ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

Cap. lxx.

An Act to provide for the Erection of public Slaughter-houses for the City of *Edinburgh*, and for the Regulation of the same.

[15th *July* 1850.]

WHEREAS by an Act of the Parliament of *Scotland*, passed on the Fourth Day of *August* in the Year One thousand six hundred and twenty-one, intituled *Ratificatione of the Act of Secreit Counsell aganis Baxteris, Brewstaris, Flescheors, and Candle Makers off* Edinburt, after Notice taken of an Abuse which then prevailed in the City of *Edinburgh* of Butchers or Fleshers keeping their Slaughter-houses or Shops within the said City, and emptying the Filth arising therefrom upon the High Streets, and in open Vennels and Closes, it was ordained and enacted, that from and after the First Day of *May* then next to come no Fleshers should be suffered, by themselves, their Servants or others, in their Names, to keep any Slaughter-houses within the Burgh, but should provide themselves with Slaughter-houses at the *North Loch* Side, where they might have the Use of Water for their Business: And whereas another Act was passed in the Twenty-second Year of the Reign of His Majesty King *George* the Third, intituled *An Act for preventing* the

Act of Scot. Parl. Aug. 4, 1621.

22 G. 3. c. 52.

the slaughtering of Cattle within the City of Edinburgh, *and for removing Nuisances and Annoyances therefrom*, by which Act, after reciting the foresaid Act of the Parliament of *Scotland*, and that the said City was greatly extended, whereby the Slaughter-houses built upon the Side of the said *North Loch* had become situated almost in the Centre of the said City, and the said *North Loch*, which theretofore contained a large Body of Water, had been drained, whereby the said Slaughter-houses were become a public Nuisance, and greatly detrimental to the Comfort of the Inhabitants of the said City, and of other Persons resorting thereto, and that the said Butchers, Fleshers, and other Persons would be much better accommodated with Water and other Conveniences necessary for their Business, and the principal Parts and Streets of the said City would be relieved from the great Nuisance of the Slaughter-houses, if the same were removed to some Place near the Sea Shore, or on the Sides of some of the Rivers and Brooks in the Vicinity of the said City, it was enacted, that from and after the Twenty-fourth Day of *June* One thousand seven hundred and eighty-three no Butcher, Flesher, or other Person should kill, slaughter, scald, or dress any Beast, Swine, Calf, Sheep, Lamb, or other Cattle, or cause the same to be done, or keep or use any Slaughter-house for the Purpose of slaughtering Cattle, or clean the Entrails or Offal of any slaughtered Beast, Swine, Calf, Sheep, Lamb, or other Cattle, or cause the same to be done, within the said City of *Edinburgh* and Royalty thereof, or within the Distance of Three Quarters of an *English* Statute Mile, to be computed from the *Tron* Church in the said City, or within the Distance of One Quarter of an *English* Statute Mile on either Side of that Part of the River of *Leith* situated between the Bridge of *Leith* and *Canonmill Bridge*, the said Distance to be computed from the River by Lines drawn parallel to the Passages of the said Bridge, under the Penalty specified in the said Act: And whereas an Act was passed in the Third Year of the Reign of Her present Majesty, intituled *An Act for abolishing certain Petty and Market Customs in the City of* Edinburgh, *and granting other Duties in lieu thereof:* And whereas another Act was passed in the Seventh Year of the Reign of Her present Majesty, intituled *An Act to amend an Act passed in the Third Year of the Reign of Her present Majesty, for abolishing certain Petty and Market Customs in the City of* Edinburgh, *and granting other Duties in lieu thereof:* And whereas another Act was passed in the Tenth and Eleventh Year of the Reign of Her present Majesty, intituled *An Act to enlarge and improve the Meal, Corn, and Grain Markets of the City of* Edinburgh, *and for other Purposes in relation thereto:* And whereas the said second-recited Act, in so far as it contemplated the Removal of the Slaughter-houses built upon the Side of the said *North Loch*, was not acted on, and not only were the said Slaughter-houses upon

3 & 4 Vict. c. 17.

7 & 8 Vict. c. 7.

10 & 11 Vict. c. 48.

the

the Side of the *North Loch* not removed, but they were subsequently enlarged, and became and continued to be the public Slaughter-houses of the said City, until a recent Period, when the Area thereof was acquired by the *Edinburgh and Glasgow* Railway Company, and the said public Slaughter-houses were removed: And whereas the Fleshers of the said City have come to be subjected to great Inconvenience from the Want of suitable public Slaughter-houses, and it is necessary, not only with regard to their Convenience, but also to the Promotion of the Health and Comfort of the Population of the said City and of the adjoining Districts, now greatly increased, that such shall be provided: And whereas it has been arranged between the Magistrates and Council of the said City and a numerous Body of the Fleshers therein that such public Slaughter-houses shall be provided by the said Magistrates and Council, under proper and sufficient Conditions and Regulations for effectually carrying out of the said Scheme: But as the Purposes aforesaid cannot be effected without the Authority of Parliament, may it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Edinburgh* Slaughter-houses Act, 1850."

Short Title.

