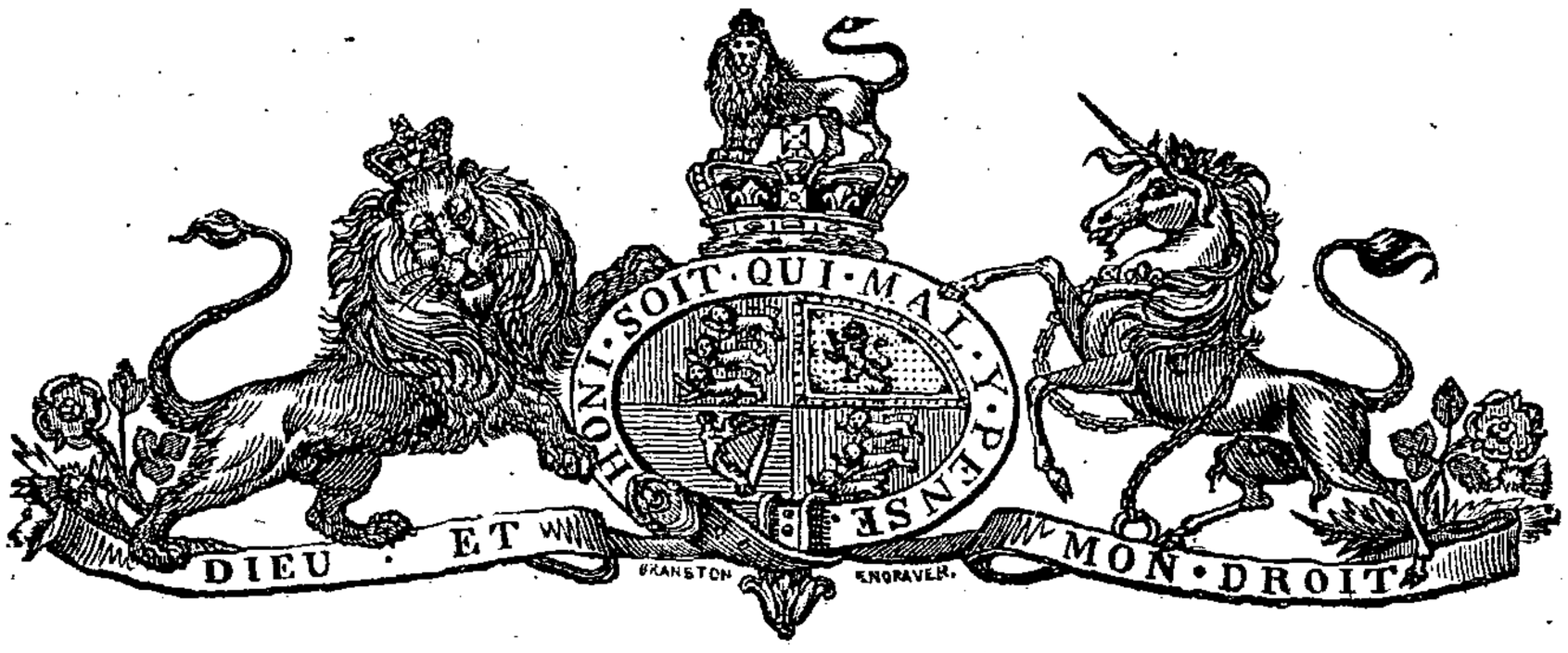


ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

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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and by Authority of the same, That from and after the passing of this Act the aforesaid recited Acts shall be repealed, excepting in as far as any previous Acts are thereby repealed.

Recited Acts repealed.

The Act 3 & 4 W. 4. c. 46. not to apply to this Act.

II. And be it enacted, That the Act passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable Burghs in* Scotland *to establish a general System of Police*, shall not extend to, and the Operation of the same is hereby expressly excluded from, the Limits of this Act.

Property acquired by Commissioners or Trustees under recited Acts vested in the Commissioners under this Act.

III. And be it enacted, That all the Real and Personal Estate acquired by the Commissioners acting under the Authority of the said recited Acts, which shall be in their Possession or under their Control at the Date of the passing of this Act, and all Debts due to the Commissioners, and all the Rates, Assessments, and Monies, Fines, and Penalties owing under the Authority of the said recited Acts, and all the Arrears of the same, shall be vested in the Commissioners of Police for the Barony of *Gorbals* herein appointed; and such Debts, Rates, Assessments, Fines, and Penalties, and Arrears thereof, shall be payable to the last-mentioned Commissioners; and all Bonds, Securities for Money, Conveyances, Contracts, and Agreements made and entered into by the Commissioners under the said recited Acts to or with any Person, according to the Provisions and Conditions of the said recited Acts, shall remain in full Force and Effect, and be and continue valid in Law and available in all Courts, until the same are fully paid and satisfied, performed, and discharged; and the same shall be charged and chargeable upon the Rates and Assessments to be levied, and the Sums to be borrowed under the Authority of this Act; and all Bonds, Securities for Money, Conveyances, Contracts, and Agreements made or entered into by any Person to or with the Commissioners under the said recited Acts shall remain in full Force and Effect, and shall be and continue available to and in favour of the Commissioners appointed under this Act, until the same are fully satisfied and performed.

Limits of this Act.

IV. And be it enacted, That the Powers and Provisions of this Act, including the judicial Powers or Jurisdiction of the Magistrates of the Barony of *Gorbals*, and of the Court of Birleymen or Dean of Guild Court of the said Barony, shall extend to and over, and comprehend the whole Grounds and Buildings situate on the South Side of the River *Clyde*, and within the Limits of the Parliamentary Franchise Boundaries of the City of *Glasgow*.

Board of Commissioners appointed.

V. And be it enacted, That the Magistrates of the Barony of *Gorbals* for the Time being shall, *ex officiis*, be Commissioners under this Act, and shall, along with the Commissioners of Wards hereinafter mentioned, be and form a Board of Commissioners for carrying this Act into execution, under the Name and Style of the Commissioners of Police of the Barony of *Gorbals*; and the Commissioners

shall be vested with the whole Powers known to belong to the Office of Constable by the Law of *Scotland*.

First Commissioners.

VI. And be it enacted, That the Commissioners of Wards elected under the said recited Act of the Seventh Year of His Majesty King *William* the Fourth, and in Office at the passing of this Act, shall (along with the Magistrates of the Barony of *Gorbals*) be the first Commissioners under this Act, and shall continue Commissioners until they shall respectively go out of Office by Seniority, as follows; that is to say, in the Month of *November* One thousand eight hundred and forty-three the Commissioners of Wards First, Third, Fifth, Seventh, Eleventh, and Fourteenth, and in the Month of *November* One thousand eight hundred and forty-four the Commissioners for Wards Second, Eighth, Ninth, Tenth, Twelfth, and Thirteenth, and in the Month of *November* One thousand eight hundred and forty-five the Commissioners for Wards Fourth, Sixth, Fifteenth, Sixteenth, Seventeenth, and Eighteenth, shall at the said respective Periods go out of Office as being disqualified by Seniority, and other Commissioners, qualified as after mentioned, shall be elected in manner after provided to supply their Places; and in the Month of *November* annually thereafter Six of the Commissioners of Wards to be elected under this Act shall go out of Office by Rotation, according to Seniority, and other Commissioners, qualified as after mentioned, shall be elected in manner after provided to supply their Places respectively: Provided always, that the Commissioners so retiring from Office shall be held to be out of Office on the Morning of the Day of Election of their Successors, but that they may be re-elected into Office, in which Case, after being duly elected, they shall come in as junior Commissioners, in the same Way as Persons not previously in Office would be entitled to do.

Division into Wards.

VII. And be it enacted, That the Grounds and Buildings comprehended by this Act shall be divided into separate Wards, to which Commissioners shall be appointed in manner herein-after mentioned; and upon the passing of this Act the said Grounds and Buildings shall be and continue divided into the following Wards, which shall comprehend the Grounds and Buildings within the several Boundaries after specified respectively, until such Wards or Boundaries shall be altered, varied, added to, or diminished in virtue of the Powers to that Effect herein-after contained; (that is to say,)

WARD FIRST.—Bounded by the Limits of the Parliamentary Boundaries of the City of *Glasgow* lying South of the River *Clyde*, on the East and South, by the Centre of *Rose Street* on the West, and the River *Clyde* on the North:

WARD SECOND.—Bounded by the Centre of *Rose Street* upon the East, by *Crown Street* on the West, by the River *Clyde* on the North, and extending Southwards in the Direction of the *Blindburn*, and on a Line with the East Side of *Crown Street* aforesaid to the Limits of the Parliamentary Boundary of the City of *Glasgow* on the South:

WARD THIRD.—Bounded by *Crown Street* upon the East, by *Thistle Street* upon the West, by the River *Clyde* upon the North, and extending Southwards in a Line with *Crown Street* and

and *Thistle Street* aforesaid to the Limits of the Parliamentary Boundary of the City of *Glasgow* on the South:

WARD FOURTH.—Bounded by *Thistle Street* on the East, by *Hospital Street* on the West, by the River *Clyde* on the North, and extending Southwards in a Line with the East Side of *Thistle Street*, and West Side of *Hospital Street* to the Limits of the Parliamentary Boundary of the City of *Glasgow*:

WARD FIFTH.—Bounded by *Hospital Street* upon the East, by the Boundary of the Parish of *Gorbals Proper* on the West, by the River *Clyde* on the North, and by *Rutherglen Loan* on the South:

WARD SIXTH.—Bounded by the Fifth Ward last above described on the East, by the Main Street on the West, by the River *Clyde* on the North, and by *Rutherglen Loan* on the South:

WARD SEVENTH.—Bounded by the Continuation of *Hospital Street* aforesaid upon the East, by the Main Street and its Continuation Southwards on the West, by *Rutherglen Loan* on the North, and by the Limits of the Parliamentary Boundary of the City of *Glasgow* on the South:

WARD EIGHTH.—Bounded by the Main Street on the East, by the Boundary of the Parish of *Gorbals Proper* towards *Laurieston* on the West, by the River *Clyde* on the North, and by *Paisley Loan* on the South:

WARD NINTH.—Bounded by the Main Street upon the East, by the Continuation of *Nicolson Street* in *Laurieston*, called *Warwick Street*, on the West, by *Paisley Loan* and *Norfolk Street* on the North, and by *Bedford Street* and *Bedford Lane* on the South:

WARD TENTH.—Bounded by the Parish of *Gorbals Proper* on the East, by *Portland Street* on the West, by the River *Clyde* on the North, and by *Norfolk Street* on the South:

WARD ELEVENTH.—Bounded by *Warwick Street* Southwards to *Bedford Street* on the East, thence by *Bedford Street* and *Lane* on the North, thence by the *Pollokshaws Road* on the East and South-east, by *Portland Street* on the West, by *Norfolk Street* on the North, and extending Southwards in a direct Line with the East Side of *Portland Street* till it reaches the Limits of the Parliamentary Boundary of the City of *Glasgow*:

WARD TWELFTH.—Bounded by *Portland Street* on the East, by *Bridge Street* on the West, by the River *Clyde* on the North, and by *Norfolk Street* on the South:

WARD THIRTEENTH.—Bounded by *Portland Street* on the East, by *Eglinton Street* on the West, by *Norfolk Street* on the North, and running out Southwards in a straight Line with the East Side of *Portland Street*, and with the Middle of *Eglinton Street*, till it reaches the Limits of the Parliamentary Boundary of the City of *Glasgow*;

WARD FOURTEENTH.—Bounded by *Bridge Street* and *Eglinton Street* on the East, by *Commerce Street* on the West, by the River *Clyde* on the North, and extending Southwards in a Line with *Eglinton Street* and *Commerce Street* to the Limits of the Parliamentary Boundary of the City of *Glasgow* on the South:

WARD FIFTEENTH.—Bounded by *Commerce Street* on the East, by *Centre Street* and *Pitt Street* on the West, by the River *Clyde* on the North, and extending Southwards in a Line with *Commerce Street* and *Pitt Street* to the Limits of the Parliamentary Boundary of the City of *Glasgow*:

WARD SIXTEENTH.—Bounded by *Centre Street* and *Pitt Street* aforesaid on the East, by *Dale Street* on the West, by the River *Clyde* on the North, and extending Southwards in a Line with *Pitt Street* and *Dale Street* to the Limits of the Parliamentary Boundary of the City of *Glasgow*:

WARD SEVENTEENTH.—Bounded by *Dale Street* on the East, by *West Street* on the West, by the River *Clyde* on the North, and extending Southwards in a straight Line with *Dale Street* and *West Street* to the Limits of the Parliamentary Boundary of the City of *Glasgow*:

WARD EIGHTEENTH.—Bounded by *West Street* on the East, the River *Clyde* on the North, and extending on the West and South to the Limits of the Parliamentary Boundary of the City of *Glasgow*.

