ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. lxxxvii.

An Act for altering and amending certain Acts for regulating the Police of the City of *Edinburgh* and the adjoining Districts; and for other Purposes relating thereto. [23d *June* 1832.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for cleansing, lighting, and watching the* 11 G.3. c.36.
several Streets and other Passages on the South Side of the City of Edinburgh, *and for removing Nuisances and Annoyances therefrom, and preventing the same for the future:* And whereas another Act was passed in the Twelfth Year of the Reign of His said Majesty, intituled *An Act for lighting, cleansing, and watching the Streets,* 12 G.3. c.15.
Lanes, and other Passages of the Burgh of Canongate, *and the Liberties of* Pleasance *and* Leith Wynd, *adjoining to the Royalty of the City of* Edinburgh: And whereas another Act was passed in the Twenty-fifth Year of the Reign of His said Majesty, intituled *An Act* 25 G.3. c.28.
for opening an easy and commodious Communication from the High Street of Edinburgh *to the Country Southward, and also from the* Lawn Market *to the new extended Royalty on the North; and for enabling Trustees to purchase Lands, Houses, and Areas for that Purpose; for widening and enlarging the Streets of the said City, and certain Avenues leading to the same; for rebuilding or improving the University; for enlarging the public Markets and Communications*

thereto; for regulating certain Taxes; for lighting the said City; for providing an additional Supply of Water; for extending the Royalty of the said City; and for levying an additional Sum of Money for Statute Labour in the Middle District of the County of Edinburgh: And whereas another Act was passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for altering and amending an Act of the Forty-fifth Year of His present Majesty, for regulating the Police of the City of* Edinburgh *and the adjoining Districts, and for other Purposes relating thereto*, by which last-recited Act the said Three first-recited Acts of the Eleventh, Twelfth, and Twenty-fifth Years of the Reign of His said late Majesty were in part suspended, explained, and altered: And whereas another Act was passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act for altering and amending an Act of the Fifty-second Year of His present Majesty, for regulating the Police of the City of* Edinburgh *and the adjoining Districts, and for other Purposes relating thereto*: And whereas another Act was passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for watching, cleansing, and lighting the Streets of the City of* Edinburgh *and adjoining Districts; for regulating the Police thereof; and for other Purposes relating thereto*; by which Act the said Two last-recited Acts of the Fifty-second and Fifty-seventh Years of the Reign of His said late Majesty *George* the Third are, with a certain Exception, repealed: And whereas another Act was passed in the Seventh Year of His late Majesty King *George* the Fourth, intituled *An Act to explain and amend an Act of the Third Year of the Reign of His present Majesty, intituled 'An Act for 'watching, cleansing, and lighting the Streets of the City of* Edinburgh *'and adjoining Districts; for regulating the Police thereof; and for 'other Purposes relating thereto:'* And whereas the Provisions of the said Acts which have been carried into execution have produced the most beneficial Consequences to the said City and the Inhabitants thereof and of the adjoining Districts: And whereas the said Two last-recited Acts are now near expiring: And whereas it is of great Importance, and will promote the Security, Comfort, and Convenience of the Inhabitants of the said City and Districts adjoining, that the said Acts should be altered, amended, and continued, and other Powers and Provisions granted for the more effectual Maintenance and Preservation of the Police of the said City, and for the better watching, lighting, cleansing, and paving the Streets in the said City and adjoining Districts, and Foot Pavements thereof: But as these Purposes cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First *Monday* in the Month of *July* One thousand eight hundred and thirty-two the said Two last-recited Acts of the Third and Seventh Years of the Reign of His late Majesty King *George* the Fourth, excepting in so far as the same are hereby varied, altered, or repealed, and all and every the Powers and Provisions therein contained, shall be as good, valid, and effectual for carrying this Act into execution

52 G. 3. c. 172.

57 G. 3. c. 33.

3 G. 4. c. 78.

7 G. 4. c. 115.

Recited Acts, 3 G. 4. c. 78. and 7 G. 4. c. 115., as hereby varied, extended to this Act;

execution as if the same had been repeated and re-enacted in the Body of this Act; and the before-recited Acts of the Eleventh, Twelfth, and Twenty-fifth Years of the Reign of His Majesty King *George* the Third shall, from and after the passing of this Act, and during the Continuance of this Act, be suspended, in so far as concerns the watching, lighting, and cleansing the Burgh of *Canongate*, the Liberties of *Pleasance* and *Leith Wynd*, and the Eight Districts on the South of the City of *Edinburgh*, and the lighting of the ancient and extended Royalties of the said City, and in so far as concerns the raising and levying Funds to defray the Expences of the same; but saving and reserving the before-recited Acts of the Eleventh, Twelfth, and Twenty-fifth Years of the Reign of His said Majesty, in so far as they or any of them relate to the other Matters and Things therein mentioned.

and certain Powers of 11 G. 3. c. 36., 12 G. 3. c. 15., and 25 G. 3. c. 28. suspended.

II. And be it enacted, That all Debts contracted and all lawful Contracts entered into by the Commissioners under the before-recited Acts of the Third and Seventh Years of the Reign of His said late Majesty King *George* the Fourth shall remain valid and binding upon the General Commissioners to be appointed in manner herein-after mentioned for executing this Act, and be chargeable upon the Rates and Assessments herein-after authorized to be levied: Provided always, that all the Property, Heritable and Moveable, vested by the said recited Acts or any of them in the Commissioners thereby appointed, shall be and the same is hereby vested in the Commissioners to be appointed in virtue of this Act; and in like Manner that the whole Rates assessed and Monies levied in virtue of the before-recited Acts of the Fifty-second and Fifty-seventh Years of the Reign of His said late Majesty *George* the Third, or in virtue of the before-recited Acts of the Third and Seventh Years of the Reign of His said late Majesty King *George* the Fourth, and all Arrears of the same, shall be and the same are hereby made payable to and vested in the General Commissioners to be appointed for the Purposes of this Act.

Contracts under 3 G. 4. c. 78. and 7 G. 4. c. 115. to remain effectual.

III. And be it enacted, That the Powers and Regulations herein-after and in the said recited Acts contained, for the Establishment of a general System of Police, shall extend over the ancient and extended Royalties of the City of *Edinburgh*, and the whole Grounds and Houses locally situated and comprehended within the Limits described in the said recited Act of the Third Year of the Reign of His said late Majesty King *George* the Fourth, and over the whole Grounds and Houses locally situated and comprehended within the following Limits; *videlicet*, from a Point on the Road from *Leith* to *Queensferry* which is distant Four hundred Yards (measured along such Road), to the West of the Point at which the same meets the *Inverleith* Road at the House called *Golden Acre*, in a straight Line to the North-western Corner of the Inclosure of *John Watson*'s Institution; thence in a straight Line to the Stone Bridge Number 2. on the *Union Canal*; thence in a straight Line to the Point at which the Western Wall of the Enclosure of the Lunatic Asylum at *Morningside* meets the *Jordan* or *Powburn*; thence down the *Jordan* or *Powburn* to a Point which is distant

Boundaries described.

Two

Two hundred and Forty-four Yards (measured along such Burn) below the Arch over the same on the *Carlisle* Road; thence in a Line to the School-house at *Cellarbank* on the *Dalkeith* Road; thence in a straight Line to the Summit of *Arthur's Seat;* thence in a straight Line to the Junction of the old and new Roads at *Meadowbank;* thence by a Line through the Grounds belonging to the Orphans Hospital, Sir *James Montgomery* Baronet, and the Earl of *Moray*, to the *Lochend* Road, and along the North-east Boundary of the Grounds belonging to the Trinity Hospital, to *Leith;* thence along *Duke Street* and the new Road to the Western Boundary of Mr. *Kirk*'s Property at the Foot of *Leith Walk;* thence by a Line to the Water-run which crosses the *Bonnington* Road at *Swanfield*, and along that Water-run to the Water of *Leith;* thence following the Course of the Water of *Leith* upwards to *Bonnington Bridge;* thence along the *Bonnington* Road to the Point at which the latter meets the Road from *Leith* to *Queensferry;* thence along the Road from *Leith* to *Queensferry* to the Point first described.

Additional Wards.

IV. And be it enacted, That in addition to the Thirty Wards described and specified in the said recited Act of the Third Year of the Reign of His said late Majesty there shall be Two additional Wards, comprising the Grounds and Houses herein-before specially described; *videlicet*,

Ward Thirty-First.—Bounded by the Water of *Leith*, *Bonnington* Road, and the Road from *Leith* to *Queensferry*, to a Point which is distant Four hundred Yards (measured along such Road), to the West of the Point at which the same meets the *Inverleith* Road at the House called *Golden Acre*, in a straight Line to the North-Western Corner of the Enclosure of *John Watson*'s Institution, to the Water-run in the Lands belonging to Sir *William Fettes* Baronet, and by the said Water-run until it falls into the Water of *Leith* at the Porter's Lodge on the Road leading to *Inverleith House* by *Saint Bernard's Row*, and to comprehend the whole Space within these Limits:

Ward Thirty-Second.—Bounded by the Water-run from the Lands which belong to Sir *William Fettes* Baronet, and which runs through Part of the Lands of *Inverleith* until it falls into the Water of *Leith* at the Porter's Lodge on the Road leading to *Inverleith* by *Saint Bernard's Row*, and by the Water of *Leith* upwards to *Dean Bridge*, from thence by the Road to *Craigleith* by *Black Dean*, and from thence by the Line which forms the Western Boundary of the Territory over which this Act extends to the Water-run in the Property which belongs to Sir *William Fettes* Baronet, first mentioned, and to comprehend the whole Space within these Limits.

Boundaries to run along Middle of Streets, &c.

V. And be it enacted, That the Boundaries of the Wards shall run along the Middle of the Streets, Roads, Lanes, and Closes by which they are declared to be bounded, except where the contrary is particularly mentioned; and as to the Streets, Grounds, Houses, and Places within the Bounds of this Act not embraced in the special Description of any of the several Wards before mentioned, the same shall be held as belonging to that Ward to which such

such Streets, Grounds, Houses, and Places are severally next adjacent; and in case of any Dispute the same shall be decided at a Meeting of the said General Commissioners, whose Determination shall be final.

General Commissioners.

VI. And be it enacted, That the Lord Provost, Four Bailies, Dean of Guild, and Treasurer of the City of *Edinburgh*, the Deacon Convener of the Trades of the said City, the Sheriff of the County of *Edinlurgh* and One of his Substitutes, the Senior Resident Bailie of *Canongate*, One elected out of the Faculty of Advocates, One elected out of the Society of Writers to His Majesty's Signet, One elected out of the Society of Solicitors in the Supreme Courts of *Scotland* incorporated by Royal Charter, One elected out of the Company of Merchants, the Convener of the Southern Districts for the Time being, and One General Commissioner for each Ward, and their Successors, qualified and elected in manner herein-after directed, shall be and are hereby appointed General Commissioners for the Purposes of this Act, as herein-after specified.

Time of electing Commissioners for the first Year of this Act.

VII. And be it further enacted, That the Commissioners, General and Resident, to be elected under this Act, shall be elected during the Week commencing on the last *Monday* of *June* in the present Year, and shall come into Office on the First *Monday* of *July* in the present Year, and shall remain in Office till the First *Monday* of *December* in the Year One thousand eight hundred and thirty-three, when they shall go out of Office, and their Places shall be supplied by One General and Two Resident Commissioners for each Ward, to be elected in manner herein-after mentioned; and in the Year One thousand eight hundred and thirty-three, and annually thereafter, there shall be an Election of One General Commissioner and of Two Resident Commissioners for each Ward in the Manner appointed by this Act.

Manner of electing Commissioners for the first Year of this Act.