II. And be it enacted, That the Clauses and Provisions of "The Lands Clauses Consolidation (*Scotland*) Act, 1845," with respect to the Purchase of Lands by Agreement, so far as applicable to this Act, and not inconsistent therewith, shall be incorporated with and form Part of this Act.

Certain Provisions of 8 & 9 Vict. c. 19. incorporated with this Act.

III. And be it enacted, That it shall be lawful to the Magistrates and Council, as soon as conveniently may be after the passing of this Act, but subject always to the Provisions herein-after contained, and by and with the Advice and Consent of *John Plummer*, *William Carmichael*, *Thomas M'Millan*, *George Wight*, *George M'Millan*, *James Gravett*, and *James Caldwell*, Fleshers in *Edinburgh*, or the major Part of them, or of the Survivors of them, to purchase One or more Pieces of Land of sufficient Extent, situated within the Bounds of Police of the said City, or near or adjacent thereto, and to agree for the Purchase of such Piece or Pieces of Land, to be appropriated to the Erection thereon of Slaughter-houses, in virtue of the Powers contained in this Act, and to pay for such Lands such Price, and such annual Feu Duty, or such other Consideration, as shall be agreed upon between them and the Owners or other Persons interested therein: Provided always, that in the event of a Difference arising between

Lands to be purchased, with Advice of the Fleshers of Edinburgh.

In the event of Differences with the Fleshers, Sheriff to decide.

between the Magistrates and Council and the Persons before named with regard to any proposed Purchase, it shall be competent to either Party to apply by Petition to the Sheriff, who shall hear Parties in a summary Way, and shall thereupon decide upon the Matter of such Difference, and whose Decision shall be final and conclusive; provided also, that the Magistrates and Council shall cause to be exhibited for public Inspection in the Town Clerk's Office a Plan, showing the Outline of any Piece of Land proposed to be purchased, and its relative Situation to the adjacent Lands, for Fourteen Days after the Publication of an Advertisement in Three or more *Edinburgh* Newspapers, intimating that such Inspection is to be had on the Days to be therein mentioned; and if any Person interested shall, within Twenty-one Days after the first Publication of such Advertisement, object to the Erection of Slaughter-houses on such Land, and shall state such Objection in Writing to the Magistrates and Council, and if the same shall not thereupon be obviated or removed, it shall be competent to the Objector, within Fourteen Days after Intimation made to him of the Deliverance of the Magistrates and Council on his said Objection, but not afterwards, to apply by Petition to the Sheriff, who shall hear the Parties in a summary Way, and thereupon decide upon the Matter of such Objection, and whose Decision shall be final and conclusive; and the Magistrates and Council shall not finally conclude such Purchase, so long as such Objection may be competently taken or shall remain undisposed of.

Slaughter-houses to be erected.

IV. And be it enacted, That it shall be lawful to the Magistrates and Council, upon the Lands purchased by them as aforesaid, to erect, establish, and maintain Slaughter-houses for the slaughtering and dressing of Cattle for public Consumption, and from Time to Time to improve, extend, and enlarge the same, as Circumstances may require.

In the event of Difference as to Plans or Expense of the Buildings.

V. And be it enacted, That, before proceeding to erect Slaughter-houses as aforesaid, the Magistrates and Council shall cause to be exhibited for public Inspection in the Town Clerk's Office a Plan, Elevation, Specification, and Estimate of the probable Expense of erecting and completing the same, for Fourteen Days after the Publication of an Advertisement in Three or more *Edinburgh* Newspapers intimating that such Inspection is to be had on the Days to be therein mentioned; and if any Flesher carrying on Business in *Edinburgh* shall, within Twenty-one Days after the first Publication of such Advertisement, make Objection to such Plan, Elevation, Specification, and Estimate, or any of them, and shall state the same in Writing to the Magistrates and Council, and if such Objection shall not thereupon be obviated or removed, it shall be competent

to

to the Objector, within Fourteen Days after Intimation made to him of the Deliverance of the Magistrates and Council on his said Objection, but not afterwards, to present a Memorial thereon to the Person who for the Time being shall be Resident Clerk of Her Majesty's Works in *North Britain*, or failing him to an Architect to be named by the Sheriff, on the Petition of such Objector, One or other of whom shall hear the Parties in a summary Way, and shall decide upon the Matter of such Objection, and the Decision of such Clerk of Works or Architect shall be final and conclusive; and the said Magistrates and Council shall not proceed with any Portion of the said Works forming the Subject Matter of or involved in such Objection so long as such Objection may be competently taken or shall remain undisposed of.

Management vested in Magistrates and Council, with Power to make Regulations.

VI. And be it enacted, That the Property of the Land to be purchased, and of the Slaughter-houses to be erected as aforesaid, and the Care and Management of the same, and generally the Regulation and Superintendence of the said Slaughter-houses, shall be vested in and belong to the Corporation of the said City of *Edinburgh;* and the Magistrates and Council are hereby authorized and empowered from Time to Time to make, constitute, and ordain such Rules, Regulations, Orders, and Bye Laws as they shall think fit and necessary for the Regulation of every thing connected with the said Slaughter-houses, and of the Conduct of all Persons resorting thereto or carrying on Business or employed therein, and in regard to the Mode of Conveyance of Butchers Meat therefrom to the Markets, Shops, or other Places where the same may be exposed for Sale; and the whole Powers and Provisions contained in the said third-recited Act in regard to Rules, Regulations, Orders, and Bye Laws for the Regulation and Government of the Market Places of *Edinburgh*, including the Power of imposing Penalties, shall, so far as can be made applicable, be extended to this Act, and to the Regulation and Government of the said Slaughter-houses.