Power to alter Wards.

VIII. And be it enacted, That it shall be lawful to the Commissioners to alter, vary, add to, or diminish the Wards, or any of them, or the Boundaries thereof, in such Manner as the State of the Population or other Circumstances shall from Time to Time appear to the Commissioners to require: Provided always, that any intended Alteration, Variation, Addition, or Diminution of any of the Wards or Boundaries shall be first published by printed Notices thereof, posted throughout the Limits of this Act, Fourteen Days at least before the Meeting at which such Alteration is proposed to be made.

A resident Commissioner to be appointed for each Ward.

IX. And be it enacted, That there shall be One Commissioner for each Ward, residing within his own Ward, who shall be qualified, named, and elected, and chosen in manner after mentioned: Provided always, that in the event of any Commissioner removing from the Ward to which he was elected to any other Ward within the Limits of this Act, he shall nevertheless continue to be Commissioner for the Ward for which he was elected until the General Election in the Month of *November* thereafter.

Elections, and Qualification of Electors and Commissioners.

X. And be it enacted, That the Commissioners shall be elected in the Month of *November* annually, in the Room of those going out of Office as herein provided, by a Majority of Votes of all the Male Occupiers of Dwelling Houses, Shops, Warehouses, and other Premises assessed under this Act, within the respective Wards, at Ten Pounds Sterling or upwards of yearly Rent out of and from among the said Occupiers qualified to elect as aforesaid: Provided always, that all such Electors shall have been so qualified for One Month next previous to the Day of Election of Commissioners first to happen under this Act, and previous to the Day of the annual Election of Commissioners in all future Years: Provided also, that no Elector shall be entitled to more than One Vote in each Ward in which he may be so qualified, and that in the Case of Co-partneries only

only One Vote shall be given in each Ward in respect of the Premises occupied by them therein, and which Vote may be given by any One of the Partners of such co-partnery Concerns entitled to subscribe the Company Firm.

No Person relieved from or in Arrear of Assessment to vote.

XI. And be it enacted, That no Person shall be eligible as a Commissioner, nor shall any Person be entitled to vote in the Election of Commissioners, who shall have been relieved partially or wholly from the Assessments imposed by Authority of this Act, for the Year immediately preceding, on the Ground of Inability to pay the same, or on any other Ground, or who shall be in arrear for any Part of such Assessments, and a Certificate under the Hand of the Collector shall be deemed and taken to be sufficient Evidence of such Relief or Arrears: Provided that no Person shall be deemed to be in arrear who shall have paid the Assessment for the preceding Year.

Surveyors to be appointed, and to make Survey and prepare Lists of qualified Electors.

XII. And be it enacted, That the Surveyors who shall be appointed for making up Lists of the Persons liable in Payment of the Assessments after mentioned shall, Fourteen Days previous to the first Election of Commissioners, and Fourteen Days previous to the annual Election of Commissioners in future Years, make up and deliver to the Clerk of the Commissioners, exact Lists of the Persons in the respective Wards qualified in manner aforesaid to elect or be elected Commissioners, that the same may be, as they are hereby directed to be, in the Hands of the Clerk, patent to all concerned, without any Fee for Inspection thereof, for Four Days thereafter; and upon such Lists being so lodged the Clerk shall immediately give Notice thereof, and of their lying for Inspection as aforesaid, by Advertisement in One or more of the *Glasgow* Newspapers; and if any Person shall have any Objections to make to such Lists, he shall state the same in Writing within the Period of Three Days to the Surveyor, who shall report the same to a Committee of the Commissioners, to be appointed at a Meeting prior to the Lodging of the Lists, which Committee shall, Four Days at least previous to the Election, dispose thereof as to them shall seem just; after which, the Lists, being duly certified by the Committee as being finally correct, shall be held to be conclusive of the Persons entitled to elect or be elected at the first ensuing annual Election, and also at any Elections which may take place for supplying occasional Vacancies as herein-after mentioned, until the Lists be again adjusted as aforesaid.

Qualified Electors to be convened for nominating Commissioners.

XIII. And be it enacted, That the acting Chief Magistrate shall, previous to all Elections of Commissioners, convene the qualified Electors in the several vacant Wards, at such Places and Times as he may see fit, giving Notice thereof by causing to be affixed an Intimation thereof upon the most patent Door of the Court House, and by Tuck of Drum through the said respective Wards, and also by Advertisement in any One or more of the *Glasgow* Newspapers, at least Three clear Days before the Day appointed for such Meetings; and at such Meetings the Electors, qualified as aforesaid, shall proceed to nominate and appoint Persons, qualified as afore-

aforesaid, to act as Commissioners for the said respective vacant Wards.

If Nomination not unanimous Poll to be taken if demanded.

XIV. And be it enacted, That at such Meetings the Chief Magistrate present, or in the Absence of a Magistrate the Senior Commissioner present, shall preside, and shall ascertain by a Show of Hands the Parties who are made Choice of as Commissioners for the vacant Wards, and shall declare the Election of such Parties accordingly; and if any such Election shall not be unanimous, and if a Poll shall be demanded at any such Meeting, such Magistrate or other Preses shall cause such Poll to be proceeded with in the Manner hereinafter provided: Provided always, that no Person who has not been nominated at the previous Meeting shall be capable of being voted for at the said Poll.

How Poll to be taken.

XV. And be it enacted, That when such Poll shall be demanded the acting Chief Magistrate shall for that Purpose appoint a Clerk to take charge of the same, and shall provide a Book in which the Votes shall be entered, and the said Clerk shall subscribe his Name to each Page of such Book before any Entry shall be made in the succeeding Page: Provided always, that no Poll shall be open except between the Hours of Eight in the Morning and Four in the Afternoon of the Day fixed for the Poll, and that the Expence attending the Election in the respective Wards shall be defrayed out of the Police Rates to be levied under this Act.

Poll Books to be opened and Election declared.

XVI. And be it enacted, That in all such Elections of Commissioners the Poll Books shall at the Close of the Poll be sealed up by the Persons who have presided at such Elections and taken the Polls thereat, and shall be transmitted to the acting Chief Magistrate, who, at a Meeting of the Commissioners to be called for the Purpose within the Court House or other public Building of the said Town or Barony, to be held on the first lawful Day immediately after the Poll has taken place, shall open and break the Seals, and, with the Assistance of such Persons as he may think fit to employ, cast up the Votes given, and shall declare upon whom the Election has fallen by the Majority of Votes in the said respective Wards.

Penalty on Persons unqualified voting.

XVII. And be it enacted, That in case any Person not qualified to vote in manner aforesaid shall, in the Knowledge of his not being qualified, or by personating any Elector, vote or attempt to vote at any Election, he shall forfeit and pay any Sum not exceeding Five Pounds Sterling for each Offence.

Penalty on Persons not accepting.

XVIII. And be it enacted, That in case any of the Commissioners elected or nominated and appointed in manner herein directed shall refuse or neglect to accept the Office, on being required so to do by the Commissioners, he shall forfeit the Sum of Two Pounds Sterling: Provided always, that such Forfeiture shall not be incurred by the Refusal or Neglect of any Person to accept who has previously held Office as a Commissioner for at least One Year, and that Persons who have incurred such Forfeiture shall not be liable to be com-

compelled to accept of the Office of Commissioner for Three Years thereafter.

Where Double Return or Non-acceptance, new Election to be made.

XIX. And be it enacted, That in case of a Double Return the Chief Magistrate shall within Seven Days after such Double Return advertise, in manner before directed, an Election to be made after Nomination as aforesaid, in manner before appointed, not more than Seven Days after the Publication of the Advertisements, at which Meeting the Electors present shall choose a Commissioner, qualified in manner aforesaid, for the Ward for which such Double Return shall have been made; and in case of any Vacancy occurring in the Office of a Commissioner, by Non-acceptance, Death, Resignation, or otherwise, the Commissioners shall (except as herein otherwise provided) fill up and supply such Vacancy at their next Ordinary Meeting, and the Person elected by them shall hold Office until the next annual Election in *November*.

Where Electors fail to elect.

XX. And be it enacted, That in case the Electors of any of the Wards shall refuse or neglect to elect Commissioners for the same, after any Election for such Ward shall have been advertised, and the other preliminary Steps taken in manner before directed, then and in every such Case it shall be lawful for the Board of Commissioners to nominate and appoint a Commissioner, qualified in manner before directed, for such Ward; and such Persons, when so nominated and appointed, shall have and enjoy the same Powers and Privileges as Commissioners, and shall remain the same Time in Office as if they had been chosen by the Electors of the respective Wards in the Manner herein directed; and if any Person so nominated shall refuse or neglect to accept the Office the Board shall nominate and appoint again, and so *toties quoties* until the Vacancy be supplied.

Commissioners not to be concerned in any Contract.

XXI. And be it enacted, That no Commissioner under this Act, nor any Partner in Business of any such Commissioner, shall be entitled to contract with the said Board for any Goods or Furnishings to be made or supplied, or for Work to be done to or for the said Board, or be concerned directly or indirectly in any Contract with, or participate in any Manner in the Profits of, any Work to be done for the Board, and on contravention hereof he shall not only forfeit and pay a Penalty of One hundred Pounds for each Offence, to be recovered in the same Manner as the other Penalties under this Act, but he shall also cease to be a Commissioner; and the Vacancy thereby created shall be filled up in manner hereinbefore provided in regard to occasional Vacancies occurring by Death or otherwise, and all Contracts made in contravention hereof shall be void and null.

Quarterly Meetings of Board.

XXII. And be it enacted, That Four Quarterly Meetings, which shall be called "Ordinary Meetings" of the Board of Commissioners hereby appointed, shall be held within the Police Office, or at such other Place within the Limits of this Act as shall be appointed by them, on the Second *Monday* in each of the Months of *February*, *May*, *August*, and *November* for putting this Act into execution; and that the first of such Quarterly Meetings shall be held on the first

first of the said Days that shall occur after the passing of this Act, between the Hours of Ten Forenoon and Four Afternoon; and that the Clerk of the Commissioners shall cause all the Members to be summoned to attend all future Quarterly Meetings by written or printed Summonses delivered personally or left at their usual Places of Abode at least Twenty-four Hours previous to the Time of meeting, specifying the Time and Place of such Meetings.