VIII. And be it enacted, That the Elections of the General and Resident Commissioners for the Period commencing on the First *Monday* of *July* in the present Year shall be made as follows; *videlicet*, the Clerk to the General Commissioners under the before-recited Acts of the Third and Seventh Years of the Reign of His late Majesty King *George* the Fourth shall prepare a Book for each of the said Wards in the Form annexed hereto (Schedule A.), or in some similar Form, and shall direct a Clerk or some other fit Person to attend at some convenient Place in each of the said Wards on the last *Monday* of *June* in the present Year, and on the following Day, between Ten of the Clock in the Forenoon and Five of the Clock in the Afternoon on each Day; and the Electors in each Ward intending to vote in the Election of General and Resident Commissioners shall appear personally at the said Places; and the Designations and Places of Residence of each Voter, and likewise the Names, Designations, and Places of Residence of the Persons for whom they vote as General and Resident Commissioners respectively, shall be inscribed in the said Books by the Voters respectively, or by the Clerks or other Persons attending the said Elections, and subscribed by each Voter; and at the Expiration of the above Period

fixed for the said Elections the Clerks or other Persons appointed to attend the said Elections in manner aforesaid shall deliver the said Books to the Clerk of the General Commissioners, who shall make up and enter in each of the said Books a State of the Votes in the Ward, and shall affix on the Door of the Police Office on the First *Monday* of *July* the Names of the Persons who have the Majority of Votes, who shall be held to be elected as General and Resident Commissioners; and the said Books in which the Names and Votes are inserted in manner above directed shall remain open and patent for the Inspection of all concerned, at the Police Office, until the *Saturday* thereafter at Twelve of the Clock Noon; and the said Faculty of Advocates, the Society of Writers to His Majesty's Signet, the Society of Solicitors before the Supreme Courts of *Scotland*, and Merchant Company of *Edinburgh* shall, on some convenient Day during the last Week of the Month of *June* in the present Year One thousand eight hundred and thirty-two, at a Meeting to be called conformably to the ordinary Usage of the said respective Bodies when summoning Special Meetings of the same, each elect a Person to be Commissioner as aforesaid under this Act.

Manner of electing Commissioners for remaining Years.

IX. And be it enacted, That the Elections of General and Resident Commissioners for the Year commencing on the First *Monday* of *December* One thousand eight hundred and thirty-three, and for each Year thereafter during the Continuance of this Act, shall be made and brought to a Conclusion in the same Manner in all respects as is before provided with regard to the Elections for General and Resident Commissioners for the Period commencing on the First *Monday* of *July* in the present Year, the Clerk to the General Commissioners under this Act officiating in the Manner above mentioned; and the said Faculty of Advocates, Society of Writers to His Majesty's Signet, the Society of Solicitors before the Supreme Courts of *Scotland*, and Merchant Company of *Edinburgh*, shall, on some convenient Day during the Month of *November* in the Year One thousand eight hundred and thirty-three, and in every future Year during the Subsistence of this Act, each meet on some convenient Day during the Month of *November*, in manner before mentioned, and shall elect a Person to be Commissioner as aforesaid under this Act for the Year ensuing; and when the Place of any such Commissioner so elected shall become vacant, by Refusal to act, Death, or Resignation, or in any other Way, the said Faculty of Advocates, Society of Writers to His Majesty's Signet, Society of Solicitors before the Supreme Courts of *Scotland*, and Merchant Company respectively, according as such Vacancy shall happen in any of them, shall without Delay meet and elect another Commissioner to supply such Vacancy, due Notice of the Meeting being always given as aforesaid.

In certain Cases Books to close in Two Hours.

X. Provided always, That if at the End of Two Hours from the Time of opening such Books in each Ward respectively for the Purpose of such Elections, whether for the Period commencing on the First Day of *July* after the passing of this Act, or for any succeeding

ceeding Year, it shall appear to the Clerk, or other Person attending by Direction of the Clerk to the General Commissioners with any such Book in any Ward, that the Name, Designation, and Residence of only One qualified Person has been inscribed in the said Book to be a General Commissioner, or of Two qualified Persons to be Resident Commissioners, then and in such Case such Clerk or other Person attending shall close the Book as for that Election of such General or Resident Commissioners respectively, and the Persons whose Names, Designations, and Residences have been so inscribed in such Book, as voted for to be a General Commissioner or to be Resident Commissioners respectively, shall be held to be elected a General Commissioner or Resident Commissioners for that Ward, as the Case may be.

Scrutiny may be demanded.

XI. And be it enacted, That it shall be competent to any Person who considers that he ought to have been returned as General or Resident Commissioner in any Year, to complain against the Clerk's Return, provided the Complaint be made by Petition to the General Commissioners, to be lodged with their Clerk, signed by the Party complaining, or some Person on his Behalf, on or before the Second *Monday* of *July* in the Year One thousand eight hundred and thirty-two, or the Second *Monday* of *December* in the Year One thousand eight hundred and thirty-three, or in any future Year; and on such Petition being presented the said General Commissioners shall remit to a Committee of Five of their Number to examine the said Books, and to report to a subsequent Meeting of the said Commissioners the Merits of such disputed Election; and the Determination of the said General Commissioners on the said Report shall be final and conclusive; and in case there shall be an Equality of Votes at any of the said Elections this shall be entered by the Clerk in his State of the Votes appointed to be made up on the First *Monday* of *July* or *December* as aforesaid, and reported by him to the General Commissioners at their Meeting herein-before appointed to be held on the Second *Monday* of *July* or *December* annually; and if no Scrutiny is demanded, or if upon a Scrutiny the said Committee shall still report an Equality of Votes, and such Report shall be approved of by the said General Commissioners, they shall determine by Vote which of the Candidates shall be preferred; and if after any Scrutiny whatever the said General Commissioners shall find such Equality, they are hereby vested with the same Powers of determining which of the Candidates shall be preferred.

Day of Election, &c. to be advertised.

XII. Provided always, and be it enacted, That not less than Six nor more than Twelve Days before the last *Monday* of *June* in the present Year the Clerk to the General Commissioners under the said recited Acts of the Third and Seventh Years of the Reign of His late Majesty King *George* the Fourth shall cause Intimation to be made by Advertisement, in at least Three of the Newspapers published in *Edinburgh*, and in such other Manner as the General Commissioners under the said recited Acts shall deem proper, of the Days and Places of Election; and that not less than Six nor more than Twelve Days before the last *Monday* of *November* in the Year One thousand eight hundred and thirty-three, and in each succeeding Year during

during the Continuance of this Act, the Clerk to the General Commissioners under this Act shall cause a similar Intimation to be made by Advertisement.

Penalty for obstructing Voters, and on unqualified Persons voting.

XIII. And be it enacted, That in case any Person shall at any Time obstruct, hinder, or molest any Elector, qualified to vote in manner above directed, in giving such Vote, or inscribing his Name in the Book in manner above provided, or shall molest, obstruct, or prevent the Clerk acting at such Election from doing the Duty intrusted to him in Terms of this Act, every Person so offending shall forfeit the Sum of One Pound for each Offence; and in case any Person or Persons not qualified to vote as herein-before provided shall nevertheless vote at the said Elections, every Person so offending shall be liable in a Penalty not exceeding Two Pounds and not less than Ten Shillings Sterling for each Offence, *toties quoties*; both of which Penalties may be sued for by a summary Application before the Magistrates, Sheriff, or Justices, in their respective Small Debt Courts, at the Instance of the Clerk to the Commissioners, or any of the Candidates or Electors of the Ward in which such Votes shall have been given, and when recovered shall be applied for the Purposes of this Act.

Commissioners not to hold Places of Profit.

XIV. Provided always, and be it enacted, That no Commissioner for the Purposes of this Act shall be capable of acting as such during the Term he shall enjoy any Office of Profit to be created or established by virtue of this Act, or while he has any Share or Interest in any Contract relating to the Execution thereof, or is a Member of any Company having such Contract, nor shall any such Commissioner be capable of entering into or taking any such Contract during the Time he shall be such Commissioner.

Powers and Duties of Commissioners.

XV. And be it further enacted, That it shall be the Duty of the said General Commissioners named or elected under this Act, and they are hereby authorized and empowered, to estimate, assess, levy, and apply the Sums of Money herein-after authorized to be raised for the Purposes of this Act, and to appoint Treasurers, Collectors, Clerks, Surveyors, and all other Persons employed in the Execution of this Act as to whom the Power of Appointment is not vested elsewhere, and to remove them at Pleasure; to fix the Number of Lieutenants, Assistant Clerks, Criminal Officers, Serjeants, Watchmen, Watch-house Keepers, Turnkeys, Scavengers, and other inferior Officers to be employed, and the Wages to be paid to them, and to increase or diminish their Numbers from Time to Time as they shall see cause; to make Orders and Regulations relative to the lighting, cleansing, guarding, watching, and patrolling the Streets, Passages, and Lanes, and maintaining Peace, Quiet, Decency, and good Order within the aforesaid Bounds of Police, and to pass such Regulations as they shall think fit in order to prohibit or lessen the Nuisance arising from the beating of Carpets in the Streets and Lanes, Areas and Common Stairs, within the said Bounds, and shaking Carpets, Hearth Rugs, Crumb Cloths, and the like, from Windows or Doors, or in the common Stairs of Houses within the said Bounds, and the blowing of Horns in the said Streets and Lanes; and to make Orders and Regulations

tions for the Purpose of removing Obstructions, Annoyances, and Nuiances; and to enact Penalties for enforcing the same, not exceeding in any Case the Sum of One Pound Sterling, to be recovered by Complaint at the Instance of the Superintendant or Inspector hereinafter authorized to be appointed, and to execute the whole other Matters specified in this Act and committed to their Charge: Provided always, that the Rules and Regulations so to be made shall not be contrary to the Law of *Scotland*, or to any thing in this Act contained, and before being put in force shall be published once at least in Three several Newspapers published in the City of *Edinburgh*, and shall always be hung up in some conspicuous Place in the Police Office.

Statutory Meetings of General Commissioners.

XVI. And be it enacted, That the said General Commissioners under this Act shall hold their First General Meeting within the Police Office on the Second *Monday* of *July* in the present Year at Twelve o'Clock, Noon, at which First General Meeting they shall nominate and appoint a Person to be One of Five Persons who shall in certain Circumstances have Power, in manner herein-after mentioned, to dismiss the Superintendant of Police by this Act authorized to be appointed; and thereafter other General Meetings of the said General Commissioners shall be held upon the Second *Monday* of the Months of *August*, *October*, and *December* in the said Year, at the same Hour, and thereafter annually on the Second *Monday* of the Months of *January*, *March*, *July*, *August*, *October*, and *December*, at Twelve o'Clock, Noon, for putting this Act and the Powers hereby committed to the said General Commissioners in execution.

Commissioners may appoint Committees.

XVII. And be it further enacted, That the said Commissioners at any Meeting may appoint Committees of their own Number for carrying the Purposes of this Act or any Part of them into execution, and for that End to delegate such of the Powers hereby committed to them as they may consider necessary.

To sue or be sued in Name of their Clerk, &c.

XVIII. And be it enacted, That the said General Commissioners may sue or be sued for any thing done or ordered by them in virtue of this Act, and for Recovery of the Penalties or Forfeitures before mentioned, in the Name of their Clerk, Collector, or Treasurer for the Time being; and no Action or Suit wherein the said Commissioners shall be concerned as Pursuers or Defenders, in the Name of their Clerk, Collector, or Treasurer, by virtue of this Act, shall cease or abate by the Death or Removal of any such Clerk, Collector, or Treasurer, but the Clerk, Collector, or Treasurer to the said Commissioners shall be deemed to be the Pursuer or Defender, as the Case may be, in every such Action.

Assessment for defraying Expences.