Regulations to be painted on Boards, or printed and attached to Boards.

VII. And be it enacted, That the Rules, Regulations, Orders, and Bye Laws made or to be made in pursuance of the third, fourth, and fifth before-recited Acts, or of this Act, whether relating to the Markets of the City or to the said Slaughter-houses, may be either painted on Boards, or printed in legible Characters and attached to Boards, to be hung up, affixed, and continued on the Front or other conspicuous Part of the said Markets and Slaughter-houses respectively, in manner directed in regard to the said Markets by the said third-recited Act.

Penalties on Persons having unwholesome

VIII. And be it enacted, That if any Person shall have in his Booth or in his Possession in any Place within the said Slaughter-houses the

Meat in their Possession.

the Carcass or any Part of the Carcass of any Animal which, in the Opinion of Two competent Judges, shall have died of Disease, or which, in the Opinion of Two competent Judges, shall be unwholesome, unsound, or unmarketable, such Person shall be liable in a Penalty not exceeding Twenty Pounds; and if any Person shall have in his Booth or in his Possession in any Place within the said Slaughter-houses any blown or stuffed Veal, Lamb, or other Butchers Meat, such Person shall be liable in a Penalty not exceeding Five Pounds, and all such Carcasses and others shall be forfeited and disposed of as the Magistrates shall direct.

Superintendent may enter into and inspect Slaughter-houses, and seize unwholesome Butchers Meat, &c.

IX. And be it enacted, That it shall be the Duty of the Superintendent of the said Slaughter-houses, to be appointed by the Magistrates and Council, to see that the Regulations for the said Slaughter-houses are duly observed, and to search for and seize all Carcasses or Parts of Carcasses of any Animals which shall have died, or appear to have died, of Disease, or to be of an unwholesome, unsound, or unmarketable Description, as also all Veal, Lamb, or other Butchers Meat, blown or stuffed, or apparently blown or stuffed, wherever the same can be found within said Slaughter-houses, and to convey the same before the said Magistrates, to be disposed of as they shall direct, for which Seizure this Act shall be his Warrant; and for this Purpose it shall be lawful to the said Superintendent at all Times, with or without Assistants, to enter into and inspect the Booths and other Places within said Slaughter-houses.

Penalty for obstructing the Superintendent in his Duty.

X. And be it enacted, That every Person who shall obstruct or hinder the said Superintendent in the Discharge of any of the Duties imposed on him by this Act, or by the Rules and Regulations, Orders and Bye Laws to be made as aforesaid, shall be liable to a Penalty not exceeding Two Pounds for every such Offence.

Magistrates Jurisdiction extended.

XI. And be it enacted, That for the Purposes of this Act the Jurisdiction of the Magistrates of the said City shall extend to and comprehend the Slaughter-houses to be erected as aforesaid; and all Persons resorting to the same, or carrying on Business or employed therein, shall be amenable to the said Jurisdiction, so far as the Purposes of this Act are concerned.

Magistrates and Council to advance the requisite Capital, and to receive a permanent Annuity thereon.

XII. And be it enacted, That it shall be lawful to the Magistrates and Council to advance from the proper Funds of the City or otherwise to provide the Sums of Money requisite for defraying the Costs, Charges, and Expenses of obtaining this Act and incident thereto, for paying the Price of the Land to be purchased as aforesaid, and the Expenses incident to such Purchase, and for defraying the whole

Expense of erecting the Slaughter-houses aforesaid, and completing and rendering the same fit for Use; and that the said Sums of Money, together with Interest thereon at the Rate of Five *per Centum per Annum* added thereto half-yearly, and the Charges which may be incurred in borrowing in the first instance the Sums herein-after authorized to be borrowed, shall be accumulated into a Capital Sum, as on the Day herein-after mentioned, on which Capital Sum, in consideration of such Advance or Provision, the Magistrates and Council shall be entitled to charge against the Revenues of the said Slaughter-houses, as regulated by this Act, a permanent Annuity at the Rate of Seven Pounds Ten Shillings for each Hundred Pounds of such Capital Sum, subject to Reduction as after mentioned, and that over and above the Costs of Collection, Management, and Repairs, and the other annual Charges incident to the Maintenance of the said Slaughter-houses, including therein any annual Feu Duty or other annual Consideration payable for the said Lands, which permanent Annuity shall commence from the Day on which the Dues first herein-after authorized to be levied shall first be leviable, and be chargeable half-yearly on the First Day of *February* and First Day of *August* thereafter, the first of such termly Charges including a Proportion of the said Annuity applicable to the Period between the Commencement of the same and the first of the said half-yearly Terms thereafter: Provided always, that the Magistrates and Council shall be entitled from Time to Time to add to such Capital Sum the whole Expense of completing the Erection of the said Slaughter-houses, and rendering the same fit for Use, in so far as the same may not have been defrayed previously to the Day before mentioned, and the Expense of extending and enlarging the said Slaughter-houses as herein authorized: Provided also, that the Amount of such permanent Annuity shall from Time to Time be increased in proportion to the Sums so added to such Capital Sum, and that at the Rate foresaid, subject to Reduction as after mentioned; provided further, that the Amount of such Capital Sum shall at no Time exceed Twenty thousand Pounds.