Special Meetings how to be called.

XXIII. And be it enacted, That it shall be in the Power of the Chief Magistrate acting for the Time, when he shall see Cause, and upon Requisition being made to him under the Hands of any Four of the Commissioners, to appoint Meetings, which shall be called "Special Meetings" of the Board of Commissioners, to be held within Forty-eight Hours of such Requisition, and to cause all the Members of the Board to be summoned to attend such Meetings in manner aforesaid, the Nature of the Business for which such Meetings are called being stated in the Requisition and in the Notices calling the Meetings.

Ordinary and Special Meetings may be adjourned.

XXIV. And be it enacted, That the Commissioners or a Majority of them present at any of such Ordinary or Special Meetings of the Board herein appointed to be held may adjourn to the same or any other Place within the Limits of this Act which they may think necessary or proper, Notice being always given to each Member of the Board in manner aforesaid of the Time and Place when and where the adjourned Meetings are to be held.

Occasional Meetings may be held.

XXV. And be it enacted, That besides the Ordinary and Special Meetings before mentioned other Meetings of the Board which shall be called "Occasional Meetings" may be held for the Purpose of ordering Payment of the Wages and Salaries of the inferior Officers and Servants appointed under this Act, for inquiring into their Conduct and Behaviour, and for reprimanding and dismissing such of them as may have acted improperly, for inquiring into the State of the Lamps, and the Conduct of those employed in lighting the same, for hearing and giving Reports of the State of the respective Wards in point of Cleanliness, and for other similar Purposes connected with the general good Order of the Police within the Limits of this Act; and such Meetings may be held upon any Days which shall be appointed by the Board or by the Chief Magistrate, all the Commissioners being always summoned to attend such Meetings as aforesaid: Provided always, that no new Rules and Regulations, and no Motions or Reports which infer a permanent Increase of Expenditure by the Board, shall be adopted, nor shall any extraordinary Business be discussed, at such Meetings.

Who to preside at Meetings.

XXVI. And be it enacted, That the Chief Magistrate present, and in his Absence a Commissioner to be chosen by the Meeting, shall preside at all Meetings of the Commissioners, and shall have a deliberative Vote, and a casting Vote in Cases of Equality, in all Matters and Questions which shall come before them, and that any Six of the Board shall be a Quorum for transacting Business; but provided that no Money shall be assessed, and that no Appointment of Superintendent,

intendent, Lieutenant, Collector, Treasurer, Surveyor, or Clerk shall be made, and that no Salaries shall be fixed at such Meetings, unless there shall be present a Majority at least of the Members of the Board who have accepted of their Offices.

Vacancies in the Board.

XXVII. And be it enacted, That notwithstanding any Vacancies in the Board, arising from Death, Resignation, or Disqualification, or any other Cause, it shall be lawful for the remaining Members of the Board to carry this Act into full Effect.

Expences at Meetings.

XXVIII. And be it enacted, That at all Meetings of the Commissioners every Commissioner present shall defray his own Expences.

Board may appoint Committees.

XXIX. And be it enacted, That it shall be lawful to the Board of Commissioners at any Ordinary or Special Meeting to appoint Committees of their own Number for carrying any of the Purposes of this Act into execution, and to prescribe the Proceedings of such Committees, and from Time to Time continue, alter, or discontinue such Committees.

Commissioners may sue or be sued in Name of Treasurer or Collector.

XXX. And be it enacted, That the Commissioners may sue and be sued in the Name of their Clerk, Treasurer, or Collector for the Time being, and no Action or Suit wherein the Commissioners shall be concerned in the Name of their Clerk, Treasurer, or Collector by virtue of this Act shall abate by the Death or Removal of any such Officer, but such Officer for the Time being shall be deemed to be the Party suing or defending in any such Action.

Power to appoint Treasurers, Clerks, and Collectors.

XXXI. And be it enacted, That the Commissioners or a Majority of them shall have Power to appoint such Treasurers, and Clerks, Collectors, and other Officers, for levying, receiving, and paying away the Monies to be raised by this Act, and for keeping their Books and Records, and for other Purposes of this Act, and also to assign suitable Salaries to the Treasurers, Clerks, Collectors, and other Officers; and the Monies so collected, as soon as they amount to Twenty Pounds, exclusive of a Sum necessary for the current Disbursements of the Establishment, shall be deposited in a Bank in *Glasgow*, and no Sum shall be drawn from such Bank without the written Consent of at least Two of the Commissioners appointed for the Purpose, and of the Collector.

Officers to find Security.

XXXII. And be it enacted, That every Treasurer, Collector, or other Officer entrusted with the Custody or Control of any Monies to be raised under Authority of this Act shall, before entering upon his Office, find Security to the Commissioners for the faithful Discharge of the Duties thereof.

Offices of Clerk and Treasurer to be separate.

XXXIII. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer, and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any

any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,) Penalty.

If any Person accept both the Office of Clerk and Treasurer:

If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer:

If any Person, being the Treasurer or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk; or act as Deputy of such Clerk, or in any Manner officiate for such Clerk:

If any such Clerk or Treasurer hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer (as the Case may be):

And any Person may sue for such Penalty in any competent Court, and shall, on Recovery thereof, be entitled to full Costs of Suit.

Minutes of the Proceedings to be kept.

XXXIV. And be it enacted, That the Commissioners shall cause the Clerks to be appointed by them to keep Books, in which shall be written Minutes of the Proceedings and Transactions of all Meetings of the Board, with an Account of the Salaries and Emoluments of the Surveyors, Superintendent of Police, Clerks, Servants, Watchmen, Collectors, and other Officers appointed by them, which Books shall at all reasonable Times be open for the Inspection of every Person contributing to the aforesaid Assessments, who may peruse the same, without Fee or Reward.

Accounts to be kept and Balance published.

XXXV. And be it enacted, That Books shall be prepared and kept by the Commissioners, or by such Persons as they shall appoint, wherein shall be fairly entered an Account of all Monies levied and paid by virtue of this Act, and how the same have been applied; and the said Books shall be regularly balanced and docqueted yearly on the Thirty-first Day of *May* immediately preceding the Election of Commissioners; the first Balance to be struck on the Thirty-first Day of *May* immediately succeeding the passing of this Act, from which a Statement of the Receipts and Disbursements for the Time preceding shall be made out and printed on or before the Thirtieth Day of *June* annually, after the Books are balanced; and a Copy thereof shall be delivered to each of the Commissioners, and lodged in the Court House and Police Office of the Barony, where such Books and Copies shall remain Six Weeks for the Inspection, without Fee or Reward, of all Persons contributing to the aforesaid Assessments, and the said Statement shall also be published once at least in any One or more of the *Glasgow* Newspapers.

Annual Account to be transmitted to the Sheriff Clerk.

XXXVI. And be it enacted, That the Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending on the Thirty-first Day of *May* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk for the Time being of the Commissioners, and shall transmit a Copy of the said Account, free

free of Charge, to the Sheriff Clerk for the County of *Lanark* on or before the Thirty-first Day of *January* then next; which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of the Sum of One Shilling for every such Inspection: Provided always, that if the Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Power to borrow Money.

XXXVII. And be it enacted, That the Commissioners may and are hereby authorized and empowered from Time to Time to borrow any Sums not exceeding in all Six thousand Pounds Sterling, including therein the Sum of Three thousand Pounds Sterling already borrowed on the Police Buildings of the Barony of *Gorbals*, for the Purpose of obtaining this Act, purchasing the Lands and others, or erecting the Buildings after mentioned, so far as necessary for Police Purposes, and to assign and convey the Police Rates hereby granted, as well as the Real Property vested in them, to any Persons from whom such Money may be borrowed, as a Security for the same.

Form of Bonds.

XXXVIII. And be it enacted, That all Bonds for Money borrowed in virtue of this Act shall be by Writing duly stamped, in which the Consideration shall be truly set forth, and may be in the Form of Schedule (A.) hereunto annexed, or to the like Effect, and shall be signed by the Treasurer or Collector for the Commissioners of Police; and before such Bonds shall be delivered to the Creditor the same shall be recorded in the Sederunt Books of the Commissioners of Police, and a Certificate of such Registration shall be endorsed on such Bonds, and signed by their Clerk, and thereafter the Creditor, his Heirs, Executors, and Assignees, shall be entitled to the full Benefit of such Bonds; and such Bonds may be effectually transferred and assigned by a Writing duly stamped, in which the Consideration shall be truly stated in the Form and Tenor of Schedule (B.) hereunto annexed: Provided always, that no Bond, or other Obligation, or Security for Money so borrowed, nor any Authority given or signed in relation thereto, in virtue of this Act, shall be held as inferring any individual or personal Responsibility or Obligation for Payment on the Part of any of the individual Members of the Board.

Power to erect Buildings.

XXXIX. And be it enacted, That the Commissioners shall have Power from Time to Time to purchase or rent Lands, and to erect Buildings thereon, or to rent Buildings, Tenements, and Apartments in such convenient Situations within the said Limits, as they shall agree upon, to be used as Police Offices, Prisons, or Watch-houses, and as Places for securing Fire Engines; as also to rent or purchase, from any Persons willing to sell or lease the same, any Piece or Pieces of Ground within the Limits of this Act, or in the Neighbourhood, not exceeding in all Five Acres, for the Purpose of a Depôt for Dung, Dust, or Ashes, and other Matters collected from the Streets and other Places, and for securing the Dung Carts and Water Butts belonging to them; as also to erect on such Lands the necessary Sheds and other Buildings for those Purposes: Provided always, that it shall be lawful for the Commissioners to sell and dispose of, by public Roup or private Sale, any Ground, Buildings, Feu Duties, or

other Subjects hereby vested in them, or which they may acquire, as shall not in their Opinion be necessary for the Purposes of this Act, and to apply the Monies to be received therefor towards the Purchase of other Grounds, or for the other Purposes of this Act.

Rights of Property to be taken in favour of the Clerk, according to prescribed Form.

XL. And be it enacted, That the Rights of all heritable Property to be acquired in the Execution of this Act by the Commissioners shall be taken to and in favour of the Clerk of the Commissioners, and his Successors in Office, and such Right shall be sufficient for vesting the Subjects so acquired in the Commissioners, and their Successors in Office; and all Contracts, Agreements, Sales, and Conveyances, or other Deeds or Writings constituting such Right, may be made by Deeds duly stamped, according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect; and such Deeds, being registered according to Law, shall be as valid and effectual as if a formal Disposition thereof had been executed, followed by Sasine duly recorded.

Commissioners may bring Actions against their Predecessors, &c.

If Actions ill-founded, Expences to be decerned.

XLI. And be it enacted, That it shall be competent to the Magistrates, or any one of them, to bring Actions against the Commissioners, and to the Commissioners for the Time being, or a Majority of them, to bring Actions against their Predecessors, before any competent Court in *Scotland*, in case such Commissioners shall have embezzled, squandered, or misapplied any of the Funds vested in them by virtue of this Act; provided that such Actions shall be commenced within Fifteen Calendar Months after the Offence prosecuted for shall be alleged to have been committed; and provided also, that in order to prevent vexatious Prosecutions the Judge before whom they are brought shall, in the event of any such Actions being ill-founded, decern against the Pursuers thereof for the whole Charges necessarily incurred in defending such Actions.

Authority to require Proprietors to causeway.