XIX. And be it enacted, That on or before the Second *Monday* in *October* in each Year the said General Commissioners (being summoned in manner herein-before directed by written or printed Summonses, which shall state that the Meeting is for the Purpose of laying on the Assessment,) shall assess, and are hereby authorized and required to assess, all Tenants, Occupiers, and Possessors of Dwelling Houses, Warehouses, Vaults, Shops, Cellars, Stables,

Breweries, Manufactories, Yards, and other Buildings, and Pertinents thereof within the foresaid Bounds, as follows; *viz.* to impose on the yearly Rent of such Subjects rented or valued under Ten Pounds an annual Assessment not exceeding Nine-pence in the Pound Sterling; on the yearly Rent of such Subjects rented or valued at Ten Pounds and upwards an annual Assessment not exceeding One Shilling and Three-pence in the Pound Sterling of the yearly Rent; which Assessment shall be calculated from *Whitsunday* to *Whitsunday* yearly, and shall be payable immediately after it shall be imposed, and shall commence at the Term of *Whitsunday* One thousand eight hundred and thirty-two, for the Year following; and it is hereby expressly provided, that if any Person or Persons shall be in arrear of Assessment on the First Day of *March* annually, the Collector or Collectors are hereby authorized and ordered and directed to collect Five Pounds *per Centum* on the Amount of the respective Assessments then due, in addition to the Amount of Assessment due by such Persons, by way of Penalty for Neglect or Disobedience: Provided always, that it shall not be lawful to the said General Commissioners assembled at the First Meeting appointed for the Purpose to impose the said Assessment unless One Half of the whole General Commissioners shall be present, but if One Half shall not be present, the Commissioners present, or a Majority of them, shall adjourn to another Day at the Distance of not less than One Week nor more than Two Weeks, of which adjourned Meeting, and the Purpose for which it is to be held, special Notice shall be given by written or printed Summonses, and also by Advertisement inserted in at least Three several Newspapers published as aforesaid not less than Four Days before the Day of Meeting; and the General Commissioners assembled at such adjourned Meeting, or a Majority of them, shall be entitled to impose the Assessment for the Year, provided a Quorum shall be present, but if a Quorum shall not be present at such adjourned Meeting, the Commissioners present, or Majority of them, shall adjourn to another Day, and may continue such Adjournment until a Quorum shall be present, the written or printed Summons calling all such adjourned Meetings bearing expressly that the Meeting is for the Purpose of laying on the Assessment.

Assessment may be made to supply Deficiency of former Funds.

XX. Provided always, and be it enacted, That if the Commissioners acting under the said recited Acts of the Third and Seventh Years of the Reign of His said late Majesty King *George* the Fourth shall have incurred Debts in the Execution of the said Acts which their Funds in Possession or in Arrear shall be insufficient to discharge, then it shall and may be lawful for the General Commissioners acting under Authority of this Act to assess all and every Person hereinbefore authorized to be assessed within the Bounds specified in the said Act of the Third Year of the Reign of His said late Majesty in any further Sum not exceeding One Penny in the Pound in any One Year of the yearly Rent of the different Subjects particularly before specified; such Assessments to be ascertained and to be recovered and made effectual along with and in the same Manner as is provided with regard to the Rates and Assessments hereby authorized to be levied: Provided always, that a separate

and distinct Account shall be kept of such additional Assessment, and of the Application thereof, and that the same shall continue only until such Debt is paid and discharged, and no longer.

Proprietors liable in Assessment for temporary Possessions.

XXI. And be it further enacted, That all the Proprietors, Lessees, and others, who shall let for Rent or Hire Premises within the said Bounds of Police to travelling Merchants, Auctioneers, Hawkers, Pedlars, or others, for a Space less than One Year, shall be responsible for the Police Assessments applicable to the said temporary Occupations; and such Assessments may be recovered from the said Proprietors, Lessees, and others, as the said Board of Commissioners, or a Committee of their Number, shall judge expedient.

Police Office, &c. exempted from Rates.

XXII. And be it enacted, That the Police Offices, Watch-houses, and other Buildings or Grounds within the said Bounds connected with the Establishment of the said Police shall be exempted from the Payment of all Cess, Ministers Stipend, Road Money, Poor's Rates, and Police Duties, imposed or to be imposed.

Commissioners to make Compensation for Properties taken Possession of by them.

XXIII. And be it enacted, That if the General Commissioners of Police in carrying the Provisions of this Act into execution shall take Possession of any of the Lamp Posts, Globes, Gas Fittings, and other Articles which have been erected in any District at the Expence of the Proprietors and others therein, the said Commissioners are hereby authorized and required to make Compensation to the Owners thereof; and if any Difference of Opinion shall arise as to the Value, it shall be referred to the Sheriff of the County of *Edinburgh*, whose Decision shall be final and not subject to Review.

Commissioners may contribute from Police Funds to a House of Refuge.

XXIV. And whereas it has been found by Experience that nothing conduces more effectually to the Prevention of Crime and to the reclaiming of Offenders than the placing of Delinquents in an Establishment or House of Refuge where they may learn Trades or Employments, or follow out such Trades or Employments as they have already learned: And whereas it would be expedient that such an Establishment or House of Refuge, on a considerable Scale, should be erected and maintained in *Edinburgh* or its Neighbourhood; and there being Reason to believe that many benevolent Individuals would contribute to the Erection and Support of such an Establishment or House of Refuge, were the same to be supported to a certain Extent out of the Funds raised for maintaining the Police of *Edinburgh* and its Neighbourhood; be it therefore enacted, That it shall be lawful to the General Commissioners of Police, or a Majority thereof, to contribute to any such Establishment or House of Refuge the Rules whereof shall be approved by a Majority of the said Commissioners, any Sum not exceeding Four hundred Pounds yearly out of the ordinary Funds raised under this Act: Provided always, that the Sheriff of the County, and the Lord Provost of the City, and the Lord Dean of Guild, along with other Three Persons to be elected by the said Commissioners, and also any Number of Persons to be elected by the Contributors or annual Subscribers in Terms of the Rules, not exceeding Twelve in Number, shall be the ordinary

ordinary Managers and Directors of such Establishment or House of Refuge.

Privileges of College of Justice, &c. waived.

XXV. And whereas the Purposes of this Act cannot be completely accomplished unless the Members of the College of Justice, and all other Persons resident within the Bounds of Police, are assessed in common; and the said Members of the College of Justice, notwithstanding any Right which they may have by Law to be exempted from the Payment of the Rates and Assessments hereby granted, have either consented, or do not object, to their being subjected to the Payment of the same in the present Instance; be it enacted, That the Rates and Assessments hereby granted shall and may be levied from all the Members of the College of Justice within the Bounds before described, in the same Manner as they are levied from the other Inhabitants; and the Members of the College of Justice shall be subjected to the same Mode of proceeding as the other Inhabitants in regard to all Matters and Things in this Act contained; and that no Person, of whatever Description, resident within the Limits of this Act, shall be entitled to plead any Privilege of Exemption from the Assessments herein authorized to be levied upon any Ground or Pretext whatever, any Law or Practice to the contrary notwithstanding: Provided always, that the Privileges of the College of Justice as by Law established shall be and they are hereby saved and reserved in all other respects, and nothing in this Act contained shall be held as infringing upon or altering the Privileges of the College of Justice in the Matters aforesaid after the Expiration of this Act.

Collector to lodge all Monies received by him in Bank.

XXVI. And be it enacted, That the Collector appointed by the said General Commissioners shall find sufficient Security to the Satisfaction of the said General Commissioners for his Intromissions with the Funds which he shall be empowered to levy and collect; and the said Collector shall be obliged to lodge all Money received by him in the Bank of *Scotland*, Royal Bank of *Scotland*, or Bank of the *British* Linen Company, as a Majority of the Commissioners present at their Meetings on the Second *Monday* of *July* in each Year shall direct, upon an Account to be opened in the Name of the General Commissioners, and to be operated upon by the said Collector for the Time, and shall never retain in his own Hands above Fifty Pounds Sterling; and if any such Collector shall act on the contrary, he shall be liable for Twenty Pounds *per Centum per Annum* on whatever exceeds the Sum of Fifty Pounds remaining in his Hands, in the Name of Interest and Damages; and the said Collector shall make no Drafts on the said Account for any Purpose, on any Pretence whatever, other than the Payments which shall from Time to Time be authorized by the said General Commissioners or their Committees, for the Objects of this Act, as the same shall be certified to the said Collector by the Clerk to the said Commissioners.

Clerk not to be Treasurer, and vice versa.

XXVII. And be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint any Person who has been or may be appointed their Clerk in the Execution of this Act, or the

the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to continue or appoint any Person who is or may be appointed Collector or Treasurer, or the Partner of such Collector or Treasurer, or the Clerk or other Person in the Service or Employ of such Collector or Treasurer or of his Partner, to be the Clerk to the said Commissioners for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Collector or Treasurer for the Purposes of this Act, or if any Person, being the Partner of such Clerk, or the Clerk or other Person in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Collector or Treasurer, or shall act as Deputy of the Collector or Treasurer, or in any Manner officiate for the Collector or Treasurer, or being the Collector or Treasurer, or the Partner of such Collector or Treasurer, or the Clerk or other Person in the Service or Employ of such Collector or Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Collector or Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Collector or Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in the same Way in which any of the Penalties by this Act imposed may be sued for and recovered.

Money may be borrowed.

XXVIII. And in order to raise what Sum of Money may be necessary before the Assessments herein authorized to be levied are made effectual, be it enacted, That the said General Commissioners, at a Meeting specially called for that Purpose, and at which One Half of the General Commissioners must be present, but if One Half shall not be present the Commissioners present, or a Majority of them, shall adjourn to another Day at a Distance of not less than One Week nor more than Two Weeks, of which adjourned Meeting, and the Purpose for which it is to be held, special Notice shall be given by written or printed Summonses, and also by Advertisement inserted in at least Three several Newspapers published in the said City of *Edinburgh* not less than Four Days before the Day of Meeting; and the General Commissioners assembled at such Meeting, or a Majority of them, provided a Quorum be present, shall and may authorize their Collector or Treasurer to borrow any Sum or Sums of Money not exceeding Ten thousand Pounds Sterling, with Power to such Collector or Treasurer to grant Bills or Bonds or obtain Cash Credits for the same, and, for further Security of the Person or Persons from whom such Money may be borrowed, to assign to such Person or Persons the Assessments authorized to be made as aforesaid, until the Sum or Sums so to be borrowed, with Interest thereon, shall be repaid and discharged.

Watch-houses, &c. to be provided.

XXIX. And whereas many of the Police Watch-houses having been found defective and inconvenient for the Purposes of the Police Establishment, and proper Fire Engine Houses are necessary for the Fire Engine Establishment herein-after mentioned, it is expedient that

that proper Watch-houses and Fire Engine Houses in different Situations should be provided; be it therefore enacted, That it shall and may be lawful to the said General Commissioners, and they are hereby authorized and empowered, to contract with Proprietors of Buildings adapted or which may be capable of being properly adapted to the aforesaid Purposes for the Purchase of such Buildings; and in case no such Buildings can be found at a suitable Price, then the said General Commissioners are hereby authorized and empowered to purchase or feu such convenient Sites as they may fix upon within the Bounds over which this Act extends, upon which Buildings for the Purposes aforesaid may be erected, and to contract for the Erection thereof, and for fitting up and furnishing the same; and it shall be lawful to the said General Commissioners to assess the Tenants, Occupiers, and Possessors of Premises liable to be assessed as aforesaid for the general Purposes specified in this Act, in any Sum yearly, not exceeding One Penny in the Pound of the yearly Rent of such Premises, ascertained in manner foresaid, in order to defray the Expence of such Purchases or Buildings, and of fitting up and furnishing the same: Provided always, that such Assessment shall not in any Year exceed the highest Rate of Assessment herein authorized to be levied as aforesaid; and such Assessment shall continue till the said Expence, with Interest thereon, shall be fully paid.

Persons found guilty of petty Offences may be confined in the Police Office.

XXX. And be it enacted, That in all Cases of petty Offences which shall appear to the said Judge or Judges not to require Punishment by Commitment to the Tolbooth or Bridewell, it shall be in the Power of the said Judge or Judges to sentence the Party or Parties having committed any such petty Offence to be confined in the Police Office for any Period not exceeding Ten Days, either as the sole Punishment to be inflicted, or along with Caution to keep the Peace, or for good Behaviour, or in addition to any Fine that may otherwise be competently awarded under this Act: Provided always, that in the event of such Caution not being found, or such Fine not being paid within the said Period, it shall not be lawful to retain such Prisoner in the Police Office for longer than that Period, but it shall be lawful for the said Judge or Judges to order the said Party or Parties to be confined in the Tolbooth or Bridewell for any further Period not exceeding Ten Days.

Regulations as to Houses licensed to sell Ale, &c.