Power to borrow Money.

XIII. And in order that the Magistrates and Council may be enabled to advance or provide the Sums of Money required for the Purposes of this Act, be it enacted, That it shall be lawful to them to borrow such Sums of Money as they shall see fit for the said Purposes, not exceeding in the whole the foresaid Sum of Twenty thousand Pounds, and for securing the Repayment of the Sums of Money so to be borrowed, with Interest, to assign and convey the Land to be purchased, and the Slaughter-houses to be erected as aforesaid, together with the foresaid permanent Annuity, and the whole Revenues of the said Slaughter-houses as regulated by this Act.

XIV. And

Reborrowing.

XIV. And be it enacted, That if, after having borrowed any Part of the Money so authorized to be borrowed, the said Magistrates and Council shall find it convenient or necessary to pay off the same, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time: Provided always, that it shall not be lawful to reborrow in respect of Sums which shall have been extinguished under the Provisions of this Act.

Forms of Securities.

XV. And be it enacted, That every Bond and Assignation for securing Money borrowed by the said Magistrates and Council under the Powers of this Act, and every Assignation or Transfer of the same, shall be duly stamped, and shall truly state the Consideration; which Bonds and Assignations, and Assignations or Transfers thereof, may be according to the Forms contained in Schedule (A.) to this Act annexed, and on their being granted, or as soon as they shall be presented for that Purpose, shall severally be minuted in the Council Records of the said City, and shall form a perfected and effectual Security to the Person in whose Favour the same may be conceived.

Creditors to rank pari passu.

XVI. And be it enacted, That the Creditors in the said Bonds and Assignations, and in any Assignations or Transfers thereof, shall rank *pari passu*, and none of such Creditors shall have any Preference over the others by reason of any Priority in the Dates of the same or of the minuting thereof; and if, after Demand made, on Six Months Notice in Writing to the Magistrates and Council, they shall fail to pay the Sums due under any such Bond and Assignation, or Assignation or Transfer thereof, it shall be competent to the Creditor by whom such Demand was made to apply by Petition to either Division of the Court of Session, or, in Time of Vacation, to the Lord Ordinary officiating on the Bills, who, upon Proof of such Demand and Failure, shall adjudge and sequestrate, for behoof of the whole Creditors, the Property, Annuity, and Revenues assigned and conveyed as aforesaid, and appoint a Judicial Factor, with Power to him to levy, collect, receive, and take the Revenues so assigned and conveyed, and to apply the said permanent Annuity for behoof of the said whole Creditors, until the Sums due to the said Creditors, and all Interest exigible thereon, and all necessary Expenses, shall be fully paid off and discharged.

On Failure to pay, after Demand made, Creditors may enter into possession.

Sums borrowed to be personal.

XVII. And be it enacted, That all such Bonds and Assignations to be granted as aforesaid, and Assignations or Transfers thereof, and the Rights thereby created and acquired, are and shall be moveable or personal, to all Intents and Purposes.

Application of the Annuity.

XVIII. And be it enacted, That the Magistrates and Council shall apply the foresaid permanent Annuity in Payment of the Interest on the

the Sums to be advanced by themselves or borrowed by them by virtue of this Act, reckoning Interest on the Sums advanced at the same Rate as may be paid at the Time on the Sums borrowed; and in order so far to provide for any Depreciation which may take place in the Value of the said Slaughter-houses, and for the gradual Repayment of the Sums to be advanced or borrowed as aforesaid, the Magistrates and Council shall from Time to Time apply so much of the foresaid permanent Annuity as shall remain after Payment of Interest as aforesaid in Repayment of the Sums advanced or borrowed, until the same shall be wholly paid, whereupon the said permanent Annuity shall be reduced to the Rate of Five Pounds for each Hundred Pounds of the foresaid Capital Sum, and shall be carried to the Credit of the Municipal Revenues of the City.

Allocation and Rent of separate Booths in the Slaughter-houses.