XLII. And be it enacted, That the Proprietors of Houses or other Buildings within the said Limits, fronting Streets which have not heretofore been adopted by the Trustees under the Statute Labour Acts for the Barony, and who are bound to form such Streets, shall be respectively bound to causeway the same along such Houses or other Buildings, within Two Months after being required by the Commissioners so to do, and to relay or repair the same if damaged or taken up by them for any Purpose, within Fourteen Days after being so required; and in the event of their refusing or delaying to do so after the Expiration of that Period, it shall be lawful and competent to the Magistrates, or any one of them, on the Complaint of the Superintendent of Police or Procurator Fiscal for the Time being, to ordain the same to be done at the Expence of such Proprietors, and to issue Decrees against such Proprietors for the Expence of executing such Work, and the Charges attending such Complaint.

Proprietors to form Footpaths.

XLIII. And be it enacted, That whenever any Street within the Limits of this Act has already been or shall hereafter be laid out for building Purposes, and shall have become convenient and desirable as a Thoroughfare, and such Buildings shall have been actually commenced in any Part of such Street, the Proprietors of Grounds and

Tenements fronting any such Street, or having their main or principal Entrance therefrom, shall be respectively bound to form Foot Pavements along the same, and to maintain the same in good Order and Repair to the Satisfaction of the Commissioners; and that the Foot Pavements in the same Street or Square shall be all of one Breadth, and as near as possible of the same Description, and the Breadth of the Pavements shall not exceed Ten Feet in Streets of Sixty Feet wide and upwards, Eight Feet in Streets from Fifty to Sixty Feet wide, Seven Feet in Streets from Forty to Fifty Feet wide, Five Feet in Streets from Thirty to Forty Feet wide, Four Feet in Streets from Twenty to Thirty Feet wide, and in Streets less than Twenty Feet wide the Pavements shall be laid in such Form and of such Width as the Commissioners shall see proper to appoint: Provided always, that where such Proprietors are bound by their Title Deeds to make Pavements of a certain Breadth, such Title Deeds shall regulate the Commissioners in fixing the Breadth of Pavements in these particular Streets; and it shall be in the Option of the Proprietors of such Grounds within the Limits of this Act, on which no such Buildings are erected, either to make the Foot Pavements in manner aforesaid, or to pave opposite their Properties with Whinstones, Gravel, or Engine Ashes, leaving a sufficient Curb or Border Stone, but only until the Ground shall be built upon; and such Parts of Footpaths as are opposite to Wynds, Lanes, and Cart or Carriage Entries may also, in the Option of the Proprietors, be paved with Whinstones: And provided also, that in case of any Dispute as to whether any such Street has been laid out for building Purposes, and has become convenient and desirable as a Thoroughfare, or as to whether such Buildings have actually been commenced, such Dispute shall be settled in a summary Manner by the Sheriff, whose Decision shall be final, and not subject to Review by any Superior Court; and provided further, that nothing herein contained shall be held to limit the Liability of the Trustees on any Turnpike Road to form and maintain Footways on the Side of such Road.

When Houses, &c. belong to more than One Proprietor.

XLIV. And be it enacted, That when Houses, Grounds, or Buildings belong to more Proprietors than One, liable as aforesaid to make and maintain any Street or Foot Pavement, the several Proprietors shall be bound to cause the Streets before their respective Properties to be causewayed and Footpaths to be formed, repaired, and maintained in front of their respective Properties in manner aforesaid, the Expence being defrayed by such Proprietors in proportion to the Rents of the respective Parts of the Premises belonging to each of them, as the same shall at the Time stand rated in the Rent-roll herein mentioned; and in case any Dispute or Difference shall arise among the several Proprietors of the same House or Building relative to their Proportions of such Expence, it shall be lawful for any One of the Magistrates to fix and ascertain the same according to the Rate of such Rents in the said Roll; and in case of any Difference between the Commissioners and the Proprietors of the Premises with respect to making such Streets, or making, repairing, or maintaining such Foot Pavements, or as to the Expence of the same, it shall and may be lawful for the Sheriff, on a Complaint to be made to him after

visiting the Premises, and hearing Parties concerned, to determine any such Difference, which Determination shall be final and binding on all Parties.

Tenants or Occupiers may pay Expences.

XLV. And be it enacted, That the Tenants or Occupiers of such Houses or other Buildings, in default of the Owners or Proprietors paying such Expences, are hereby authorized and required to pay the same to the Amount of the Rents payable by them respectively, and to deduct and retain out of their Rents such Sums of Money as they shall respectively have so paid.

Possessors to clean Foot Pavements.

XLVI. And be it enacted, That so long as the said Commissioners shall not judge it expedient to take the cleaning of the Foot Pavements within the Limits of this Act under their own Management, which they are hereby authorized to do if they think fit, every Person who shall possess the Shops, or, where there are no Shops, who shall inhabit the first Floor of any Dwelling House or Building fronting the Foot Pavements, shall cause the same along the front of their respective Shops and Dwelling Houses to be swept, scraped, and cleaned once every lawful Day, between the Hours of Eight and Ten in the Morning; and where there are no Occupants of the first Floor, every Person who shall possess the next inhabited Floor of any such Dwelling House or Building shall cause such Pavement, and also the Pavement in front of the Entry or Passage to such Dwelling House or Building, and also the said Entry or Passage itself, to be swept, scraped, and cleaned once every lawful Day, between the Hours of Eight and Ten; and if any such Person shall fail so to do, it shall be lawful for the Magistrates, or any One of them, to decern in a summary Manner such Person to pay any Sum not exceeding Two Shillings Sterling for each Offence; and in case any Dispute shall arise among the Occupiers of the Shops, Houses, or Property adjoining the said Foot Pavements, or the said Entries or Passages, relative to the cleaning, scraping, and sweeping the same, it shall be lawful to the Magistrates, or any One of them, to inquire into the Matter and determine the same; and that where the Possessors of Shops, or Inhabitants of the first Floors or Stories of Dwelling Houses, sweep, scrape, and clean the Foot Pavements and Entries or Passages in manner aforesaid, they shall have Relief against the Inhabitants of the upper Floors or Stories of such Houses for a Proportion of the Expence of so doing corresponding to the Rents of their respective Possessions as valued by the Surveyor under this Act, which Proportion shall, in case of Dispute, be ascertained and decerned for by the Magistrates, or any One of them.

Common Sewers and Drains to be constructed at the Expence of adjoining Proprietors.

XLVII. And be it enacted, That where common Sewers or Drains have not already been formed in any of the Streets within the Limits of this Act, it shall be competent to the Commissioners at any Meeting called for the Purpose, where at least One Half of their whole Number is present, to order and cause the same to be made, and to advance the Expence of making the same out of the Rates hereby granted, which Expence, and the Interest accruing thereon, shall be repaid to the Commissioners by the Occupiers of Houses and other Premises affected thereby, whether fronting the Streets in which

such

such common Sewers or Drains are made, or having only their main or principal Entrances therefrom, and extending backwards therefrom Fifty Feet on each Side thereof, at such Times and by such Instalments, not exceeding Sixpence *per* Pound *per Annum* on the Rents payable by them respectively, as the Commissioners shall appoint, such Occupiers of Houses and other Premises always having Recourse on their Landlords for Repayment of such Expences and Interest; provided that the respective Rentals of such Houses or other Premises shall in every Case be fixed according to the Rental ascertained by the Police Books of the Barony for the Time being.

Commissioners to cleanse Sewers.

XLVIII. And be it enacted, That it shall be lawful to the Commissioners to cleanse the common Sewers and Drains within the Police Limits of this Act, and to defray the Expences attending the same from the Police Rates hereby granted.

Streets when injured to be restored.

XLIX. And be it enacted, That if any of the Streets within the Limits of this Act shall be opened or injured by the so making or cleansing any common Sewer or Drain, the Commissioners shall restore such Street to an equally good Condition as that in which it was previously to such Operations.

Power to line Buildings.

L. And whereas the Magistrates of the said Barony have been in use, upon Report of their Birleymen or Dean of Guild Court, after inspecting the Premises and hearing Parties, to line the Front of any Houses or Buildings about to be built or rebuilt in front of the Streets, Lanes, or Passages within the said Barony; be it enacted, That it shall be lawful for the Magistrates, or any One of them, upon Complaint and Application made to them by the Commissioners, or by any individual neighbouring Proprietor, on Report of the Dean of Guild Court, to line the Fronts of any House or Building to be erected in any of the Streets, Passages, or Lanes within the Limits of this Act in such Manner as may be necessary for preserving the Regularity of the Line of Building in the Streets, Passages, or Lanes.

Power to order Removal of Obstructions under certain Penalties.

LI. And be it enacted, That it shall be lawful for the Magistrates, or any One of them, upon Application being made to them by the Commissioners, to order (after inspecting the Premises and hearing the Parties concerned) the Proprietors of Houses or other Buildings fronting any of the Streets within the said Limits to remove and take away, within a reasonable Time, Outstairs, Outshots, Buildings, Projections, Sign Posts, and other Things whatsoever which project upon or tend to obstruct the free Passage of the Streets and Foot Pavements, or which project or extend beyond the proper Line; and if, within the Time specified in such Order, the said Outstairs, Outshots, Buildings, Projections, Sign Posts, and other Things be not taken away, the Owner of the House or Building to which the same may be annexed or belong shall forfeit and pay any Sum not exceeding Ten Shillings Sterling, and so *toties quoties* for every Month after such Order during which such Outstairs, Outshots, Buildings, and other Projections shall remain; and in case any such Obstruction shall not be removed within Three Calendar Months after such Order has been intimated to such Proprietor, then it shall be lawful for the Magis-

Magistrates, or any One of them, to order the same to be removed *brevi manu;* and when such Outstairs, Outshots, Buildings, and Projections shall have been erected before the passing of this Act, the Expence attending the Removal thereof, and a reasonable Compensation for any Loss and Damage occasioned to the Proprietor, shall be defrayed from the Police Funds under this Act.

Provision as to Outstairs.

LII. And be it enacted, That where the Houses and Buildings erected on the Sides of Foot Pavements cannot have convenient Access by any other Passages than Outstairs, the Magistrates shall, on the Application of the Commissioners, order such Outstairs to be altered and narrowed in such Manner as to leave a free Passage, not less than Two Thirds of the Breadth of the Pavement opposite to such Outstairs; provided that nothing herein contained shall enable the Magistrates to charge the Proprietors of such Houses or Buildings with any Sum of Money attending the Removal or Alteration of such Outstairs, but the same shall be paid out of the Police Funds.

Ruinous Houses to be secured or taken down.