XXXI. And be it enacted, That if any Person or Persons who is or are licensed to sell Ale, Beer, or Spirituous Liquors shall permit any Breach of the Peace or riotous or disorderly Conduct within the House, Office, or Premises occupied by him, her, or them for vending such Liquors; or shall knowingly permit or suffer Men or Women of notoriously bad Fame, or dissolute Girls or Boys, to assemble and meet therein; or shall permit or suffer any unlawful Games therein, whereby the Lieges may be cozened and cheated; or shall suffer any drinking or tippling within the House, Office, or Premises occupied by him, her, or them, during the Hours of Divine Service on *Sundays*, or other Days set aside for Public Worship by lawful Authority; such Person or Persons, upon being lawfully convicted of any of the above Offences, upon a Complaint at the Instance

of the Superintendant of Police before the Judge or Judges officiating in the Police Court, shall be liable in a Penalty not exceeding Ten Pounds Sterling, to be recovered in like Manner as other Penalties under this Act; and the said Judge is hereby authorized and empowered to ordain such Person or Persons to find Security for their good Behaviour for such Length of Time, not exceeding Twelve Months, and to such Extent, not being less than Ten Pounds and not exceeding Fifty Pounds Sterling, as shall be judged proper; and in the event of such Caution not being found within a reasonable Time, to be specified in the Order, it shall be lawful to the said Judge or Judges to deprive such Person or Persons of their Licences; or if such Person or Persons shall suffer Conviction more than once for any of the said Offences, the said Judge or Judges shall in like Manner on the subsequent Conviction either award the said Fine, and order renewed Security, or deprive such Person or Persons of their Licences, as may be judged proper; saving and reserving the Rights of all Persons to enforce the due Observance and to prevent the Profanation of the Sabbath Day, otherwise, according to the Laws and Practice of *Scotland*.

Publicans prohibited from supplying Liquors to Persons under 14 Years of Age.

XXXII. And whereas the Encouragement of Habits of Intemperance in very young Persons tends much to promote Vice and Crime; be it enacted, That if any Publican or other Person licensed to deal in Spirituous Liquors shall supply any Sort of Spirituous Liquors to any Boy or Girl under Fourteen Years of Age, to be consumed within their Shops or Cellars or any other Premises, such Person may be proceeded against in the Court of Police, on a Complaint at the Instance of the Superintendant of Police, in like Manner as for other Offences against this Act; and on being lawfully convicted, for a First Offence, may be subjected in a Penalty not exceeding One Pound; upon Conviction of a Second Offence, may be subjected in a Penalty not exceeding Two Pounds; and upon Conviction of a Third Offence, may be subjected in a Penalty not exceeding Five Pounds, and may have his Licence declared to be forfeited; and the said Penalties shall be recovered as other Penalties under this Act.

Brokers and other Dealers in Second-hand Goods to register their Names.

XXXIII. And be it enacted, That all Brokers or Dealers in Second-hand Goods, other than licensed Pawnbrokers, resident within the Bounds herein-before described, shall, between the First and Fifteenth Days of *June* of each Year, be bound to register their Names and Places of Residence in a Book which shall be kept for that Purpose at the Office of the Clerk of Police, where they shall obtain a Certificate under the Hand of the said Clerk of such Registration, on Payment of a Fee of One Shilling to the Clerk of Police; and in the event of such Brokers or Dealers changing their Residences after Registration, they shall be bound immediately upon such Change to register their Names and Residences of new, and obtain new Certificates on Payment of the same Fee; and all such Brokers and others failing to register their Names and Places of Residence as aforesaid shall be liable to a Penalty not exceeding Forty Shillings, to be adjudged

judged in the Police Court on the Complaint of the said Superintendant.

Penalty for harbouring Rogues, &c.

XXXIV. And be it enacted, That if any Person or Persons within the said Bounds shall knowingly entertain or harbour any Person or Persons under Sentence of Banishment, or any Rogue or Vagabond, or idle Vagrant, in any House or Outhouse belonging to him, her, or them, and shall not give Notice to some Constable or other Officer acting under the Authority of this Act, in order that such Person may be apprehended, every Person so offending, upon being lawfully convicted thereof before the said Judge or Judges officiating in the Police Court, shall forfeit and pay a Sum not exceeding Two Pounds for each Offence, to be levied and applied as herein-after directed; and in order to the more effectually discovering the Harbourers of such banished Persons, or Rogues, Vagabonds, Vagrants, and Beggars, it shall be lawful for the said Superintendant of Police, upon Information from any Watchman or other credible Person, to enter, or specially to authorize any of his Officers to enter, at all Times of the Day or Night, all Tippling Houses, Brothels, and low Lodging Houses within the Bounds of Police; and if the Entrance of the said Superintendant or Officers shall be resisted or refused, they shall be empowered to force an Entrance; and the Person or Persons so resisting or refusing shall be brought before the said Judge or Judges of Police, and on Conviction fined in a Sum not exceeding Two Pounds for each Offence, to be levied and applied as herein directed.

Keepers of Lodging Houses for the lower Orders to give Notice of Persons ill of contagious Diseases.

XXXV. And whereas it has frequently happened that Persons keeping Lodging Houses for the Accommodation of Strangers and others of the lower Orders, in the City of *Edinburgh*, have allowed Persons ill of contagious Fever, or other contagious and infectious Diseases, to remain in their Houses for many Days together, and until they have communicated the Infection to others; be it therefore enacted, That all such Keepers of Lodging Houses shall in the event of any Person in their several Houses becoming ill of any such Disease be bound to make Intimation thereof to One of the Public Dispensaries or to some Medical Practitioner, in order that the Nature of the Complaint of such Person may be ascertained; and on Intimation being given at the Police Office of any such Keeper of a Lodging House having suffered any Person to remain Forty-eight Hours in his or her House confined to Bed by Illness without making Intimation as above expressed, it shall and may be lawful for the Judge or Judges in the Police Court, and he or they are hereby authorized and empowered, after taking Proof of such Neglect, to fine the Offender in any Sum not exceeding One Pound, to be levied and applied as herein directed; and it being ascertained that any such contagious and infectious Diseases have occurred in any such Lodging Houses, it shall be lawful to the said Superintendant of Police, and he is hereby required, to take the proper Measures for getting the said Lodging Houses fumigated, washed, or cleansed, at the Sight of any Medical Practitioner to be appointed by the said Judge or Judges.

XXXVI. And

Regulations respecting mad or strayed Dogs.

XXXVI. And be it enacted, That the Officers of Police, Watchmen, and other Officers of the Law shall be empowered and they are hereby required to bring before the said Judge or Judges all Persons who may have disobeyed or neglected to observe the Requisitions and Enactments concerning rabid or strayed Dogs which may be issued and published in the Form of Orders or Proclamations to the Inhabitants by Authority of the Magistrates of the said City or the Sheriff of the said County, who are hereby authorized and empowered to issue Proclamations to that Effect; and upon a Conviction of such Disobedience or Neglect the said Judge or Judges shall fine each Offender in a Sum not exceeding One Pound for each Act of Disobedience or Neglect, to be levied and applied in manner herein directed.

Thimblers and Chain-droppers may be convicted on Testimony of One Witness.

XXXVII. And be it enacted, That all Thimblers, Chain-droppers, loaded Dice Players, and all other Persons whatsoever who induce or entice any Person or Persons to play at Games of Hazard on the Streets, Roads, Lanes, or Passages, or in Fields or open Places within the Limits of this Act, may, in all Prosecutions brought against them for Fraud or Imposition used or practised by these Arts or Devices, be convicted on the Evidence of One credible Witness.

Disposal of strayed Animals.

XXXVIII. And whereas strayed Cattle, Horses, Sheep, Goats, Dogs, and other Animals are sometimes found within the Bounds of Police, and are kept till the Owner can be discovered, and the Expence of so keeping such Animals exceeds their Value; be it enacted, That upon Representation by the said Superintendant that the Expence of keeping any such Animal is likely to exceed its Value, the said Judge or Judges officiating in the said Police Court shall grant Warrant for the Sale or Destruction thereof, and the Price shall be applied in Repayment of the Expences of keeping and of the Sale, and the Balance, if any, shall be paid to the Owner, if he shall make an Application for the same within Three Months after the Sale, but otherwise shall be applied for the Purposes of this Act.

Punishment of Persons selling unwholesome Meat.

XXXIX. And be it enacted, That the said Officers of Police, Watchmen, and other Officers of the Law shall and they are hereby required to bring before the said Judge or Judges officiating in the Police Court all Butchers, Fish Dealers, and other Persons who shall sell or expose to Sale in any Market, Shop, Stand, or Place beyond the Bounds of the ancient and extended Royalties, but within the Bounds of this Act, any Butcher-meat, Flesh, or Fish of an unwholesome Nature, and may seize and take Possession of it; and upon its being inspected by Two or more respectable Fleshers or Fish-dealers, and their granting a Certificate that it is unwholesome, may, if it shall be found to be expedient, immediately cause it to be buried or otherwise destroyed; and any Person who shall be convicted of any such Offence shall for each Offence be fined by the said Judge or Judges in a Sum not exceeding Five Pounds Sterling, to be recovered and applied as other Penalties under this Act; and the Meat or Fish so seized shall upon such Conviction be declared to be forfeited, and shall be disposed of as the said

Judge shall direct; and the said Officers shall also bring before the said Judge or Judges all Butchers and other Persons who shall, beyond the Limits of the ancient and extended Royalties of the said City, but within the Bounds of this Act, sell or expose to Sale any Bull Beef without having the Words "Bull Beef" exhibited on a Board in Roman Characters of at least Two Inches in Length and of a proportional Breadth over the Place or Stall in which it is or was exposed to Sale, and may seize and take Possession of such Beef to be produced in Evidence; and upon Conviction the Offender shall be fined by the said Judge or Judges in a Sum not exceeding Five Pounds Sterling for each Offence, to be recovered and applied as other Penalties under this Act; and such Beef may be declared forfeited, and sent to such charitable Institution as the said Judge or Judges may direct.

For keeping Railings and Area Gates in repair.

XL. And be it enacted, That the Proprietor or Proprietors of any House or of any sunk Area in the said City and adjoining Districts, failing to put into good Repair the Area Gates or Railings of any such House or Area, whereby the Safety of the Public may be endangered, within Six Days after due Intimation being given him or them by the Superintendant of Police, it shall be competent to the said Judge or Judges, upon the Application of the said Superintendant, to fine the said Proprietor or Proprietors in a Sum not exceeding One Pound for each Refusal or Neglect, to be levied and applied as other Penalties under this Act, and also to authorize the said Superintendant to get such Repairs made as may be necessary, and to find the Person or Persons to whom such Intimations were given liable in the Expences and Charges connected therewith, according to the Rents of their respective Properties, and also in a Penalty of One Pound for such Refusal or Neglect; and such Sums shall be recoverable at the Instance of the Superintendant in the same Manner as other Penalties under the said recited Acts and this Act are directed to be recovered.

Superintendant or other superior Officers in certain Cases may accept of Bail or Deposit.

XLI. And be it enacted, That upon the Apprehension by the Officers of Police of any Persons charged with Offences under this Act, it shall be lawful to the Superintendant of Police, or the superior Officer of Police upon Duty at the Time, and he is hereby empowered, in the Absence of a Judge or Judges officiating in the Court of Police, to accept of Bail, and to liberate the Person or Persons so apprehended, upon Bail being found to an Extent not exceeding Twenty Pounds Sterling, or to accept of the Amount in Money or other Articles of such Bail as may be considered requisite; and the said Superintendant or superior Officer shall enter the same in a Book kept for the Purpose, and grant an Acknowledgment for the Amount so deposited, it being expressly declared that the Refusal on the Part of the said Superintendant or the superior Officer on Duty to accept of such Bail or Deposit, and his detaining the Person so apprehended until recourse can be had to the Judge or Judges officiating in the Court of Police in the usual Form shall not subject the said Superintendant or other superior Officer to any Claim for Damages whatsoever.

XLII. And

Scavengers to cleanse Streets, &c.

XLII. And be it enacted, That the public Streets and Squares, public Passages and other Places, and also the Foot Pavements within the aforesaid Bounds, shall be swept and cleansed by Persons to be appointed as Scavengers in manner herein-before directed, the Number of such Scavengers being always fixed by the General Commissioners, or it shall be in the Power of the said Board of Commissioners to contract with other Persons to sweep and cleanse the said Streets, Squares, Passages, and Places; and the said General Commissioners shall provide for the Removal from the said Streets, Squares, Passages, and other Places of all Dung, Soil, Dirt, Ashes, and Filth to such Places as they shall appoint.

Ashes and Dung vested in the Commissioners.