XIX. And be it enacted, That it shall be lawful to the Magistrates and Council, by their Tacksmen or Collectors, to levy, collect, receive, and take from every Flesher to whom a separate Booth in the said Slaughter-houses shall be allocated as after mentioned, over and above the Dues after mentioned on Cattle slaughtered therein, a yearly Rent of Eight Pounds for each Booth, payable by equal Portions, half-yearly, at *Whitsunday* and *Martinmas*, in advance, in consideration of which Rent there shall be allocated to each Flesher who shall pay the same a separate Booth, to be used by him as his own Place of Business, but which he shall not be at liberty to subset: Provided always, that a Proportion of the said yearly Rent shall be exigible corresponding to the Period from the Entry to such Booth to the first Term of *Whitsunday* or *Martinmas* thereafter; and that it shall be lawful to allocate a Booth for the joint Use of Two Fleshers, each of whom shall in such Case pay One Half only of the aforesaid Rent: Provided also, that, subject to the Rules, Regulations, Orders, and Bye Laws to be made as aforesaid, a limited Number of such Booths shall be fitted up with the requisite Apparatus, and allotted for the Use in common of Fleshers who may only occasionally resort to the said Slaughter-houses, or who kill only a limited Number of Cattle, and whom, on one or other of these Accounts, the Magistrates and Council may not require to rent a Booth separately, or jointly with another, as aforesaid, in regard to which the Magistrates and Council shall be the sole Judges, and which Fleshers shall not be chargeable with Rent as aforesaid.

Dues to be levied on Cattle brought to be slaughtered.

XX. And be it enacted, That it shall be lawful to the Magistrates and Council to levy, collect, receive, and take, by their Tacksmen or Collectors, at the Gates of the said Slaughter-houses or elsewhere convenient, on all Cattle brought to the same to be slaughtered, and that for the Use of such Slaughter-houses for the Purpose of slaughtering such Cattle, and for the Sale of the Hides,

Skins, and Tallow, and the Preparation for Market of the Feet and Offal of such Cattle, including Standing Room for the Cattle for a Time before being slaughtered, to be regulated by the Bye Laws to be made as aforesaid, the Dues set forth in Schedule (B.) to this Act annexed, and, if necessary, to increase or diminish the said Dues from Time to Time in the Manner herein-after authorized: Provided always, that any such Increase or Diminution shall be proportionate over the said whole Dues.

Revenues how to be applied.

XXI. And be it enacted, That an Account shall be kept in the Books of the City Chamberlain, separate from those of the other Revenues of the City of *Edinburgh*, of the Revenues derived from the said Slaughter-houses as regulated by this Act, including therein all incidental Revenue, and the Sums received for the Blood, Dung, and other Refuse arising in the said Slaughter-houses, which shall be the Property of the Corporation of the City of *Edinburgh*, for the Purposes of this Act; and that the said Revenues shall be employed, first, in defraying the necessary Expenses of Collection, Management, and Repairs, and all other current Charges, including therein any annual Feu Duty or other annual Consideration aforesaid, and the Expenses attending the Renewal or Transfer of the foresaid Bonds and Assignations, and, secondly, in paying the foresaid permanent Annuity; and that any Surplus of the said Revenues, after satisfying the foresaid Purposes, or any Deficiency thereof for such Purposes, shall be carried forward in the said Accounts until the first periodical Investigation to be made after the arising of such Surplus or Deficiency, when the same shall be dealt with in manner herein-after directed.

Accounts to be published.

XXII. And be it enacted, That the Account before referred to shall be kept, laid open to Inspection, and published in the same Manner, at the same Time, and under the same Penalties as the Accounts of the Revenues of the said City are now by Law required to be kept, laid open to Inspection, and published; and that of the Abstract of the said Account to be so published a sufficient Number of Copies shall be yearly deposited with the Superintendent of the said Slaughter-houses, who shall deliver One Copy to each Person slaughtering Cattle therein who shall demand the same, on Payment of One Penny.

Periodical Investigations of Accounts.

XXIII. And with the view of determining whether the Dues contained in the said Schedule (B.) shall be continued, or whether they shall be increased or diminished, be it enacted, That the State of the foresaid Accounts and of the Slaughter-houses shall be investigated for the first Time as on the First Day of *August* that shall first happen after the said Slaughter-houses shall have been for Twelve Months

Months opened and used, and shall be again investigated as on the First Day of *August* in every Third Year after the first Investigation, and that all such Investigations shall be conducted in the following Manner:

First, the Magistrates and Council shall procure a Report on the State of the Slaughter-houses, including an Estimate of the probable Cost of any extraordinary Repairs thereon, or of any Enlargement or Extension thereof, which may be deemed necessary:

Second, the Cost of such extraordinary Repairs, if agreed to be executed, shall be advanced by the Magistrates and Council, and spread over the next Three triennial Periods, reckoning the triennial Period commencing as on the Date of the particular Investigation as the first of such Three Periods, and adding to the actual Cost Interest at the Rate of Five *per Centum per Annum* on so much thereof as shall from Time to Time be due, until the whole Cost shall be reimbursed: Provided always, that any Surplus appearing on the Face of the Accounts at any Period of Investigation shall be employed in the first place in defraying *pro tanto* the Cost of such extraordinary Repairs:

Third, the Cost of such Enlargement or Extension, if agreed to be executed, shall be advanced by the Magistrates and Council, and when advanced be added to the Capital foresaid; and the Annuity payable in respect of such Capital shall be increased in proportion to the Sums so added;

Fourth, the Magistrates and Council shall procure a Report on the State of the foresaid Accounts since the last Investigation, embracing therein Estimates of the probable Expenditure during the next triennial Period, and of the Dues necessary to be levied in order that the requisite Income may be realized, and taking into account any Surplus or Deficiency of the foresaid Revenues:

Fifth, the Magistrates and Council, within Two Months after the Date of every Investigation, shall take the said Reports into their Consideration, and shall determine whether the Dues on all Cattle brought to the said Slaughter-houses to be slaughtered as these were leviable immediately before the Investigation shall be continued till the next Period of Investigation, or whether, and to what Extent, the same shall be increased or diminished:

Sixth, the Magistrates and Council shall thereupon give Notice by Advertisement in Three or more *Edinburgh* Newspapers that such Reports, and an amended Schedule of Dues, if such be proposed, may be seen in the Town Clerk's Office for Fourteen Days after such Advertisement; and, in the event of no Difference arising between the Magistrates and Council, and the Fleshers resorting to the said Slaughter-houses, with regard to such extraordinary Repairs, or to such Enlargement or Extension, or to

such continued, or increased, or diminished Dues, the Magistrates and Council, on and after the First Day of *November* next ensuing, shall be at liberty to proceed with such extraordinary Repairs, or Enlargement or Extension, and to levy such continued, or increased, or diminished Dues, until the First Day of *November* after the next periodical Investigation.

In the event of Difference as to Accounts, Dues, &c.

XXIV. And be it enacted, That in the event of any Difference arising between the Magistrates and Council, and the Fleshers resorting to the said Slaughter-houses, with regard to the annual Charges of Collection and Management, or in regard to the Accuracy of the foresaid Accounts, or in regard to any extraordinary Repairs, or to any Enlargement or Extension of the said Slaughter-houses, or in regard to the Continuance, Increase, or Diminution of the Dues, the Matter in dispute shall be brought before the Sheriff by summary Petition, and the Decision thereon of the said Sheriff shall be final, and not subject to Review: Provided always, that it shall not be competent to the said Sheriff to entertain any such Petition with regard to the annual Charges of Collection and Management, or to the Accuracy of the foresaid Accounts, unless the same shall be presented within Three Months after the Publication of such Accounts respectively, or, with regard to the other Matters herein immediately before mentioned, unless such Petition shall be presented before the Fifteenth Day of *October* immediately following each Period of Investigation as aforesaid; provided also, that, pending the foresaid Investigation, and the Consideration by the Sheriff of any Petition having reference to the Continuance, Increase, or Diminution of the Dues as aforesaid, the Magistrates and Council shall continue to levy the same Dues as were leviable immediately before such periodical Investigation.

Slaughtering of Cattle within the Bounds of Police, &c. prohibited.

XXV. And be it enacted, That the Magistrates and Council shall give due Notice, by public Advertisement in Three or more *Edinburgh* Newspapers, of the Time at which the said Slaughter-houses will be completed and in a fit State for Use; and that from and after the first Term of *Whitsunday* which shall occur not less than Three Months after such Advertisement as aforesaid no Person shall slaughter any Cattle, or scald or dress the Carcass of any slaughtered Cattle, or clean the Feet or Offal of any slaughtered Cattle, or cause the same to be done, within the Bounds of Police of the said City, or within a Distance of One Mile beyond such Bounds, elsewhere than within the said Slaughter-houses; and that in the event of any Person acting in the contrary, such Person so offending shall be liable to a Penalty not exceeding Five Pounds for each Offence: Provided always, that if by reason of this Act the Interests of *Elias Cathcart* and *William Currie* and of *Alexander Wilson*, or any of them,

them, as the same existed prior to the passing of this Act, in respect of their present Slaughter-houses, shall be prejudiced, it shall be lawful for the said Parties or any of them to claim Compensation in respect of such Prejudice; and in the event of Difference, such Compensation shall be ascertained in the Manner provided by the "Lands Clauses Consolidation (*Scotland*) Act, 1845," in the Case of Lands taken otherwise than with the Consent of the Owners or Occupiers thereof; and the Amount of such Compensation, if any, with legal Interest thereon, shall be chargeable upon the foresaid permanent Annuity, after Payment of the Interest on the Sums to be advanced or borrowed as aforesaid, before applying any Portion of the said permanent Annuity in Repayment of the Sums advanced or borrowed.

Slaughter-houses established by Commissioners of Police of Leith excepted from this Act.

XXVI. And be it enacted, That nothing herein contained shall extend to any Slaughter-houses which may be provided and established within the Burgh of *Leith* by the Commissioners of Police of *Leith*, or other Persons duly authorized by them: Provided always, that if the Carcass or Part of the Carcass of any Cattle slaughtered within the said Burgh shall be brought within any Part of the Bounds of Police of *Edinburgh* not within the Burgh of *Leith* for Sale, such Carcass or Part of a Carcass shall be chargeable with the same Dues as are herein-after authorized to be levied on all Carcasses or Parts of Carcasses of Cattle slaughtered beyond One Mile's Distance of the Bounds of Police of *Edinburgh* and brought within the said Bounds for Sale therein.

To prevent Evasion of Use of Slaughter-houses.