LIII. And be it enacted, That where any House or other Building, or any Part thereof, within the Limits of this Act, shall become insecure, ruinous, or in any other way dangerous to the Safety of the Inhabitants, or other Persons therein, or of Passengers or other Persons in the Neighbourhood, the Procurator Fiscal shall make Application to the Magistrates of the Barony, or to the Sheriff of the County of *Lanark*, or his Substitute, setting forth the insecure, ruinous, or dangerous Condition of such House or other Building, and the said Magistrates, or any Two of them, or the said Sheriff, as the Case may be, shall, on receiving such Application, nominate and appoint a competent Surveyor to inspect such House or other Building, or any Part thereof, in an insecure or ruinous Condition, or in any way dangerous as aforesaid, and the said Magistrates, or any Two of them, or the said Sheriff to whom such Application may have been made, and by whom the Remit has been so granted, shall order the Proprietor or Life-renter, or Agent or Factor for the Proprietor or Life-renter, or other Person receiving the Rents of such House or other Buildings, forthwith to repair and secure such House or other Buildings, or to pull down and remove the same, as the Nature of the Case may require; and failing such Order being complied with the said Magistrates, or any Two of them, or the said Sheriff, shall have Authority to repair and secure, or to pull down and remove, such House or other Building, and the Proprietor or Life-renter, or other Person aforesaid, neglecting or refusing to repair and secure, or to pull down and remove, such House or other Building, after such Order shall have been made and intimated, shall for every Day such Neglect or Refusal shall continue forfeit and pay any Sum not exceeding One Pound, besides paying the whole Expence incurred in repairing and securing, or pulling down and removing, such House or other Building as aforesaid; and if immediate Danger is apprehended to the Inhabitants of such Houses and Buildings, or to Passengers or other Persons, the said Magistrates or Sheriff respectively, or the Superintendent of Police, or Procurator Fiscal, shall be authorized to cause the Occupiers or Inmates of such Houses or

other Buildings to be removed therefrom, with their Furniture and Goods, and also, if Need be, to order the Streets in which such Houses or Buildings are situate, or Part thereof, to be shut up, and to remain shut up until the necessary Operations and Repairs shall have been made.

Houses to be built in a Line.

LIV. And be it enacted, That when any House or other Building adjoining to any Street within the Limits of this Act is taken down in order to be rebuilt it shall be lawful to the said Magistrates, or any Two of them, on the Application of the Procurator Fiscal of Court, to order the new Building to be erected in a Line with the Front Walls of the adjacent Houses, upon the Magistrates satisfying the Proprietor for the Value of the Ground so to be surrendered to the Public, as the same shall be ascertained by the Agreement of Parties, or in a summary Manner by the Sheriff.

Provision for rebuilding or selling Waste or ruinous Tenements, by Application to Magistrates or Sheriff.

LV. And whereas within the Limits of this Act there are many Houses, Buildings, and other Tenements which have become waste and ruinous or insecure, and dangerous to the Safety of the Lieges, and which, being held by Two or more Joint Proprietors, or by Two or more Persons in Life-rent and Fee respectively, cannot be rebuilt or disposed of to Advantage without the Consent of all the Parties interested therein, and the same have been frequently allowed to continue in a waste and ruinous or insecure and dangerous State, in consequence of the Parties being unable or unwilling or delaying to agree as to the Sale or Reconstruction and Distribution thereof, whereby great Loss and Inconvenience have been suffered, and public Improvement impeded: And whereas it is expedient that Relief should be afforded, and an adequate Remedy provided in such Cases; be it therefore enacted, That from and after the passing of this Act it shall be lawful to the said Magistrates, or any One of them, or the Sheriff of the County of *Lanark*, upon the Application by Petition of any Proprietor, Life-renter, or other Party interested in any Houses, Buildings, or other Tenements belonging to Two or more Joint or Co-proprietors, or to one Person in Life-rent and another in Fee, or which are divided among Two or more Proprietors holding or possessing separate Floors or Stories thereof, and which shall be pulled down for the Safety of Passengers, or which may, by Lapse of Time and natural Decay, have become ruinous, or been partially consumed by Fire, or otherwise rendered unsafe and unfit for Use or Occupation, and may have so continued for the Space of One Month before the passing of this Act, or at any Time thereafter, for One Month previous to the Date of such Application, to call all Parties interested therein before them in the usual Manner followed in their Courts respectively, and to order such Houses, Buildings, or other Tenements, with the Ground on which the same are situate, and the Closes, Areas, and other Property included within the Limits of the Subjects of which the same are a Part, to be valued, upon Oath, by not less than Three Men of Skill, who shall distinguish the Portions of Tenements and other Subjects, and the corresponding Proportions of the appraised Value which belong to the several Parties interested, and thereupon to give each Party the Option to buy and acquire from, or to sell and convey to, the others their respective Portions

of such Tenements and other Subjects, agreeably to such Valuation, or at such other Price as shall be agreed on amongst themselves, and that within a reasonable Time, not exceeding Six Weeks.

Notice to absent Parties.

LVI. And be it enacted, That in all Cases in which it shall be necessary to make Application for the Valuation and Sale as aforesaid of such Subjects, and where, owing to the Absence from this Kingdom of any One or more of the Proprietors, Life-renters, or other Parties interested therein, against whom the Application is directed, Notice of the Proceeding cannot be made to such absent Party or Parties, Intimation made of such Application to the Factor or other Person having Charge of the Property, and advertised once monthly in One *Glasgow* and One *Edinburgh* Newspaper, for Three Months successively, shall be held as equally good and sufficient as if the same had been made to the absent Proprietor, Life-renter, or other Party aforesaid.

Subjects may be ordered to be exposed for Sale.

LVII. And be it enacted, That in case any of the said Parties shall fail to take advantage of such Option within the Time so fixed, the said Magistrates or Sheriff shall be empowered to cause such Subjects to be exposed to Sale by public Auction, at a Price not being less than the appraised Value, and in case of no Offerers, to reduce the upset Price from Time to Time, and to sell the same to the highest Bidder, under such Regulations and upon such Conditions, and after such public Notice by Advertisement in the Newspapers, or otherwise, as the said Magistrates or Sheriff shall appoint; and the Purchaser or Purchasers thereof shall be taken bound within Ten Days after the Sale, or within such Time as may be fixed by the said Magistrates or Sheriff, to consign or deposit the whole Amount of the Purchase Money in One of the chartered Banks in *Glasgow*, upon a Receipt or Voucher, subject to the Orders of the Court, otherwise the Sale shall be void and null, and the Money so deposited shall remain at Interest for the Behoof of all Parties interested therein, under the sole Control, and subject to the future Orders, of the Court.

Possession may be given to Purchaser.

LVIII. And be it enacted, That upon such Deposit being so made the Magistrates or Sheriff shall pronounce a Decree or Warrant, declaring the Purchase duly completed, and authorizing immediate Possession of the Subjects so sold, to be given to the Purchaser thereof, and such Warrant or Decree shall, upon being registered in the Register of Sasines in which the prior Titles of such Subjects may have been registered, be a valid and sufficient Title to such Purchaser, who shall thereafter be at full Liberty to exercise every lawful Right of Property therein, without being subject to challenge by any Party whomsoever.

Subjects may be re-exposed in case of Purchaser failing to perform Conditions of Sale.

LIX. And be it enacted, That in case the Purchaser at such Sale as aforesaid shall fail to fulful the Conditions thereof, within the Time thereby prescribed, it shall be lawful to the said Magistrates or Sheriff to cause the said Subjects to be re-exposed and sold of new, and such Sale shall be proceeded in, in every respect, in like Manner as is herein-before provided in regard to the first Sale, and the Magistrates

trates or Sheriff shall continue, in case of Failure as aforesaid, to re-expose the said Subjects for Sale until the same shall be sold, and the Price thereof consigned or deposited in Bank as aforesaid.

Extent or Value of Shares or Proportions to be fixed and divided.

LX. And be it enacted, That upon the Completion of such Sale the Magistrates or Sheriff, on the Application of any of the Parties concerned, shall upon such legal Evidence, by Writing, Witnesses, Oath of Party, or Report of skilled Persons upon Oath, or otherwise as may appear necessary, proceed to ascertain and determine the Extent and Value of the Share of each Party claiming Interest in the Tenements and other Subjects so sold, and to apportion and divide the Price obtained by the same, and deposited as aforesaid, and order Payment thereof to the several Parties accordingly, subject always to such Finding or Order in respect of Costs as the Court may pronounce.

Deposits of Building Materials to be fenced in and lighted.

LXI. And be it enacted, That in case any Stones, Rubbish, or Building Materials, or Sheds for Masons or other Workmen, shall be placed or formed upon, or any Hole or Opening shall be made in or adjoining any of the Streets, within the Limits of this Act, for the Purpose of building, making Wells or Drains, laying Pipes, or for any other Purposes, the Persons making or causing to be made such Deposits, Sheds, Holes, or Openings shall give written Notice thereof to the Commissioner of the Ward where such Operations are intended to take place, or to the Superintendent of Police, Twenty-four Hours at the least previous to the Commencement of such Operations; and such Persons, and the Persons employed or concerned therein, shall, at their own Expence, cause a sufficient Rail or Fence to be put round such Deposits, Sheds, Holes, or Openings, and shall also cause Lamps or Lights to be affixed at or near the same, to be kept burning every Night from Sun-setting till Sun-rising; and in case any such Persons shall fail to give Notice as aforesaid, or shall refuse or neglect to fence in a sufficient Manner, and to affix and keep burning such Lamps or Lights in manner aforesaid, it shall be lawful for the Magistrates, or any One of them, to decern the Persons so failing or offending to pay any Sum not exceeding Five Pounds Sterling, and also to order such Foundations, Holes, or Openings to be fenced, and Lamps or Lights to be affixed or kept burning thereat, at the Expence of the Persons concerned or employed therein; reserving always to the Persons who may suffer Injury by such Operations or Neglect in fencing or lighting to prosecute the Defaulters for Reparation and Damages according to Law.

Buildings to be fenced in and lighted when in the Course of Erection or under Repair.

LXII. And be it enacted, That when it shall be necessary to take down or unroof any Houses or Tenements fronting the Streets within the Limits of this Act, for the Purpose of rebuilding or repairing them, or for any other Purpose, or to perform any other Work upon such Houses or Tenements, whereby Risk may arise of Stones, Slates, Timber, or any other Materials falling upon the Foot Pavements, every Person carrying on such Work shall, at his Expence, cause to be fenced round with a sufficient Rail or other Fence the Parts of the Foot Pavements opposite to such Houses or Tenements, and shall uphold and keep in proper Repair and Condition the Rails and other Fences aforesaid, and also light the same during

during the whole Time such Works are carrying on; and it shall be lawful for the Magistrates, or any One of them, to fine every Person neglecting so to do in a Sum not exceeding Two Pounds Sterling for each Day's Failure, and also to order the Pavements to be fenced in at the Expence of such Person, reserving to every Party who may suffer Injury through such Neglect to prosecute the Defaulters for Reparation and Damages according to Law.

Cellars, &c. underGround to be covered.

LXIII. And be it enacted, That if any Person within the Limits aforesaid shall have any Cellar or underground Room, or any Vault, Coal-hole, or Area, without a sufficient Door, Hatchway, or Flap-window, Grate, Stone, Plate, Board, or other sufficient Covering, Rail, or Fence, or shall negligently, or without a sufficient Watch or Guard, leave open or insufficiently fastened any such Hatchway or Flap-window, Grate, Stone, Plate, Board, or other Covering to any Cellar, under-ground Room, or any Vault or Coal-hole, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds; and if Danger shall be apprehended by any such Places being left open or being insecure, the Superintendent of Police, or any Officer acting under him, shall be empowered to fence and secure the same, and cause the same to be watched and guarded at the Expence of the Proprietor.

Doors or Gates not to project.

LXIV. And be it enacted, That all Doors and Gates leading to Buildings, Yards, or Grounds within the Limits aforesaid shall be so placed or formed as to open inwards, and not to project over or upon any of the Streets.

Provision in case of Chimney-stalks being in a ruinous or dangerous State.