XLIII. And be it enacted, That the whole Dung, Soil, Dirt, Ashes, and Filth within the Bounds before described (saving and excepting the Fulzie of the Castle of *Edinburgh* and any other of His Majesty's Barracks, the Fulzie and Refuse of Slaughter-houses, and Horse, Swine, and Cow Dung,) shall be vested in the said General Commissioners; and it shall and may be lawful to them to sell or dispose of, as public Property, the said Dung, Soil, Dirt, Ashes, and Filth, to such Person or Persons as may be willing to purchase the same, by Contract or otherwise, in such Manner as the said General Commissioners shall think fit, and the Money thence arising shall make Part of the Funds for the Purposes of this Act; and if any Person shall sell or otherwise apply to his or her own Purposes, any such Dung, Soil, Dirt, Ashes, and Filth, such Person shall be liable in a Penalty (over and above the Value of the same) not exceeding Five Pounds, *toties quoties*, to be levied and applied as herein directed: Provided always, that the public Shambles or other Slaughter-houses within the said Bounds shall at all Times be kept in a cleanly State to the Satisfaction of the Inspector of Cleansing; and if the Fulzie of the said Shambles or Slaughter-houses shall be allowed to accumulate for more than Four Days from the First Day of *April* to the First Day of *November*, or for more than Seven Days from the First Day of *November* to the First Day of *April*, and if the Dung, Soil, or Refuse of any Stable or Cow-House shall at any Time be allowed to accumulate within the said Bounds for more than Thirty Days, or for more than Seven Days after a Quantity exceeding a Cubic Yard shall have been collected, such Fulzie, Dung, Soil, or Refuse shall thereupon become vested in the said General Commissioners; and it shall be lawful for them, or the Person for the Time being having the Contract for doing so, to sell and dispose of the same as the Property of the said Commissioners, and the Money thence arising shall make Part of the Funds for the Purposes of this Act; and if any Person or Persons shall allow or permit any Dung, Soil, Dirt, Ashes, or Filth to accumulate within his, her, or their Dwelling Houses or Cellars for more than Three Days, (Dung accumulated in any Barnyard or Strawyard, for the Purpose of being laid upon Ground under Cultivation within the Limits of this Act, being always excepted,) such Person or Persons, upon being lawfully convicted, shall be subjected in a Penalty not exceeding Two Pounds and not less than Five Shillings, to be recovered and applied as other Penalties under this Act; with Power nevertheless to the said Inspector, upon a Certificate

a Certificate being presented to him signed by any Two Members of the College of Physicians or Surgeons, and by the General Commissioner of the Ward, that any Accumulation of Dung or Fulzie on any Part of the Streets, Squares, Closes, Ways, or Passages within the Bounds of this Act ought to be removed, as being to the Prejudice of the Health of the Inhabitants, to give Notice to the Proprietors of such Dung or Fulzie to remove the same within Six Hours after such Intimation; and in case of Failure to comply with such Notice the said Dung or Fulzie shall be subject to the Regulations above expressed.

Power to purchase or rent Dunghill Stances, and to erect Privies.

XLIV. And be it enacted, That it shall and may be lawful to and for the said Commissioners to take in Lease for a Term of Years, and on such Conditions as they may deem reasonable, or to bargain and agree for the Purchase of Ground for the Purpose of Dunghill Sites or Stances and to pay the Rent, Price, or Feu Duty of such Ground out of the Funds to be raised by virtue of this Act, either within or without the Bounds of Police, as may be deemed expedient, and to enclose such Grounds, if it shall be deemed necessary to do so; and also to erect and maintain such Number of Recesses for the Accommodation of the Public making Water, and Privies or Necessary Houses, and in such Situations as they may deem proper, and to purchase or take in lease Ground for that Purpose, so as the same be not to the Annoyance of any individual Proprietors or their Property: Provided always, that these different Measures be sanctioned and approved of by a Majority of the Commissioners present at a Meeting to be called for the Purpose of determining thereanent in the Manner herein-before appointed for calling Special Meetings: Provided also, that until a sufficient Number of Privies or Necessary Houses be provided it shall be lawful to the said Commissioners, and they are hereby authorized, to waive their Right to the Contents of all or any such Necessary Houses in Stable Courts or other Places as are kept open for the Accommodation of the Public.

Common Stairs to be cleaned.

XLV. And be it enacted, That the Possessors of every House, Flat, or Story entered by a common Stair shall cause the Stair and Areas immediately below the Flat or Story possessed by them to be swept every lawful Day, and washed at least Once a Week; and if any Flat or Story of the Tenement be unoccupied, the Possessors of the Flats or Stories above shall cause the Stair below such empty Flat or Story to be swept and washed downwards to the next House which shall be occupied; and the Passages, Landing Places, and Steps to the Street shall be swept and washed by the Possessor or Possessors alternately, under a Penalty of Five Shillings for each Offence, to be levied as other Penalties under this Act.

Against keeping Swine, &c.

XLVI. And be it enacted, That no Person or Persons whosoever, at any Time or Times hereafter, shall breed, feed, or keep any Kind or Species of Swine within any Dwelling House within the said City or Bounds of Police, nor shall suffer Swine to stray or go about in any Street or public Place within the Jurisdiction of this Act, and any Person or Persons who shall so offend shall forfeit and pay for such Offence a Sum not exceeding One Pound, and shall also forfeit

such

such Swine; and it shall be lawful to the Inspector of Cleansing, or other Officers of Police to seize, take, and carry away such Swine, and after the Conviction in Court declaring them to be forfeited, to sell the same, and the Price obtained being always paid over to the Collector, and applied to the Purposes of this Act; and if any Swine shall be kept in any Place within the said Bounds other than in any Farmyard, Distillery, or Brewery, the Places within which they are kept shall be regularly cleaned at least Once every Forty-eight Hours, to the Satisfaction of the Inspector of Cleansing or other Officers of Police; and Access shall at all reasonable Hours be given to the said Inspector, or to those acting under him, for the above Purpose; and any Person offending in these Particulars shall be fined in a Sum not exceeding One Pound for each Offence.

Regulations regarding Dealers in Rags and Bones.

XLVII. And whereas the Practice of collecting Rags and Bones in Dwelling Houses, Warehouses, and other Places within the Bounds before described is attended with much Annoyance to the Neighbourhood; be it enacted, That all Persons dealing in such Articles shall at all Times be bound to keep their Premises in a cleanly State, to the Satisfaction of the Inspector of Cleansing, and shall also be bound to fumigate their Premises in which such Articles are kept with Chloride of Lime or other Matter that will remove offensive Smells at least Thrice a Week, at the Sight of the Inspector of Cleansing or of any Person acting under him; and any Person failing in these Particulars shall, upon Conviction in the Court of Police upon the Testimony of One or more credible Witness or Witnesses, be fined in a Sum not exceeding Two Pounds for each Offence.

Persons carelessly breaking the Lamps to make good the same.

XLVIII. And be it enacted, That in case any Person or Persons shall carelessly or accidentally break, throw down, or damage any of the said Lamps, or the Posts, Irons, Gas Pipes, Tubes, or other Appurtenances thereof, and shall not immediately on Demand make Satisfaction for the Damage done thereto, then and in every such Case, it shall and may be lawful to and for any One of the Judges of Police, upon Complaint made to him by the Inspector of Lighting, to cause to be summoned before him the Person or Persons complained of for doing such Damage, and upon Proof of the Complaint by One or more credible Witness or Witnesses, or the Confession of the Party or Parties so complained of and summoned, to award against him, her, or them such Sum or Sums of Money, to the Amount of the Damage done; and in case of Neglect or Refusal of the said Person or Persons to pay the Sum or Sums of Money so awarded within Three Days next after Demand thereof, to cause the same to be levied as any Penalty is by the said recited Acts or this Act directed to be levied.

For the Protection of Water Pipes.

XLIX. And be it enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, or across or round any Road, Street, Lane, or other public Passage or Place within the said Bounds of Police, shall be so laid at the greatest practicable Distance, and wherever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe,

Sough, or Watercourse already laid down or hereafter to be laid down by the said General Commissioners or any Company of Proprietors for the Conveyance of Water in, under, through, along, across, or round any of the Streets, Lanes, or other public Passages or Places within the said Bounds of Police; except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, Soughs, or Watercourses, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes, Soughs, and Watercourses at the greatest practicable Distance therefrom, and shall form therewith as near as possible a Right Angle; and in such Cases the said Gas Pipes so crossing the said Water Pipes, Soughs, and Watercourses shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes, Soughs, or Watercourses than Three Feet at least; and in laying down the said Gas Pipes the said General Commissioners shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench and shall in such Trench form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connecting or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every such Offence, if the said General Commissioners shall neglect or refuse to make such Gas Pipes air-tight within Twenty-four Hours after Notice thereof given to them in Writing, the Sum of Fifty Pounds, to be recovered at the Instance of any Person having Interest by summary Complaint to the Sheriff of the County.

To prevent Contamination of Water by Gas.

L. And be it further enacted, That whenever the Water of any Owner or Company of Proprietors of Waterworks shall be contaminated or affected by the Gas to be supplied under the Authority of this Act, the Company or the Person or Persons supplying such Gas shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as herein directed, and shall be applied to and for the Use and Benefit of the Water Company or Owner of the Waterworks affected thereby, and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case and Cases the Persons supplying such Gas shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Clerk or Surveyor to such Water Company, Owner, or Company of Proprietors, or by any Person or Persons consuming the Water, to be left at the usual Office or Place of transacting Business of such Company or Person or Persons, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting the Water of such Company or Owner of Waterworks; and in case such Company or Person or Persons shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall

be given as aforesaid, then and in every such Case such Company or Person or Persons shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being, or to any One of the Directors for the Time of such Water Company, or to such Owner of Waterworks, for the Use and Benefit of such Company or Owner, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as herein directed, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated, tainted, or affected by the Gas of such Company or Person or Persons as aforesaid; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by summary Complaint to the Sheriff of the County of *Edinburgh*, with the Evidence on Oath of One credible Witness by and in the Names of the Lord Provost and Magistrates of the said City for the Time being, or by and in the Name of any One or more of the Directors of any such Water Company, or of such Owner, at the Option of the Party or Parties pursuing such Complaint against such Company or Person or Persons as aforesaid, before the said Sheriff, with such Expences therefor as shall be modified by him, and to be levied by Decree and Precept of poinding the Goods and Effects of such Company or Person or Persons, together with the Expences of such Decreet and Precept; and such Penalty or Penalties, when so levied, shall be paid to the Treasurer or to One of the Directors for the Time being of the Company, or to the Owner of such Water contaminated or affected by such Gas.

For ascertaining if Water is contaminated.

LI. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected by the Gas supplied under the Authority of this Act; be it therefore enacted, That in every such Case, it shall and may be lawful to and for the said Owner or Company of Proprietors of Waterworks to apply to the Sheriff of the County for a Warrant, and on obtaining the same to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the Company or Persons supplying such Gas, for the Purpose of ascertaining whether such Contamination proceeds or be occasioned by the Gas of such Company or Persons; and if it shall appear that the said Water has been contaminated by any Escape of Gas of such Company or Persons, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the Company or Persons supplying such Gas, which Costs and Expences shall be ascertained and determined, if necessary, by the Sheriff of the County as aforesaid, and be recovered by Decree and Precept of Poinding as herein-before directed: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the Company or Persons supplying such Gas, then and in such Case the Company or Persons supplying such Water shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the Company or Persons supplying such Gas any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of such Persons supplying Gas as aforesaid,

aforesaid in and by such Search and Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by the Sheriff of the County, and recoverable in like Manner as the Penalties are hereinbefore directed to be recovered.

Persons making Gas not protected from Indictment for Nuisance.

LII. Provided also, and be it further enacted, That nothing herein contained shall extend or be construed to prevent any Person or Persons from proceeding against the Persons employed by the said General Commissioners for supplying such Gas, or against any of their Deputies, Agents, Officers, Servants, or Workmen, in respect of any Work of the Persons so employed by the said General Commissioners, or the Method which shall be employed by them for furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Actions against such Persons, or any of their Deputies, Agents, Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works or Method of lighting, whether such Injury shall proceed from the Nature of such Method of lighting, or the Carelessness or Want of Skill of the Persons who may be employed therein.