XXVII. And be it enacted, in order to prevent Evasion of the Use of the Slaughter-houses to be erected by virtue of this Act, That all Persons who shall, after the Publication of the last aforesaid Advertisement, bring within the Bounds of Police for Sale therein the Carcass or Part of the Carcass of any Cattle slaughtered beyond One Mile's Distance of said Bounds, shall, on their bringing such Carcass or Part of a Carcass within the said Bounds, be liable in Payment of, and the Magistrates and Council by their Collectors or Tacksmen shall be entitled to levy, collect, receive, and take, in respect of every Carcass or Part of a Carcass so brought in, but excepting cured or preserved Butchers Meat, the same Dues as shall at the Time be leviable under this Act on Cattle slaughtered by a Flesher renting a Booth in the said Slaughter-houses; which Dues shall be exigible and collected along with and in like Manner and by the same Regulations as the Commutation Duty and other Duties now payable to the Magistrates and Council by virtue of the Three Acts last before recited, and in addition to the same.

The Evasion Dues and Penalties, how to be applied.

XXVIII. And be it enacted, That the Sums to be levied on account of the Dues on Carcasses and Parts of Carcasses brought within the Bounds of Police, and all Penalties to be recovered under this Act, excepting such as are imposed in the Police Court, shall be paid over to the City Chamberlain, and be by him carried to the Credit of the Account of the Revenues of the Slaughter-houses herein-before appointed to be kept.

As to Hides, &c. of Cattle not slaughtered in Slaughter-houses.

XXIX. And be it enacted, That it shall not be lawful to any Person to expose for Sale in the said Slaughter-houses the Hides, Skins, or Tallow of any Cattle not slaughtered therein, without the Consent of the Magistrates and Council.

Certain Provisions of Edinburgh Police Act repealed.

XXX. And whereas by the "*Edinburgh* Police Act, 1848," it is enacted, that it should be the Duty of the Inspector of Markets to be appointed under the said Act to see that the Regulations for Markets and Slaughter-houses therein referred to should be duly observed, that no Carcass or Part of the Carcass of any Animal which might appear to have died of or been killed in consequence of Disease should be dressed, prepared, or kept therein, and that no Butchers Meat, or other Articles of the Description therein mentioned, should be exposed for Sale or kept in Markets, Shops, Stalls, or other Places; and it is enacted, that the Keepers of all Slaughter-houses, Markets, Shops, Stalls, and other Places for the Sale of Butchers Meat or other Provisions, and all Cow-feeders, should, at all Hours during the Day or Night, allow the Superintendent of Police, Inspector of Cleansing, Inspector of Markets, and all other Officers appointed under the said Act, Access to their Premises for the due Performance of the Duties of such Officers, under the Penalty therein mentioned; and it is also enacted, that it should be lawful to the Superintendent of Police to bring before the Judge any Person who should sell or expose to Sale, or have in his Possession, in any Market, Shop, Stand, or Place within the Limits of the said Act, the dressed Carcass or any Part of the Carcass of any Animal which should appear to have died of or been killed in consequence of Disease, or any Butchers Meat, or other Article therein mentioned, of an unsound or unwholesome Description, or in a State unfit or unsuitable for Human Food, and to seize and take possession thereof, and after Inspection to dispose of the same, and, on Conviction, that the Offender might be punished in manner therein mentioned; and certain Powers are conferred in the Case of Butchers selling or exposing to Sale blown, stuffed, or pricked Veal, Lamb, or Butchers Meat, and it is enacted that the same may be forfeited, and the Person offending may be punished as therein mentioned; and Powers are also conferred for the searching for, seizing, taking, and carrying away and disposing of Carcasses of Animals

smothered, or which shall have died of Disease, that may be deposited or concealed within the Limits of the said Act; and it is further enacted, that all Slaughter-houses within the said Limits should at all Times be kept in a cleanly State to the Satisfaction of the Inspector of Cleansing, under the Penalty therein specified; and it is expedient that the said Enactments should, to the Extent after mentioned, be repealed: Be it enacted, That the said recited Enactments shall be and the same are, in so far as the Slaughter-houses to be erected by virtue of this Act are concerned, hereby repealed, but the said Enactments shall be and the same are in all other respects reserved entire.

This Act not to affect the Customs on live Bestial.

XXXI. And be it enacted, That nothing in this Act contained shall affect the Customs on Bestial, including Sheep and Lambs, leviable under the Act fourth before recited, and that the said Customs shall be leviable on all such Bestial brought to the foresaid Slaughter-houses, without being presented at the Cattle or Sheep Market of the said City for Sale, although such Slaughter-houses may be erected wholly or partly beyond the Bounds of Police, in the same Way and Manner and to the same Extent as if such Slaughter-houses had been erected wholly within the said Bounds.

Penalties how to be enforced.