LXV. And be it enacted, That when in consequence of Storm or otherwise Chimney-stalks or Flues, or Chimney-heads or Cans, or Rhones, Sign Boards, or any other Matter or Thing connected with or appertaining to Buildings, have become so damaged as to be dangerous to the Lieges, or to Property in the Vicinity, it shall be lawful to the Procurator Fiscal, or Superintendent of Police, on the Requisition of any Commissioner, or of any adjoining Proprietor, to require, by a Writing under his Hand, the Proprietor of the Tenement to which the same shall belong or be attached, or the Proprietor of such Sign Boards, or other Matter or Thing, to repair and secure the same within a limited Time, such as may appear reasonable, according to the Circumstances, and also forthwith to fence or fix the same so as to prevent sudden Accident; and in the event of such Proprietors not being known, or if known, residing or being at a Distance which may not admit of such Notice being given and duly attended to, it shall be lawful to the Procurator Fiscal, or Superintendent of Police, on such Requisition as aforesaid, to employ Tradesmen to fence and fix the Premises as aforesaid, and to execute the necessary Repairs as aforesaid, for the Expence of which, as ascertained by any One of the Magistrates, the Proprietor shall be responsible, and which Expence may be claimed from and paid by the Tenants, or any of them, as a preferable Debt, and deducted from the Rent payable by such Tenants, or may be sued for and recovered with full Costs of Suit from the Proprietor in the Court of the Magistrates or other competent Judge.

Roofs of Houses not to be thatched.

LXVI. And be it enacted, That no Tenement or House, within the said Limits, to be erected, unroofed, or rebuilt subsequent to the passing of this Act shall be thatched in whole or in part with Straw, Broom, or Heath, or covered with Tar, Pitch, or Paper.

Provision for carrying Water from Roofs of Houses.

LXVII. And be it enacted, That the Water from the Roofs of all Houses and Buildings within the Limits of this Act, fronting the public Streets, shall be conveyed in Pipes reaching to within Six Inches of the Ground, affixed to or on the Sides or Fronts of such Houses and Buildings; and the Proprietors thereof shall be obliged to make a Cut or Gutter in the Pavement from the Termination of such Pipes for carrying off the Water therefrom into the Common Sewer; and in case the Proprietors of such Houses and Buildings shall not so carry the Water from the same, then it shall be lawful for the Magistrates, or any One of them, upon Application by the Commissioners, or any Person interested, (on inspecting the Premises and hearing Parties concerned,) to decern in a summary Manner such Proprietors to pay any Sum not exceeding Five Shillings for every such Offence; and if after Conviction of any such Offence the Water from such Houses and other Buildings shall still be conveyed otherwise than in Pipes so affixed and reaching as aforesaid for the Space of One Calendar Month, then the Proprietor of every such House or Building shall pay any Sum not exceeding Ten Shillings Sterling, and so *toties quoties* for every Month after such Conviction during which the Water shall be conveyed otherwise than as aforesaid; and such Fines shall be levied and applied in manner herein-after directed, and shall be paid by the Proprietors according to the Proportions of their respective Rents, rated as after mentioned; and in case such Persons shall neglect for Two Calendar Months to convey the Water from such Houses or Buildings in manner aforesaid, it shall be lawful for the Magistrates, or any One of them, upon Application by the Commissioners or any Person interested, to order the Work necessary for conveying the Water in manner aforesaid to be done at the Expence of such Persons, and to decern against them for the Expence thereof, over and above the Penalties which they may have incurred.

In Case Floors or Stories belong to different Proprietors.

LXVIII. And be it enacted, That when the Floors or Stories of any Houses or Buildings belong to more Proprietors than One, the several Proprietors of such Houses or Buildings shall defray the Expence of making, affixing, and keeping in repair such Pipes and Cuts or Gutters in the Pavement, in proportion to the Rents of the Parts of such Houses or Buildings which belong to them respectively, as rated in the Rent Roll after mentioned; and in case any Dispute or Difference shall arise amongst the several Proprietors of the same House or Building relative to the Proportions of the aforesaid Expence, it shall be lawful for the Magistrates, or any One of them, after inspecting the Premises, and hearing the Parties concerned, by a Decree under their Hands, to determine the same according to the Rate of such Rents in the said Roll, and to decern for such Expence in manner aforesaid, and which Determination shall be final and binding on all Parties concerned.

LXIX. And

Tenants to pay Expence of conveying Water from Roofs in default of Proprietors.

LXIX. And be it enacted, That where the Tenants or Occupiers of any House or other Building shall, in default of the Proprietors paying such Expence, have been at any Expence in conveying the Water as aforesaid (which they are hereby authorized and required to do to the Amount of the yearly Rents payable by them respectively), they are hereby authorized to apply the Lead and Materials of any Pipe formerly affixed to such Houses, or the Produce thereof, towards such Expences, and to deduct the Remainder of such Expences from the next Rent due to their Landlords, who are hereby directed and required to allow the same; and in the event of such Proprietors not residing within the Limits of this Act, Notice of the Complaint or of the Order of the Magistrates being served on the Occupiers or Tenants shall be as valid and effectual as if served on the Owners or Proprietors themselves.

Power to widen Lanes, &c., and to remove decayed Buildings, &c.

LXX. And whereas a Number of the Houses in the narrow Lanes, Wynds, Thoroughfares, and other Places within the Limits of this Act are not only crowded and ill-constructed, but decayed and damp, ill-ventilated, and noxious, and it is necessary for public Health and Convenience to open up, enlarge, and extend such Lanes, Wynds, and Thoroughfares, and to form new Streets, Lanes, and Thoroughfares; be it enacted, That the Commissioners shall have Power and Authority to purchase and acquire from Persons willing to sell the same such Ground, Houses, and Buildings as may appear to them to be necessary or expedient for these Purposes, and thereupon to pull down, use, sell, or otherwise dispose of such Houses, Buildings, and Ground, so as most effectually to alter, extend, widen, or otherwise improve such Streets, Lanes, Wynds, and Thoroughfares, and to form other Streets, Lanes, or Thoroughfares in and through such Limits, and also to contract and agree with the Owners or Occupiers of any Ground or Buildings, or other Parties interested therein, for the Removal of any Projections, Encroachments, or other Obstructions, and to appropriate the Ground or Site thereof for the Improvement of the said District, and the Convenience of the Inhabitants thereof, and any Ground that shall be laid into Streets, Lanes, or Passages as aforesaid shall form Part of the public Thoroughfares, and shall be causewayed, paved, maintained, and repaired, and common Sewers formed therein, in the Manner provided by Law with respect to the other Streets, Lanes, Thoroughfares, and Sewers within such Limits.

Incapacitated Persons empowered to sell.

LXXI. And be it enacted, That after any Lands, Grounds, or Heritages shall have been contracted and agreed to be acquired by the Commissioners for the Purposes of this Act, it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Heirs of Entail, Life-renters, Husbands, Tutors, and Curators, or other Guardians, Trustees for charitable and other Purposes, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of those for whom they are Guardians or Trustees, whether Infants, Minors, Issue unborn, Lunatics, Idiots, Married Women, or other Persons, and to and for all Married Women who are or shall be seised, possessed of, or interested in their own Right,

or

or entitled to Terce or other Interest therein, and to and for all and every other Person whomsoever who is, or are, or shall be seised, possessed of, or interested in any such Lands, Grounds, or other Heritages which shall be so contracted and agreed to be acquired for the Purposes aforesaid, to sell and convey the same to and in favour of the Commissioners, on Payment of such Price, Damages, or other Consideration as may have been contracted and agreed upon between them.

Incapacitated Persons to receive Satisfaction.

LXXII. And be it enacted, That all Bodies Politic, Corporate, or Collegiate, Trustees, and other Persons herein-before capacitated to sell or convey Lands, Houses, or other Heritages, and any other Owner, and the Occupier of any Lands, Houses, or other Heritages, through, in, or upon which Improvements to be made and constructed in virtue of this Act shall be made, may accept and receive Satisfaction for the Value of such Lands, Houses, and other Heritages, and for the Damages to be sustained by making and completing the said Improvements, Alterations, and Erections in gross Sums or in Feu Duties.

When Compensation exceeds 200*l.*

LXXIII. And be it enacted, That if any Monies shall be agreed to be paid for any Lands, Houses, or other Heritages purchased, taken, or used for the Purposes of this Act, which shall belong to any Corporation, charitable Institution, Married Woman, Infant, Lunatic, or Person under any other Disability or Incapacity, or as a Compensation for Damages caused thereby, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid under the Directions and by Authority of the Court of Session into the Bank of *Scotland*, or Royal Bank of *Scotland*, or the Bank of the *British* Linen Company in *Scotland*, or the Commercial Bank of *Scotland*, or the National Bank of *Scotland*, and without Fee or Reward, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the Court of Session, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person who would have been entitled to the Rents and Profits of such Lands, Houses, or other Heritages, in the Purchase of the Land Tax, or toward the Discharge of any Debt, other Incumbrance, or Part thereof, as the Court shall authorize to be paid, affecting such Lands, Houses, or other Heritages, or affecting other Lands, Houses, or other Heritages standing settled therewith to the same or to the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the Court, in the Purchase of other Lands, Houses, or other Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Houses, or other Heritages which shall be so purchased, taken, or used as aforesaid stood settled or enacted, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchases shall be made, the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the Court, to the Person who would for the Time being have been entitled to the

Rents and Profits of the Lands, Houses, and other Heritages so hereby directed to be purchased, in case such Purchase or Settlement were made.

When under 200*l.* and above 20*l.*

LXXIV. And be it enacted, That if any Money so agreed to be paid for any Lands, Houses, or other Heritages purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, charitable Institution, or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Person for the Time being entitled to the Rents and Profits of the Lands, Houses, or other Buildings so purchased, taken, or used, or of his Guardians, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands,) be paid into one of such Banks, and shall be ordered to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option of Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the other Party (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Interest arising thereon, may be applied in any Manner herein directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court.

When under 20*l.*

LXXV. And be it enacted, That where such Money so agreed to be paid as last before mentioned shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person who would for the Time being have been entitled to the Rents and Profits of the Lands, Houses, or other Heritages so purchased, taken, or used for the Purposes of this Act, in such Manner as the Commissioners shall think fit, or in case of Infancy or Lunacy, then to his Guardian, to and for the Use and Benefit of such Person so entitled.

Party in Possession to be deemed the Owner.

LXXVI. And be it enacted, That if any Question arise respecting the Title to the Lands in respect whereof such Monies shall have been so paid or deposited as aforesaid, the Parties respectively in Possession or Receipt of the Rents of such Lands at the Time of such Lands being purchased or taken shall be deemed to have been lawfully entitled to such Lands until the contrary be shown to the Satisfaction of the Court; and unless the contrary be shown as aforesaid the Parties so in Possession, and all Parties claiming under them, or consistently with their Possession, shall be deemed entitled to the Money so deposited, and to the Dividends or Interest of the Annuities or Securities purchased therewith, and the same shall be paid and applied accordingly.

Expences of Purchases, &c. to be paid by Commissioners.

LXXVII. And be it enacted, That where by reason of any Disability or Incapacity of the Person or Corporation entitled to any Lands, Houses, or other Heritages to be purchased under the Authority of this Act the Purchase Money for the same shall be required

required to be paid into any of such Banks, and to be applied in the Purchase of the Lands, Houses, or other Heritages to be settled to the like Uses in pursuance of this Act, it shall be lawful for the Court of Session to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, and also the Costs, Charges, and Expences of the Re-investment of the Purchase or Compensation Money in other Lands, and likewise the Costs, Charges, and Expences (occasioned only by the Exercise of the Powers conferred by this Act, and not by Litigation between Claimants or otherwise,) of any Proceedings had as herein-before authorized for the Investment of such Purchase or Compensation Money, together with the necessary Costs and Charges of obtaining the proper Orders for such Purposes, to be paid by the Commissioners, who shall from Time to Time pay such Sum of Money for such Purposes as the Court shall direct.