Paving Committee appointed.

LIII. And be it enacted, That the said General Commissioners of Police shall appoint Nine of their Number to be a Committee for giving effect to the Regulations in this Act regarding the paving and causewaying of the Streets within the Limits of this Act, and which Committee shall exercise the Powers hereafter committed to them for that Purpose.

Pavements, &c. to be repaired by the Proprietors liable therefor, on Intimation from the Superintendant.

LIV. And be it further enacted, That where any Part of the Pavement, Carriageway, Footpaths, Pipes, Drains, or Common Sewers, or any Streets, Squares, Roads, Passages, and other Places within the Bounds over which this Act extends, shall get out of repair, or require to be put in a proper Condition, it shall be lawful for the Superintendant of Police, or such other Person as may be appointed by the said General Commissioners to inspect the same, and he is hereby required, in all Cases where the Proprietors or Person or Persons liable to make such Repair shall reside within the Bounds of Police, to give a written or printed Intimation to them, requiring them to make such Repairs and Alterations within a reasonable Time, to be specified in such written or printed Intimation, and where the said Person or Persons shall reside beyond the Bounds of Police, to give written or printed Intimation to the Occupiers of the said Houses, Shops, and other Buildings, of the Nature and Extent of the Repairs or Alterations which shall appear to the said Superintendant of Police or other Person to be necessary; and failing of due Attention being given thereto within Six Days, it shall be competent to the said Superintendant of Police, or said other Person, to cite, by Direction of the said Paving Committee, the said Proprietors or other Person or Persons liable, or their Tenants, to appear before the said Judge or Judges, who shall consider and decide as to the Nature and Extent of the Repairs or Alterations which shall appear to them to be necessary, and intimate the same to the said Proprietors, or other Person

or

or Persons liable to make said Repairs, or Tenants, requiring them to get the said Repairs and Alterations executed within a certain Time, and failing his or their complying with the said Deliverance of the said Judge or Judges, the said Superintendant of Police, or such other Person as may be appointed as aforesaid, shall forthwith apply to the said Judge or Judges, and receive their Authority to get such Repairs and Alterations made, and to get the said Proprietors, or Person or Persons liable, or Tenants found liable in the Expence of the same, and in all Charges connected therewith, according to the Rents of the respective Houses, Shops, and other Buildings, as the same shall be ascertained by the Rent Roll or Valuation by which the Police Tax shall be levied for the Year in which such Repairs shall require to be made, and to award such Charges and Expences; and further, to subject such Person in a Penalty for neglecting the said Intimations, not exceeding Two Pounds, which shall be recoverable at the Instance of the Superintendant, in the like Manner as other Penalties are by the said recited Acts or this Act directed to be recovered: Provided always, that the Magistrates of the said City, and the Trustees of the High Roads shall only be liable to repair the Streets they are at present bound to maintain and uphold.

Tenant not liable to pay more than the Half Year's Rent for Repairs of Pavements, &c. except as provided for.

LV. And be it enacted, That no Tenant occupying the Property of another shall be liable to pay at One Time more than the Half Year's Rent of the Houses, Shops, or other Buildings occupied by him or her as a Tenant which shall be current at the Time when the said Repairs shall be made; but if such Half Year's Rent shall not be sufficient to pay the Proportion of the said Repairs corresponding to the Rent of the Houses, Shops, or other Buildings occupied by him or her as aforesaid, and he or she shall continue to occupy the same after the Expiration of the Half Year, he or she shall be liable to pay the Balance of such Proportion, provided the same shall not exceed the future Rents which shall become due and payable by him or her, without Prejudice to the said Superintendant, or those employed by him to execute such Repairs, to recover Payment from the Proprietor or Proprietors of such Houses, Shops, and other Buildings, which shall not be recovered from the Tenant, with Interest and Expences, by an Action or Process of Law before any competent Court.

Tenants may retain Amount paid from Rent.

LVI. And be it further enacted, That in the Event of any Occupier of a House, Shop, or other Building as aforesaid being called on to defray any Part of the Expence of repairing the said Pavements-Carriageways, Footpaths, Pipes, Drains, or Common Sewers, then and in that Case such Occupier shall be entitled and he or she is hereby authorized to deduct or retain the Sum paid by him or her from the Rent or Tack Duty due and payable or which may become due and payable by him or her to the Proprietor or Proprietors of the House, Shop, or other Building occupied by him or her as aforesaid.

Superintendant to give

LVII. And for the more speedy and effectual repairing and relaying the Pavements of the said Streets, Lanes, Squares, Yards, Courts, Closes,

Notice to Gas Companies of Pipes being out of repair.

Closes, Passages, and Places within the said Bounds, which shall at any Time hereafter happen to be sunk, broken, injured, or damaged by reason or means of the breaking, bursting, or want of Repair of any Pipe or Pipes belonging to any Water or Gas Light Company, and laid beneath the Surface of such Pavements, or of relaying or repairing any such Pavements or Streets which shall be broken or taken up for the Purpose of repairing or amending any such Pipe or Pipes; be it enacted, That it shall and may be lawful to and for the said Committee of Paving, if they shall deem it proper and expedient, to cause a written or printed Notice to be given to the Water or Gas Light Company to whom such Pipe or Pipes shall belong, and to cause a Copy of such Notice to be left at the Office or Counting-house of such Water or Gas Light Company, forthwith well and sufficiently to repair and make good such Pavements and Streets; and if any Water or Gas Light Company to or for whom such Notice or Copy thereof shall be given or left as aforesaid shall not within Three free Days next after such Notice is given or left to or for them as aforesaid take up such Pavements or Streets, and well and sufficiently repair and amend such Pipe or Pipes, and cause the Ground to be well and sufficiently filled in and rammed down, and the said Pavement to be relaid and repaved to the Satisfaction of the said Committee or of their Surveyor for the Time being, then such Water or Gas Light Company to or for whom such Notice or a Copy thereof shall be given or left as aforesaid shall for every such Offence, on lawful Conviction in the said Court of Police, forfeit and pay any Sum not exceeding Ten Pounds, to be recovered as other Penalties are by the said recited Acts or this Act directed to be recovered.

Proprietors of Houses to macadamize Streets.

LVIII. And be it enacted, That where the Proprietors of Houses in any Street within the Bounds over which this Act extends, the Burden of maintaining which is not imposed upon the Lord Provost and Magistrates of *Edinburgh* or the Trustees of the Highways for the County of *Edinburgh*, shall, at a Meeting of their Number to be called for that Purpose by any One or more of them, resolve, by a Majority in Value of Rentals as stated in the Police Rent Roll, that such Street shall be laid with Stones in the Manner commonly called macadamized, it shall be lawful to the Majority of Proprietors, or to any One of them, to apply to the Dean of Guild of the said City, or Sheriff or Sheriff Substitute, within their respective Bounds, to grant Authority to the Superintendant of Public Works for the said City, or to the Surveyor of the District of Roads in which the said Street is situated, to get the said Street macadamized; and upon the same being done, and the Expence thereof reported by the said Superintendant of Public Works or Surveyor of Roads, the said Dean of Guild or Sheriff shall apportion the Expence thereof among the Proprietors of Houses in the said Street, and decern against them for the Sums due by them respectively.

Proprietors of Houses may widen Foot Pavements.

LIX. And be it enacted, That where the Proprietors of Houses in any Street within the said Bounds, where the Burden of maintaining the Foot Pavement is not imposed upon the Lord Provost, Magistrates, and Council of the City of *Edinburgh* or the Trustees of the Highways for the County of *Edinburgh*, shall, at a Meeting of

their Number to be called for that Purpose by any One or more of them, resolve, by a Majority in Value of Rentals, that the Foot Pavement of such Street shall be repaired or widened to such Extent as may be thought proper by the Sheriff of the County or Dean of Guild of the City, it shall be lawful for any One or more of them to get the said Pavement so repaired or widened; provided always, that the Curb Stone shall be continued in one straight Line; and upon the same being done, and the Expence thereof reported by a Committee of the said Proprietors, or a Majority of the said Proprietors according to such Value of Rentals, to the Sheriff or the Dean of Guild of the said City, he shall be hereby authorized to apportion the said Expences among the said Proprietors, and decern against them for the Sums due by them respectively.

Power to make Sewers and Drains.

LX. Provided always, and be it enacted, That it shall and may be lawful to the Magistrates and Council of the City of *Edinburgh*, so far as concerns the ancient and extended Royalties of the said City, and to the Road Trustees beyond the Bounds of the ancient and extended Royalties, to construct proper Main Drains or Sewers in all Roads, Streets, Squares, Lanes, and Passages requiring the same, and proper conducting Drains for leading Rain Water or Soil into such Main Drains, all of such Dimensions as may be judged necessary, and in such Manner and Form as shall be directed by the Dean of Guild and Sheriff in their proper Courts respectively; and it shall and may be lawful for a Majority in Rentals of the Proprietors of Houses of any Road, Street, Square, Lane, or Passage within the Bounds of Police, or for the Superintendant of Police, where Sewers or Drains shall appear necessary for the Health or Comfort of the Inhabitants, to apply to the Dean of Guild or to the Sheriff, according as the Road, Street, Square, Lane, or Passage to be drained shall be within the Jurisdiction of the said Magistrates or Sheriff, or to the said Sheriff solely, where the said Road, Street, Square, Lane, or Passage shall be within the Jurisdiction both of the said Magistrates and Sheriff, requiring that the Drains or Sewers considered necessary should be made, or that existing Drains or Sewers should be renewed or enlarged; and upon such Application the said Dean of Guild or Sheriff shall inspect or cause the Street or Place proposed to be drained to be inspected, and shall fix and ascertain the Site and Dimensions of such Drains or Sewers; and such Drains or Sewers shall and may thereafter be made and constructed at the Sight and Instance of the Superintendant of Police, and the Expence thereof, and of keeping the same in repair, shall be borne and defrayed by the Proprietors whose Properties shall derive Benefit therefrom, in proportion to their Valuation as rated in the Police Rent Roll; and the said Dean of Guild or Sheriff shall, upon Application for that Purpose, apportion and decern for the Proportion to be defrayed by such Proprietors respectively; and if in making or enlarging any such Drain or Sewer the private Drain or Sewer of any Individual shall be taken or made use of, Compensation shall be made to the Owner thereof; and in case of Difference as to the Amount of such Compensation, the same shall be fixed by the Dean of the Faculty of Advocates, whose Decision shall be final and conclusive: Provided always, that

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in making any such Main Drain or Sewer or Conducting Drain the Water at present carried into any existing Outlet shall not be diverted therefrom.

Power to Proprietors of Flats to erect Soil Pipes.

LXI. And in order to avoid the Nuisance occasioned by the throwing out foul Water and other Filth upon the Streets, be it therefore enacted, That in all Streets or other Places within the Limits of this Act, where Common Sewers are now or may hereafter be constructed, it shall be lawful for the Proprietor or Proprietors of One or more of the said Floors or Flats to erect One Soil or Foul Water Pipe in the Common Staircase, or along the Back Wall of the Tenement on the Outside, communicating with the Drain under Ground leading into the Common Sewer where there is such Drain, and with Power to make such Drain if there is not one already, and afterwards to keep the same in good and sufficient Repair; provided that Authority shall first be obtained from the Dean of Guild or Sheriff, as the Case may be, for erecting such Pipe, and making such Communication or Drain, or, if necessary, for cleansing or repairing such Pipe, Communication, or Drain; and provided further, that the Expence and Damage occasioned by erecting and constructing such Pipe, Communication, and Drain, and the Expence of keeping the same clean and in good Repair, shall be defrayed by the Proprietors of Floors or Flats making use of the same, in proportion to their Valuation as rated in the Police Rent Roll; and the said Dean of Guild or Sheriff shall, upon Application for that Purpose, apportion and decern for the Proportion to be defrayed by such Proprietors respectively.

Power to Proprietors of Flats to bring up Water in Pipes.

LXII. And be it enacted, That the Proprietor or Proprietors of One or more Floors or Flats shall be entitled to have a Service Pipe from the Main Water Pipe in the Street brought up the Common Staircase or along the Back Wall of the Tenement on the Outside, and passing under Ground through the sunk Story or lowest Flat: Provided always, that Authority shall first be obtained from the Dean of Guild or Sheriff, as the Case may be, for laying and putting up such Pipe, and that the Expence of laying and putting up the same, and of keeping it in repair, and the Damage occasioned thereby, shall be defrayed by the Persons using the same, and that no Person shall have Power to join the Service Pipe to the Main Pipe, without the Sanction of the Water Company.