XXXII. And be it enacted, That any Person offending against the Provisions of any of the third, fourth, and fifth recited Acts, or of this Act, or against the Rules, Regulations, Orders, and Bye Laws made or to be made in pursuance of any of the said Acts, may be proceeded against before the Judge in the Court of Police at the Instance of the Procurator Fiscal of the said Court, in the same Way and Manner as if the Offence charged had been an Offence against the Provisions of "The *Edinburgh* Police Act, 1848," or before the Sheriff, or before One or more of the Magistrates at the Instance of the Procurators Fiscal of the Sheriff or Burgh Courts respectively, and that in a summary Manner; and it shall be lawful to the said Judge of Police, Sheriff, or Magistrates to subject the Offender in a Penalty not exceeding that imposed or allowed to be imposed by the said Three recited Acts or by this Act in respect of the Offence charged, and, in the event of such Penalty not being immediately paid, to commit the Offender to the Prison of *Edinburgh*, there to remain until the same shall be paid: Provided always, that no Offender shall be imprisoned for more than Twenty-one Days where the Penalty shall not exceed Forty Shillings, nor for more than Sixty Days where the Penalty shall exceed that Amount: Provided also, that no Person shall be liable to the Payment of any Penalty imposed by virtue of this Act, or the Acts third, fourth, and fifth before recited, unless Complaint shall have been made within Six Months next after the Commission of the Offence charged.

XXXIII. And

Interpretation of Terms.

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

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

Words importing the Masculine Gender shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "City" shall mean the City of *Edinburgh*:

The Word "Magistrates" shall mean the Magistrates of the City of *Edinburgh*, and shall include the Lord Provost and Bailies:

The Words "Magistrates and Council" shall mean the Magistrates, including the Lord Provost and Bailies, and the Councillors of the City of *Edinburgh*:

The Word "Sheriff" shall mean the Sheriff of the County of *Edinburgh*, and shall include his Substitutes, excepting in those Cases where, in Matters of Difference or Objection, his Decision is declared to be final and conclusive, in which Cases the Word "Sheriff" shall not include his Substitutes:

The Words "Bounds of Police" shall mean the Bounds of Police of the City of *Edinburgh*, and include the said Bounds as they may be hereafter extended or altered:

The Word "Cattle" shall include any Bull, Segg, Ox, Cow, Heifer, Calf, Sheep, Lamb, Stag, Deer, or Swine:

The Words "Slaughter Houses" shall include all Booths, Sheds, and other Buildings, and Accesses and Appurtenances, that may be necessary or convenient for such Slaughter-houses.

Expense of this Act.

XXXIV. And be it enacted, That the Expense of preparing, applying for, and obtaining this Act, and incident thereto, shall be paid by the Magistrates and Council, in the first instance, out of the first and readiest of the Municipal Revenues of the City, and eventually out of the Monies which may be raised by virtue of this Act.

Public Act.

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

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE (A.)

I.—*Bond and Assignation.*

By virtue of "The Edinburgh Slaughter-houses Act, 1850," the Lord Provost, Magistrates, and Council of Edinburgh, in consideration of the Sum of [*here insert the Sum in Words*] advanced to them by [*here insert the Creditor's Name and Designation*], for the Purposes of the said Act, do hereby bind and oblige themselves and their Successors in Office, out of the Monies to be raised by virtue of the said Act, to pay to the said [*Creditor's Name*], his Executors or Assignees, the said Sum of [*insert the Sum*], and that in Terms of the said Act, with the Interest thereof at the Terms of Whitsunday and Martinmas, and for his Security the Lord Provost, Magistrates, and Council hereby assign to the said [*Creditor's Name*] all and whole the Lands purchased and the Slaughter-houses erected or to be erected by virtue of the said Act, and the whole Dues and others thereby authorized to be levied, or declared to form Part of the Revenues of the said Slaughter-houses, including the permanent Annuity payable to the Lord Provost, Magistrates, and Council, in Terms of said Act, with and under the Conditions and Provisions in the said Act contained. In witness whereof [*here insert a Testing Clause, according to the Forms of the Law of Scotland*].

II.—*Assignation or Transfer.*

I [*here insert the Name and Designation of the Granter of the Assignation or Transfer*], in consideration of the Sum of [*insert Sum received*], paid to me by [*insert Name and Designation of the Party to whom the Assignation or Transfer is to be made*], and in virtue of "The Edinburgh Slaughter-houses Act, 1850," do hereby assign and transfer to the said [*Name of the Party to whom the Assignation or Transfer is to be made*] all my Right and Interest in a Bond and Assignation, dated the Day of granted by the Lord Provost, Magistrates, and Council of the City of Edinburgh in my Favour [*or in favour of the original Lender, as the Case may be, mentioning the intermediate Assignee or Assignees*], under the Provisions of the said Act, together with the whole Interest due and to become due thereon. In witness whereof [*here insert a Testing Clause, according to the Forms of the Law of Scotland*].

SCHEDULE (B.)

Dues to be levied on all Cattle brought to the Slaughter-houses to be slaughtered.

If brought by a Flesher renting a Booth:
On each Bull, Segg, Ox, Cow, or Heifer, Sixpence:
On each Sow, Hog, Boar, or Pig, Three-pence:
On each Calf, Three-pence:
On each Sheep or Lamb, One Penny:
On each Stag or Deer, Three-pence.

If brought by a Flesher not renting a Booth:
On each Bull, Segg, Ox, Cow, or Heifer, One Shilling:
On each Sow, Hog, Boar, or Pig, Sixpence:
On each Calf, Sixpence:
On each Sheep or Lamb, Two-pence:
On each Stag or Deer, Sixpence.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1850.