Power to light Streets, &c.

LXXVIII. And be it enacted, That it shall be lawful for the Commissioners to direct and cause the several Streets within the Limits of this Act to be lighted, in such Manner and Form as they shall think proper, with Oil or Gas, or otherwise, and to contract with any Company or any other Persons for that Purpose; and also to order Lamp Irons and Lamps to be fixed on the Walls of Houses and other Buildings on the Sides of Streets, or on the Curb Stones or Railings along the Sides of the Streets, and from Time to Time to alter and remove the same; provided that the Commissioners shall not lay or continue any Lamp, Lamp Iron, Pipe, or other Work against or through any private Building, Enclosure, or Land, except with the Consent of the Owner and Occupier thereof.

Power to light private Courts, &c. on Application and at the Expence of Parties.

LXXIX. And be it enacted, That where there are any private Courts, Passages, or Closses within the foresaid Limits, in which the Commissioners shall not consider it expedient to erect and light Lamps as aforesaid from the Funds herein authorized to be levied, it shall be lawful to them, on the Application of any Persons Inhabitants in such Courts, Passages, or Closses, whose Assessment shall amount to One Half of the whole Assessment levied from the Inhabitants of such Courts, Passages, or Closses respectively, to place, erect, and light in such Courts, Passages, or Closses such a Number of Lamps as may be necessary from Time to Time, at the Expence of the whole Inhabitants therein, who shall contribute to the said Expences in proportion to the Amount of the Assessment payable by them respectively; and such Expence shall be recovered by the Collectors or Treasurers to be appointed as aforesaid, at such Times and in such Proportions as the Commissioners shall direct, and in the same summary Manner as is herein provided with regard to the Recovery of the Assessments authorized to be levied under this Act: Provided always, that where any of the Inhabitants shall not be assessable, in consequence of the Under-rent of their Premises, their Proportions of such Expence shall be payable by and leviable from the Landlords of such Premises, according to the actual Rents thereof.

LXXX. And

Penalty for injuring Lamps, &c.

LXXX. And be it enacted, That if any Person shall take away, or wilfully break or throw down, any Lamps which now are or hereafter shall be set up within the Limits of this Act, or shall wilfully extinguish the Lights within the same, or damage the Irons or Appurtenances thereof, it shall be lawful for any Person who shall see such Offence committed to seize, and also for any Person to assist in seizing, the Offender, and by the Authority of this Act, without any other Warrant, to convey and deliver such Offender into the Custody of a Peace Officer in order to be secured and conveyed before the Magistrates; and if the Party accused of such Offence, whether apprehended as aforesaid, or afterwards cited for the same, shall be convicted thereof, either by his own Confession or by legal Evidence, such Offender shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds Sterling, and moreover shall make Satisfaction for the Damage done; and in case such Offender shall not immediately upon Conviction pay such Forfeiture and make such Satisfaction, it shall be lawful for any One of the Magistrates to commit him to the common Gaol or Bridewell, there to remain for a Space not exceeding Two Calendar Months; and such Offender shall not be discharged before the Expiration of the Time for which he is committed, unless such Forfeiture and Satisfaction be sooner paid and given.

Provision as to accidental Injuries.

LXXXI. And be it enacted, That in case any Person shall accidentally break, throw down, or damage any of the Lamps, or the Irons or Appurtenances thereof, it shall and may be lawful for any One of the Magistrates to award such Sum of Money by way of Satisfaction for such Damages as he may think reasonable; provided the Sum so awarded shall not exceed the real Damage sustained by such Accident, besides the Expence incurred of recovering the same; and in case of Neglect or Refusal of such Person to pay such Sum of Money within Two Days after the same shall be demanded, it shall be lawful for the Magistrate, or any One of them, to cause the same to be levied by Distress or Sale of such Part of his Goods as may be sufficient for that Purpose, and the Surplus, if any, to be paid to such Person.

Fire Engines to be taken charge of by the Commissioners.

LXXXII. And be it enacted, That it shall be lawful to the said Commissioners from and after the passing of this Act, and they are hereby required, to provide and maintain a sufficient Establishment of Fire Engines, Pipes, and other Appurtenances to be used for extinguishing Fires, and to take Charge and Management of the same, and to apply the same for the Use and the Benefit of the Inhabitants within the Limits of this Act, and beyond the same, as herein-after provided, or to contract and agree with any Persons or Bodies for the providing and maintaining in whole or in part such efficient Establishment as aforesaid; and the Superintendent of Fire Engines to be appointed as aforesaid shall take the Charge of the said Engines, Pipes, and other Appurtenances, and he shall appoint such Number of active Men as the said Commissioners shall think fit and expedient for working the same in a proper Manner, and for assisting in extinguishing Fires which may happen within said Limits; and the said Commissioners may make such Rules and Regulations for

for the said Persons as to them shall seem proper; and the Expence of keeping and maintaining the said Engines, Pipes, and Appurtenances, and paying the said Superintendent and Firemen, so far as not contributed in the Manner herein-after provided, may be defrayed from the Funds levied by Assessment for Police Purposes by virtue of this Act.

Proprietors of Premises taking fire to pay a Sum not exceeding 15*l.* for Expences.

LXXXIII. And be it enacted, That from and after the passing of this Act the Proprietor or Occupier of any Dwelling House, Shop, Warehouse, or other House or Tenement, or of any Timber or other Yard, or other Premises or Place within the Limits of this Act, in which Fire breaks out or takes place, shall pay to the Collector or Treasurer to be appointed under this Act a Sum of Money not exceeding Fifteen Pounds Sterling, to be expended under the Direction of the Commissioners in paying Premiums or Wages to the Firemen and other Persons who shall have assisted in extinguishing such Fire, and in defraying the other Expences necessarily incurred by bringing to the Spot Fire Engines and a Supply of Water or otherwise: Provided always, that where the actual Expences incurred do not amount to Thirty Pounds, only One Half of the actual Expences shall be charged, and in no Case any higher Sum than Fifteen Pounds.

Commissioners to provide Fire Engines, &c. for Fires beyond Limits.

LXXXIV. And be it enacted, That it shall be lawful to the said Commissioners to purchase and provide such additional Fire Engines and other Implements and Apparatus as they may think necessary to enable them to render Assistance in extinguishing Fires occurring beyond the Limits of this Act, having regard at the same Time to the Security and due Protection of the Inhabitants within such Limits; and they are hereby required to allow the Whole or any Part of the Engines and Apparatus under their Charge, with the proper Number of Firemen, to be sent to any Part within the Parliamentary Burgh of *Glasgow*, for the Purpose of extinguishing Fire; and it shall be lawful to the said Commissioners to permit such Engines and Apparatus, with the proper Number of Firemen, to be sent beyond the said Parliamentary Boundary for the Purpose aforesaid, upon Application made to the said Commissioners or any Officer or Person in charge thereof, by or on behalf of any Person requiring the same: Provided always, that the Owners and Occupiers of the Property to whose Assistance such Engines and Apparatus and Firemen shall be sent shall always be bound in any or either of such Cases to defray the whole Expence that may be incurred by the Use of such Engines, Apparatus, and Firemen, and also such further Sum not exceeding Twenty-five *per Cent.* upon the gross Amount of such Expence as may be deemed reasonable for the Wear and Tear of the Engines and Apparatus, and the ordinary Expence of supporting the Establishment, the Amount of which Expences shall be ascertained by Accounts thereof, signed by the said Superintendent of Fire Engines, and approved of by a Meeting of the Commissioners, or of their Committee in that Department, and docqueted and subscribed by their Chairman or Convenor, or, in case of Dispute, shall be fixed and determined by the Sheriff, whose Decision shall be final and binding upon all Parties concerned; and the same shall be recovered

vered by a summary Warrant, under the Hand of the Sheriff, upon the written or verbal Application of the Clerk or Treasurer of the Commissioners, the Owners or Occupiers of the Property where the Fire may have occurred, and all other Persons interested, being always entitled to mutual Relief against each other according to Law for the Sum so paid by them, or any of them, from whom the Commissioners may recover or receive the same; and the Commissioners shall have Power to modify such Charges when they see Cause for so doing, but the Commissioners shall not be bound to provide a larger or more extensive Fire Engine Establishment at any Time than they shall consider necesary for said Purposes beyond said Limits.

Authority to place Fire-cocks on Pipes of Water Companies.

LXXXV. And for the Purpose of rendering the said Fire Establishment efficient, be it enacted, That it shall be lawful to the Commissioners, at the Sight of the Engineer of any Water Company established for supplying Water within the said Limits, to place proper Firecocks upon the Pipes belonging to any such Company within the Limits of this Act, at such convenient Distances from each other and at such Places as may be considered proper for the Supply of the said Engines when brought into operation, the Positions of such Firecocks being first arranged by the Commissioners with the Directors of such Water Company; and in case of Difference of Opinion between them the same shall be determined by the Sheriff, whose Judgment thereon shall be final, and not subject to review.

Power to make Fire-plugs.

LXXXVI. And be it enacted, That the Commissioners may cause Fire-plugs to be made and maintained in the several public Streets within said Limits, so far as not already done, for the Purpose of affording a sufficient Supply of Water for extinguishing Fires within the said Limits.

Provision as to Chimneys on fire.

LXXXVII. And be it enacted, That when any Chimney or Funnel for conveying Smoke in any public Street within the said Limits shall be wilfully or negligently set on fire, or suffered to be set on fire, or shall take fire, the Occupier of the House or Building to which such Chimney or Funnel is attached shall forfeit and pay the Sum of Five Shillings Sterling, and such further Sum, not exceeding Ten Shillings Sterling, as any of the Magistrates shall award to the Firemen or other Persons by whom such Fire is extinguished and reported at the Police Office.

Wells may be dug and Pumps erected.

LXXXVIII. And be it enacted, That it shall be lawful for the Commissioners to cause Wells to be dug, Pipes to be laid, and Pumps to be erected in any of the Turnpike Roads, Highways, and Streets within the said Limits, which they shall think most proper and advantageous for affording an additional Supply of fresh Water for the Use of the Inhabitants.

Penalty on Persons injuring Wells.

LXXXIX. And be it enacted, That it shall be lawful for any One of the Magistrates to fine any Person who may be convicted of injuring or destroying the Wells, Pipes, or Pumps, or the Springs or Water-

Watercourses thereof, in any Sum not exceeding Five Pounds Sterling for every Offence.

Penalty on Gas Makers for corrupting Water within the Limits of this Act.

XC. And be it enacted, That if any Person making or supplying any Gas within the Limits of this Act shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water used or supplied for domestic or manufacturing Purposes within the Limits of this Act, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water, whereby the Water therein shall be fouled or corrupted, then such Person shall forfeit for every such Offence the Sum of Two hundred Pounds.

Penalty to be sued for within Twelve Months.

XCI. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any competent Court by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby: Provided always, that the said Penalty shall not be recoverable unless the same be sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Daily Penalty during the Continuance of the Offence.

XCII. And be it enacted, That in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not) the Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds (to be recovered in the like Manner) for each Day such Washing, Substance, or Thing shall be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during the Escape of Gas after Notice.

