuch Action or Proceſs, may produce this Act, and plead that the ſaid Things were done by Authority and in virtue hereof; and if they ſhall appear to be ſo done, then and in that Caſe the ſaid Defender or Defenders ſhall be abſoilzied from ſuch Action or Proceſs; and the Purſuer or Purſuers in ſuch Action or Proceſs ſhall be found liable to pay the whole Expences of Proceſs incurred by the ſaid Defender or Defenders, and alſo the Expence of extracting the Decree of Abſolvitor.

Saving Clause to the City of Edinburgh, etc.

LXXVI. Saving and reſerving to the Lord Provoſt, Magiſtrates, and Town Council of the City of *Edinburgh*, as well as His Majeſty's Sheriff Depute, the Juſtices of the Peace of the County of *Edinburgh*, the Bailie of the Abbey of *Holyroodhouſe*, and all other Magiſtrates, all and every Juriſdiction, of whatever Kind or Nature, Civil as well as Criminal, which they have, had, or are anywiſe entitled to uſe and exerciſe, in the ſame Way and Manner as if this Act had never been paſſed.

Publick Act.

LXXVII. And be it enacted, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

Continuance of the Act.

LXXVIII. And be it enacted, That this Act ſhall continue in force for Ten Years from the paſſing thereof, and from thence to the End of the then next Seſſion of Parliament.

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