Cellars of unfinished Tenements to be built up.

LXIII. And be it enacted, That where any House shall be in the Course of building, or shall have become ruinous, it shall be imperative upon the Proprietor or Contractor building the same to close up the Cellars in the Building, except where it is necessary for the Purposes of the Building that Access should be had thereto; and wherever any Streets are planned and laid out, and partially or wholly formed, and Cellars are constructed under them, for the Use of the Houses intended to be subsequently built along such Streets, it shall be imperative upon the Proprietor or Proprietors of the Ground upon which such Streets are laid out or formed to close up the Cellars constructed therein, so as to prevent Access thereto, and to keep them so closed up until such Time as the said Cellars are required for the Use and Accommodation of the Houses to be built along the said

said Streets; and wherever stagnant Water accumulates in such Cellars, or in the lower Parts of any Buildings, or in Excavations made for the Purposes of building, it shall be imperative upon the Proprietor of the Ground upon which such Cellar, Building, or Excavation shall be formed to prevent the said Accumulation of Water, or to remove the same, under a Penalty to be imposed by the said Judge or Judges, upon Conviction, not exceeding Two Pounds for each Refusal or undue Delay in complying with this Enactment, over and above Performance, after an Intimation made by any of the Officers of Police to that Effect, such Penalty being levied, recovered, and applied as other Penalties under this Act.

Houses building or repairing to be fenced in.

LXIV. And be it enacted, That it shall and may be lawful for the Superintendant of Police, and Persons acting under his Orders, and they are hereby required, to provide that where any House shall be building or repairing, or other Operations of the like Kind carrying on, or where Stone, Lime, Sand, Wood, or other Material shall be deposited, or any Erection shall be formed, in any of the said Streets, Lanes, Passages, Squares, or other public Places within the said Bounds, the Foundations or Grounds adjoining, and the Deposits or Erections, shall be fenced in, that the Inhabitants may run no Risk of Injury from the same; and in case any Hole or Opening shall be made in any of the Streets, Lanes, Passages, Squares, or public Places within the said Bounds, for the Purpose of digging Foundations for building, for paving the Streets, for digging Wells, Drains, laying Pipes, or any other Purposes, or in case any such Erections or Deposits shall be made, the Persons or Body Corporate making or causing to be made such Holes or Openings, or such Deposits or Erections, and the Persons employed or concerned therein, shall at their own Expence cause a sufficient Rail or Fence to be put round such Holes or Openings, and shall around and without such Inclosure provide a Footway for Passengers fenced and railed off towards the Causeway or Street to the Breadth of at least Three Feet, which Fence or Railway shall be of sufficient Strength to protect Passengers from coming in contact with Horses, Beasts of Burden, Carts, Carriages, or other Conveyances, and shall also cause a Lamp or Light to be affixed at or near the same, to be kept burning every Night that such Holes and Openings shall remain unfilled up, from Sun-setting to Sun-rising; and in case any such Persons or Bodies Corporate as aforesaid shall refuse or neglect to fence such Foundations or Holes, Deposits or Erections, or to provide such Footway, or to affix and keep burning such Lamps or Lights in manner aforesaid, it shall and may be lawful for the said Judge or Judges, on the Complaint of the said Superintendant, to fine the Persons or Body Corporate so offending in any Sum not exceeding Two Pounds for each Day or Night that the same may remain without a sufficient Fence and Footway as herein directed, and without such Light during the Night, and also to order such Foundations or Holes to be fenced, and Footway made, and Lamps or Lights to be affixed and kept burning, at the Expence of the Persons employed or concerned therein; which Penalties shall be recovered at the Instance of the Superintendant of Police in the same Manner as other Penalties under the said recited Acts and this Act are directed to be re-

Holes made in Streets to be fenced and lighted.

covered; reserving always to any Persons who may suffer Injury by such Operations to prosecute for Reparation and Damages according to Law.

Regulation of Drivers.

LXV. And be it enacted, That if the Driver of any Cart, Waggon, or other such Carriage on any Street, Square, Lane, or other public Place within the Limits of this Act shall drive such Carriage without having in his Hand the Reins or Halter of the Beast of Draught, or of each Beast of Draught (if more than One), drawing such Carriage, or the foremost of such Carriages (if more than One), or shall ride on the Shafts or any other Part of such Carriage within the Toll Bars next to *Edinburgh*, or in any Village within the Limits of this Act, or shall so ride any where within the said Limits without having a Bit in the Mouth of the Beast or of each Beast of Draught, with a Rein in his Hand from each End of the Bit, on each Side of the Neck of the Beast of Draught, or shall within the Limits of this Act at any Time quit the Rein or Halter and leave such Carriage travelling on any such Street, Square, Lane, or other public Place, without having some Person guiding the Beast or Beasts of Draught drawing the same by holding the Rein or Halter in his Hand; or shall allow to go at large any Dog that may be attending him, or his Waggon, Cart, or other such Carriage, or shall not chain or fasten the same to such Waggon, Cart, or Carriage; or if the Driver of any sort of Carriage shall not keep to the Left or Near Side of such Road on meeting or on being overtaken by any other Carriage or any Rider, or shall wilfully prevent any other Person passing him or his Carriage, or shall leave such Cart or other Carriage on any such Street or other public Place, without a proper Person in the sole Care of it, longer than necessary for loading or unloading, such Driver shall for every such Offence, on Conviction by One or more credible Witnesses, forfeit and pay a Sum not exceeding Five Pounds, to be recovered, levied, and applied as other Penalties under this Act, over and above any Damage occasioned thereby.

As to Drivers having charge of Two Carts.

LXVI. And be it enacted, That if One Person act as the Driver of more than Two Carts, Waggons, or other such Carriages on any Street, Square, Lane, or other public Place within the Limits of this Act, or if the hinder of Two Carts, Waggons, or other such Carriages, when under the Care of only One Person, shall be drawn by more than One Horse, or if the Horse of such hinder Cart, Waggon, or Carriage shall not be attached by a Rein to the Back of the Cart which shall be foremost, and follow in the same Line therewith, the Horse drawing such hinder Cart not being permitted to be farther from the foremost than Six Feet, the Driver of every such Waggon, Cart, or other Carriage shall for each Transgression in any of the Points aforesaid, on Conviction by One or more credible Witnesses, forfeit and pay a Sum not exceeding Forty Shillings, to be recovered, levied, and applied as other Penalties under this Act.

Loading not to project beyond the Wheels.

LXVII. And be it enacted, That if the Loading on any Cart or other such Carriage, or on any Beast of Burden within the Limits of this Act, (except in the Case of Hay and Straw,) shall project more than One Foot laterally beyond the Wheels of such Carriage, or more

than Thirty Inches from the Side of such Beast of Burden, or so as to obstruct any Person, Beast of Burden, or Carriage, the Driver shall for each Offence, on Conviction by the Evidence of One or more credible Witnesses, forfeit a Sum not exceeding Forty Shillings, to be recovered, levied, and applied as other Penalties under this Act.

For preventing Annoyances in Streets.

LXVIII. And be it enacted, That if any Person or Persons shall carry, push, roll, drive, draw, or cause to be carried, pushed, rolled, driven, or drawn, on any of the Foot Pavements within the Bounds before described, any Bier, Sledge, Cask, or Wheelbarrow, Wheel or Wheels, or any Coach, Waggon, Cart, or Carriage whatsoever (except directly across the same on necessary Occasions); or shall allow any of these, or any other Obstructions, to remain on any of the said Pavements or Streets; or shall wilfully ride, lead, or drive any Horse, Ass, Mule, or Cattle (except when going directly across the said Foot Pavements to or from Stables or Cowhouses), upon any Part of the said Foot Pavements; or shall, in any of the said Streets Squares, Lanes, or Passages, drive any Carriage or Carriages for the Purpose of breaking or trying Horses, or shall ride any Horse for the Purpose of breaking, trying, showing or exposing such Horse for Sale (otherwise than in the public Market Place, and upon the Market Days and during the ordinary Market Hours, or by passing through such Streets or other public Places); or kill or slaughter, or scald, singe, dress, or cut up, any Animal upon any of the said Streets, Roads, or Passages; or cause or permit any Blood to run from any Slaughter-house, Butcher's Shop, or Shamble into or upon any of the Pavements or Streets; or shall throw or cast any Dirt, Dung, Ashes, Rubbish, Soil, or foul Water into or upon the same; or shall roll any Cask, empty or full, along the said Foot Pavements for any Distance whatever, (except across them directly to or from a Cellar, Shop, or Warehouse,) or shall roll any such Cask except from a Shop, Cellar, Warehouse, or other Place directly to such Cart or Carriage as it is to be loaded upon, or from such Cart or Carriage as it has been loaded upon directly to the Shop, Cellar, Warehouse, or other Place in which it is to be deposited, not exceeding Thirty Yards in any Case; or shall drive any Cart or other Carriage on the Streets of the said City, or any of the Roads or Passages within the Limits over which this Act extends, furiously or improperly; or shall drive any Four-wheeled Carriage commonly called a Wood Janker without a Person in charge of each Pair of Wheels; or shall leave any Cart or Carriage standing on the said Streets, Roads, or Passages, yoked or unyoked, either during the Day or Night; or shall ride any Horse furiously or improperly, or drive any Horse or Cattle or Carriage of any Kind in an improper Manner, upon any of the said Streets, Roads, or Passages; or shall load or drive any Plank or Piece of Timber exceeding the Length of Twenty Feet upon or by the Means of any Machine or Carriage having less than Four Wheels; or suffer the Loading of any Cart, Waggon, or Carriage to touch or drag upon any Part of the said Street or Road; then it shall and may be lawful for any Person who shall see such Offence committed to seize such Offenders, and by Authority of this Act, without any other Warrant, to convey them to the Custody of any Officer of Police or other Peace Officer, in order to

to be secured or conveyed before the said Judge or Judges; and the said Judge or Judges shall, upon the Complaint of the said Superintendant, proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted, by the Evidence of One or more credible Witnesses, of riding, or breaking, exercising, or trying, or driving, any Horse or Cattle, Cart or Carriage, furiously or improperly, he, she, or they shall forfeit and pay any Sum not exceeding Five Pounds Sterling; and any Person convicted as aforesaid of any other of the above Offences shall forfeit and pay any Sum not exceeding One Pound Sterling.

Regulating Sign Posts, &c.

LXIX. And be it enacted, That it shall and may be lawful to the Judge or Judges officiating in the said Police Court to cause to be removed and taken down all Signs, Sign Posts, Boards, Sheds, Dyers Scourers or Barbers Poles, or any other Poles projecting or hanging over any of the Foot Pavements, Streets, Squares, Lanes, or Passages, and all Signs and Sign Boards affixed to Rails, and projecting beyond the Line thereof, or any Goods exposed at the Doors of Shops, Stands, Stalls, or Tables, so as to encroach on the Foot Pavements; and to prohibit the Obstruction of Passengers by the Offer of Goods for Sale at Shop Doors, or at any Distance from the same; and to prohibit the calling of Auctions or Sales at Shop Doors or Windows, and of Persons carrying Boards, Baskets, or other Articles on the Foot Pavements or Paths: And in future all Signs or Sign Boards shall be placed or affixed close on or flat to the Wall or Front of the Houses, Shops, Warehouses, or other Buildings situated close upon Streets or within Areas whereunto they shall respectively belong: And if any Person or Persons shall at any Time hereafter hang, place, or erect, or cause to be hung, placed, or erected, any Sign, Sign Post, or Pole, or cause any other Obstruction or Annoyance whatever, or shall expose Goods at the Door of any Shop, or offer Goods, or carry Boards, Baskets, or other Articles as aforesaid, contrary to the Meaning of this Act, it shall be lawful for the said Judge or Judges, on the Complaint of the said Superintendant, and upon the Testimony of One or more credible Witness or Witnesses, to order the same to be removed and taken away, and to ordain such Person or Persons to pay any Sum not exceeding One Pound Sterling; saving and reserving to any Persons who may suffer Injury from such Sign Boards, Projections, or other Annoyances, to prosecute for Damages according to Law.

Authority to take charge of Fire Engine Establishment, and assess for the Expences thereof.

LXX. And be it enacted, That it shall and may be lawful for the said General Commissioners of Police, and they are hereby authorized and empowered, to provide, maintain, keep in repair, and uphold a proper and sufficient Set of Fire Engines, and all other necessary Implements and Apparatus for extinguishing Fire, and to maintain and organize a Body of Firemen, and to appoint a Superintendant or Master of Engines, and other proper Officers and Workmen, in order that in all Cases of Fire occurring within the Bounds of Police the most prompt and effectual Means may be in readiness for extinguishing the same; and it shall further be lawful for the said General Commissioners, and they are hereby authorized and empowered, to

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frame Bye Laws and Regulations for the proper Conduct of the Fire Establishment under their Charge, and to alter, vary, and amend the same from Time to Time as they may find expedient; and further, that it shall be lawful for the said General Commissioners, and they are hereby authorized and empowered, to defray the Expence of such Fire Engines, Implements, Apparatus, and Establishment connected therewith, and of such incidental Charges as may be incurred out of the Monies levied or to be levied under the Authority of this Act.

Authority to place Fire Cocks on Pipes of Water Company, &c.

LXXI. And be it enacted, That for the Purpose of rendering the said Fire Establishment efficient it shall be in the Power of the said General Commissioners of Police, and they are hereby authorized and empowered, with the Approbation and at the Sight of the Engineer of the Water Company of the said City of *Edinburgh*, and by the Workmen of the said Company, to place proper Fire Cocks upon the Distribution Pipes alone, and none upon the Main Pipes belonging to the said Company, either already laid or which may be hereafter laid by the said Water Company within the Bounds of Police of the said City, at such convenient Distances from each other, and at such Places, as may be considered most proper and necessary for the Supply of the said Engines when brought into operation, the Positions of such Fire Cocks being first arranged by the said General Commissioners with the Directors of the said Water Company; and in case of Difference of Opinion betwixt them, either of the said Parties shall be entitled and are hereby authorized and empowered to apply for the Judgment of the Dean of the Faculty of Advocates for the Time being upon the Matters in dispute betwixt them, whose Judgment thereon shall be final and conclusive, and not subject to any Review by Suspension, Reduction, or other Stay of Operation or Diligence whatsoever; and as the said Fire Cocks are substituted in lieu and place of the Fire Plugs which the said Water Company are by the Terms of their present Act bound to provide, for the Purpose of aiding in the extinguishing of Fires, in the Water Pipes laid by them within the said City and Bounds of Police, the Provisions contained in the said Act so far as they relate to the said Fire Plugs are hereby repealed, and for every Fire Cock placed by the Authority of the said General Commissioners of Police and the said Water Company as aforesaid, within the Bounds where the said Company are by the aforesaid Act obliged to place Fire Plugs, the Directors of the said Water Company shall be bound to pay them the Sum of Two Pounds Two Shillings Sterling, and the Balance of the Expence of preparing and placing the same, and whole Expence of preparing and placing the whole other Fire Cocks which may be placed as aforesaid, shall be defrayed by the said General Commissioners of Police, together with the Expence of maintaining, repairing, and upholding the whole of the said Fire Cocks in all Time coming during the Subsistence of this Act.

Engines may be sent beyond the Bounds of Police, and

LXXII. And be it enacted, That it shall be lawful for the said General Commissioners of Police, and they are hereby authorized and empowered, to permit the Engines, Implements, Apparatus, Firemen, and generally all or any Part of the Fire Establishment, to be sent beyond

Parties assisted to be liable for Expence.

beyond the Bounds of Police for the extinguishing of Fire, the Owners and Occupiers of the Premises to whose Assistance the same shall be sent being always bound in such Cases to defray the whole Expence that may be thereby incurred, as the same shall be certified by the Superintendant or Master of Engines, and approved by the Committee of the said General Commissioners of Police: Provided always, that it shall be in the Power of the said General Commissioners of Police, and they are hereby authorized and empowered, either to modify the said Charges to such Extent as they may see proper, or altogether to pass from the same, when they see Cause for doing so, in which Event the Charges attending the extinguishing of such Fires shall be defrayed out of the ordinary Funds before provided for.

Provision for Recovery of such Expences.

LXXIII. And be it further enacted, That if the Party or Parties to whose Aid the Engines or any Part of the Fire Establishment may have been so sent beyond the Bounds of Police shall refuse or delay to make Payment of the Expence thereby incurred, as before provided for, within Twenty-one Days after being required so to do, it shall be lawful for the said General Commissioners of Police, and they are hereby authorized and empowered, to prosecute any One or more of the Parties liable for the same, in the Name of their Collector, Treasurer, Clerk, or Superintendant of Police for the Time being, before any Court of competent Jurisdiction; and the Defender or Defenders in such Actions shall be bound, over and above the Amount pursued for, to pay the full Expences that may be incurred in prosecuting for and enforcing Payment of the said Claim, the Owners and Occupiers of the Premises where the Fire may have occurred, and all others interested, being always entitled to mutual Relief against each other, according to Law, for the Amount of the Sums to be so paid by them or any One of them from whom the said General Commissioners may recover the same.

Penalty for Chimnies taking Fire.

LXXIV. And for insuring the due sweeping of Chimnies, be it enacted, That from and after the passing of this Act, in all Cases where a Chimney takes Fire the Inhabitant or Inhabitants, Occupier or Occupiers of any Room or Apartment to which any such Chimney belongs, being a Lodger or Inmate to or with any Tenant, Renter, or Holder of any House or Building of which such Room or Apartment is Part, or if such Chimney belong not to any such Lodger or Inmate, then the Tenant, Renter, or Occupier of the House or Building wherein any such Fire begins shall, over and above the Expence of extinguishing the said Fire, be subject to a Fine or Penalty not exceeding Five Shillings Sterling, which shall be leviable under the Authority of the said Judge or Judges, upon Complaint to be made by the Superintendant of Police, and recoverable in the same Way as Fines and Penalties are recovered under this Act; or when a Chimney shall take Fire, and the Inmates of the House conceal or endeavour to conceal the same, it shall be in the Power of the Judge to fine the Person or Persons so concealing or endeavouring to conceal such Fire in any Sum not exceeding One Pound; and such Fines or Penalties shall be paid over to the Clerk of Police, to be applied in

in Reimbursement and Repayment of the Expences occasioned to the said Fire Engine Establishment.

Hackney Coaches, &c. to be regulated;

LXXV. And be it enacted, That the said Lord Provost and Magistrates of *Edinburgh* for the Time being shall have full Power and Authority and they are hereby empowered and authorized to license such Number of Hackney Coaches, Landaus, Chariots, or other Carriages for Hire as they from Time to Time shall think proper; and the Town Clerk of the said City shall be entitled 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, on the Complaint of the Procurator Fiscal of the said City, be convicted thereof before the said Magistrates, or any One of them, by the Oath or Oaths 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 the said Lord Provost and Magistrates shall be and are hereby authorized and empowered to make such other Rules and Regulations as they shall think fit for licensing and regulating such 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 this Act is hereunto extended, notwithstanding its Limitation in other respects), and in the other Liberties adjoining, and for preventing all Persons not licensed in Terms of such Regulations from plying for Hire, or occupying any Part of the Streets or Highways of the said City, Port, or Liberties, 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 Coachmen, Drivers, Chairmen, and Porters shall be obliged to drive or ply in and round the said City, not exceeding Seven Miles for Coachmen and Two Miles for Chairmen and Porters; and the Sheriff of the said County shall be and he is hereby authorized 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 Bounds over which this Act extends, although not within the City itself or other Liberties adjoining, and for preventing all Persons from plying for Hire or occupying any Part of the Streets or Highways within the said Bounds, and within his Jurisdiction; and the said Lord Provost, Magistrates, and Sheriff respectively are hereby authorized and empowered from Time to Time to repeal, add to, alter, or amend the said Rules and Regulations, and to impose

and Sedan Chairs, Carts, and Porters, and Meters of Corn.

Fines

Fines and Penalties for the Breach or Non-performance of such Rules and Regulations, in so far as they affect the Persons licensed under such Regulations, or any other Person or Persons to whom such Regulations apply as having plyed for Hire, or having carried on such Occupations without having been duly licensed, which Fines and Penalties shall be recoverable on the Complaint of the Procurator Fiscal of the City or County respectively before the Magistrates of the City or the Sheriff of the County, or on the Complaint of the Superintendant of Police before the said Judge or Judges in the Police Court, or on the Complaint of the private Party aggrieved, declaring that no One Penalty imposed, either by the said Lord Provost and Magistrates or by the Sheriff of the County respectively shall exceed One Pound Sterling; and that all such Rules and Regulations made by the said Lord Provost and Magistrates and Sheriff of the County respectively, specifying the Fines and Penalties for the Breach and Non-performance thereof, shall from Time to Time, as often as they shall be made, altered, or varied, be put up, painted, or printed on Boards on such public Places as the said Lord Provost, Magistrates, and Sheriff shall think proper, at all Times to remain and be in the said Place or Places; and the said Boards, when obliterated or defaced, shall be renewed.

Regulations to be exhibited on Boards.

Penalty on defacing Boards.

LXXVI. And be it further enacted, That if any Person shall wilfully or maliciously pull down, deface, or destroy any Boards whereon any such Rules and Regulations shall be painted or printed, such Person or Persons shall, upon Conviction before the said Judge or Judges, for each Offence forfeit and pay a Sum not exceeding Five Pounds, to be recovered, levied, and applied as other Penalties under this Act.

Saving Clause.

LXXVII. And be it enacted, That nothing contained in this Act shall extend or be construed to extend to take away, diminish, or abridge any Rights, Privileges, Jurisdictions, and Powers which now belong to and are enjoyed by the Lord Provost, Magistrates, and Town Council of the said City, or by the said Magistrates or any One of them, or by the Sheriff of the County of *Edinburgh*, or by the Admiral of *Leith*, or by the Bailies of *Canongate*, the Bailies of Easter and Wester *Portsburgh*, or the Bailie of *Calton* appointed by the said Magistrates and Council, or the Bailie of *Holyrood House*, or the Justices of the Peace, by virtue of former Acts of Parliament or Royal Charters granted in their Favour, or immemorial Usage.

Justices may be appointed for the City.

LXXVIII. And be it enacted, That it shall and may be lawful for His Majesty and His Royal Successors from Time to Time to nominate and appoint special Justices of the Peace for the City of *Edinburgh* and the Liberties thereof.

Expence of this Act.

LXXIX. And be it enacted, That the Expences incurred in applying for and obtaining this Act shall be defrayed from the Funds of the said General Commissioners; and in order to discharge such Expences the said General Commissioners shall and they are hereby authorized and empowered to assess all and every Person and Persons hereinbefore authorized to be assessed in any further Sum or Sums that may

may be necessary, such Assessment not exceeding in any One Year One Penny in the Pound of the yearly Rent of the different Subjects particularly before specified, to be ascertained in manner before directed, and recovered and made effectual along with and in the same Manner as is provided with regard to the levying the Rates and Assessments herein-before authorized to be assessed and levied.

All Justices, &c. to assist in Execution of the Act.

LXXX. And be it further enacted, That all Sheriffs, Justices of the Peace, Judges, and Magistrates, with their Officers, Messengers at Arms, and all other Officers and Executors of the Law whatsoever, are hereby required to be aiding and assisting in putting this Act into due and lawful Execution; and that this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Commencement and Endurance of this Act.

LXXXI. And be it further enacted, That this Act shall commence on the First *Monday* of *July* in the present Year One thousand eight hundred and thirty-two, and shall thereafter continue in force for the Space of Two Years, and from thence to the End of the then next Session of Parliament.

SCHEDULE (A).

Residence of Electors.																							
Designation of Electors.																							
Signature of Electors.																							
RESIDENT COMMISSIONERS VOTED FOR:																							
FIRST.							SECOND.																
Name.		Designation.		Residence, &c.			Name.		Designation.		Residence, &c.												
GENERAL COMMISSIONERS VOTED FOR.																							
Name.		Designation.		Residence, &c.			Name.		Designation.		Residence, &c.												

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