XCIII. And be it enacted, That whenever any Gas shall escape from any Pipe which shall be laid down or set up by any Person making or supplying any Gas within the Limits of this Act, such Person shall immediately after receiving Notice in Writing of any such Escape of Gas prevent such Gas from escaping; and in case such Person shall not within Twenty-four Hours next after Service of such Notice effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then he shall for every such Offence forfeit the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Service of such Notice during which the Gas shall be suffered to escape.

Not to prevent proceeding by Action against Parties offending.

XCIV. And be it enacted, That nothing herein contained shall extend to prevent any Person from proceeding by Action or otherwise against the Commissioners, or against any of their Officers, Ser-

vants,

vants, or Workmen, or any Body Politic or Corporate, or any other Person, in respect of any such Gas Works, or the Means which shall be by them used in obtaining the said Gas or inflammable Air, or in using the same, as a public or private Nuisance.

Regulations as to Lodging Houses.

XCV. And whereas the Keepers of Lodging Houses of an inferior Description for the Accommodation of Mendicants, Strangers, and other Persons for the Night, or other short Periods, allow the same to be crowded, by receiving more Lodgers than such Lodging Houses are adapted to contain, with a due Regard to Health, and allow Persons affected with Fever, and other Diseases of a contagious Nature, to remain in them till Infection has been communicated to other Lodgers, and receive other Lodgers into the Apartments and Beds from which diseased Persons have been removed, without any purifying or disinfecting Process; be it enacted, That no Keeper of such Lodging House within the Limits of this Act shall accommodate and receive such Lodgers without such House having been inspected and approved of for that Purpose by the Superintendent of Police, or some other Inspector to be appointed by the Commissioners, which Superintendent or Inspector shall have Power, from Time to Time, to fix and determine the Number of Lodgers who may be accommodated in each such Lodging House; and the Names of the Keepers of such Lodging Houses shall be recorded by the Superintendent or Inspector in a Register to be kept for the Purpose, who may order that a Ticket, containing the Number of Lodgers for which the House is registered, and any Rules or Instructions of the Commissioners regarding Health, Cleanliness, or Ventilation, to be hung up or placed in a conspicuous Part of each Room into which Lodgers are received; and Keepers of all such Lodging Houses shall at all Times give Access thereto, when required by the Superintendent or Inspector, or other Officer of Police, for the Purpose of Inspection and Inquiry, or for the Purpose of any disinfecting Process which the Magistrates, or any One of them, may order; and if any Keeper of such Lodging House shall offend against any of these Provisions he shall be liable for each such Offence in a Penalty not exceeding Two Pounds.

Keepers of such Houses to intimate Cases of Disease.

XCVI. And be it enacted, That all Keepers of such Lodging Houses shall, in the event of any Person in their respective Houses becoming ill of Fever or any other Disease, be bound to make Intimation thereof to the Superintendent of Police, or Police or District Surgeon or Inspector, in order that the Nature of the Complaint of such Person may, if he think fit, be ascertained, and that the Complaint may be treated; and the Magistrates, or any One of them, may order such Persons to be removed; and if any Lodger or other Person in such Lodging House shall have been confined to Bed for Forty-eight Hours by Illness without the Keeper of such House making Intimation as aforesaid, such Keeper shall for such Neglect be liable in a Penalty not exceeding Two Pounds.

In case of contagious or infectious Disease.

XCVII. And be it enacted, That on its being ascertained that any contagious or infectious Disease has occurred in any such Lodging House, or in any House or Apartment in any common Tenement, or in

in any narrow, densely inhabited, or ill-ventilated Situation, or in any other Place where there may be reasonable Apprehension of such Disease spreading or continuing, it shall be lawful to the Magistrates, or any One of them, to cause and direct all proper Measures to be taken, and all Matters or Things to be done, for disinfecting and cleansing of such Houses or Apartments, and for the washing and purifying of the Person and Clothes of the Inhabitants thereof, as shall appear to the Magistrates, or any One of them, to be indispensably necessary for the Preservation and Security of the Inhabitants in the Neighbourhood and others against the Danger of Contagion or Infection, unless due Precaution shall appear to have been previously taken for such Purposes by the Inhabitants of such Houses or Apartments; and in order to the Measures hereby authorized being carried into effect it shall be lawful to any Officer of Police, or other Person appointed by such Magistrate, to enter into any House or Apartment, and to do, or assist in doing, all Matters and Things for the Purposes aforesaid, the Expence of which shall be chargeable against and payable by the Proprietor of the Tenement in which such House or Apartment shall be situate; and in the event of Access to such House or Apartment for such Purposes being refused, it shall be lawful to the Magistrates, or any One of them, to grant Warrant for entering such House or Apartment by Force, if necessary.

Procedure in such Cases.

XCVIII. And be it enacted, That all judicial Proceedings to be adopted for executing the foregoing Powers for the Prevention of infectious Diseases shall be conducted in a summary Form, without written Pleadings.

Power to contract with or employ Scavengers.

XCIX. And be it enacted, That it shall be lawful for the Commissioners to contract with or employ Tradesmen, Scavengers, or other Persons to cleanse and sweep the Turnpike Roads, Highways, and Streets within the Limits of this Act, and to order all Soil, Dirt, Ashes, and Filth to be immediately removed therefrom, and to collect the same into Heaps, and afterwards to carry the same to such Places as the Commissioners shall appoint, and to sell and dispose of such Soil, Dirt, Ashes, and Filth to such Persons as may be desirous to purchase the same, the Money thence arising being always applied towards the Police Purposes of this Act.

Necessaries, &c. to be erected.

C. And be it enacted, That the Commissioners are hereby authorized to build, erect, and maintain such Necessaries and other similar Conveniences, in such Situations as they shall deem proper, for the Accommodation of the Public, and to establish Regulations for such Conveniences.

Proprietors of Works to carry off Refuse, &c. under Ground.

CI. And be it enacted, That the Proprietors, Owners, or Occupiers of Distilleries, Dye Works, and all other Works within the Limits of this Act shall be obliged to carry off the Refuse or Water coming from such Works, by Drains or Sewers under Ground, properly secured and covered, until it reaches a common Sewer also under Ground; and if they refuse so to do when thereto required by the Commissioners, or any Proprietor or Inhabitant, the Magistrates, or any One of them, are hereby authorized and required to cause the same

same to be done and kept in repair at the Expence of the Owners or Occupiers of such Works, previous Notice of such Operations being always given to the Superintendent of Police, or other Persons interested therein, Twenty-four Hours at least before such Operations are intended to be commenced.

Stagnant Water and offensive Office-house, Dung-steads, &c. to be removed and discontinued.

CII. And be it enacted, That no Person shall suffer any waste or stagnant Water to remain in any Cellar or other Apartment, or on any vacant Ground belonging to or occupied by him, and that where Ash-pits, Dung-steads, Office-houses, or other similiar Erections shall be so near to any Street as to be offensive to Passengers, or so near to any Dwelling House as to be a Nuisance or Offence to the Inhabitants thereof, the same shall be removed and discontinued, or so reduced in Size, and so constructed and enclosed, as that such Offence or Nuisance may be prevented; and where such Ash-pits, Dung-steads, Office-houses, or other similar Erections are removed and discontinued as aforesaid, other and suitable Accommodation for such Purposes shall be provided in or near such Closses by or at the Expence of the Proprietors in such Closses as may require the same.

Closses to be levelled, causewayed, &c.

CIII. And be it enacted, That all Closses and Thoroughfares within the Limits aforesaid, which are not causewayed or paved by the Statute Labour Trustees of the Barony, shall be forthwith raised and formed of a proper Level, and be well and sufficiently causewayed or paved, and proper Surface Drains and Gutters shall be formed therein for carrying off Rain, Soil, or Surface Water by or at the Expence of the Proprietors of such Closses or Thoroughfares, to the Satisfaction of the Superintendent of Police, and the Causeway, Pavement, and Drains shall be kept in good Repair by and at the Expence of such Proprietors as aforesaid: Provided always, that in case any of such Proprietors shall fail to causeway, pave, or drain, or to keep the same in repair as aforesaid, it shall be lawful to the Magistrates, or any of them, to authorize the Superintendent of Police to get the same done, and to charge such Proprietors with the Expence thereof, which they shall be ordained to pay accordingly.

Proprietors to defray the Expence of paving and cleaning Closses.

CIV. And be it enacted, That the Proprietors of such last-mentioned Closses and Thoroughfares, and of Houses and Buildings therein, and of Dung-steads, Ash-pits, Office-houses, and other similar Places or Premises, shall respectively be obliged to defray the Expence of causewaying or paving and levelling such Closses or Thoroughfares, forming Drains therein, and keeping such Closses or Thoroughfares, Areas and Wastages clean, and constructing, forming, enclosing, repairing, keeping in good Condition, and cleaning out such Dung-steads, Ash-pits, Office-houses, and other similar Places or Premises; and when any such Subject shall belong to more than one Proprietor, the several Proprietors thereof shall contribute and pay such Expence in proportion to the Value of their respective Properties; and if any Dispute shall occur among such Proprietors the same shall be determined by the Magistrates, or any One of them, whose Decision shall be final and binding on the Parties: Provided always, that where any such Proprietor is by his Title Deeds or otherwise chargeable with such Expence he shall continue subject to that

Burden, and that where any Person shall be under any Engagement to clean such Closses, Thoroughfares, Areas, Wastages, Dung-steads, Ash-pits, Office-houses, and other Places, and shall fail to implement the same, he or the Factor or other Person in charge of the Property shall be liable for each Offence in a Penalty not exceeding Ten Shillings.

Provision as to Premises for collecting Rags, &c.

CV. And whereas the collecting of Rags and Bones and other offensive Substances in Houses, Shops, Cellars, and other Places in populous Districts is attended with 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 which such Articles are kept in a cleanly State to the Satisfaction of the Superintendent of Police or other Inspector who may be appointed for that Purpose, and to fumigate such Premises with Chloride of Lime, or other purifying Matter for removing offensive Smells, at least Three Times a Week, at the Sight of the Superintendent or other Inspector, or of any Person acting under them, and Access shall at all reasonable Times be given to the Superintendent or Inspector, or such other Person acting under them, for such Purpose, and any Person failing therein shall, on Conviction before any One of the Magistrates, on the Testimony of One credible Witness or other legal Evidence, forfeit a Sum not exceeding Two Pounds for each Offence; and if it shall be established before any One of the Magistrates, on the Testimony of Two Medical Practitioners or other Evidence, that the collecting or keeping of Bones or Rags or other Substances in the Vicinity of any Dwelling House, Shop, or other Place is prejudicial to the Health or Comfort of Persons residing or employed therein, it shall be lawful to any One of the Magistrates to order such Rags, Bones, or other Substances to be removed within such Time as they may see proper, and to prohibit such collecting or keeping in future under a Penalty not exceeding Five Pounds.

Dung, &c. to be removed.

CVI. And be it enacted, That every Person who shall lay or cause to be laid on any Turnpike Roads, Highways, or Streets within the said Limits any Dung, Dust, or Ashes, for the Purpose of carrying the same to adjacent Grounds, shall remove and take the same away before Twelve o'Clock of the Day on which it shall be so laid on such Roads, Highways, or Streets, from the First Day of *October* to the First Day of *April*, and before Ten of the Clock of the Day from the First Day of *April* to the First Day of *October*; and if any Dung, Dust, or Ashes shall be allowed to remain on any Part of such Roads, Highways, or Streets after the said Hours, it shall be lawful for the Magistrates, or any One of them, to decern the Person so offending to pay any Sum not exceeding Five Shillings Sterling for such Offence, and that over and above the Forfeiture of the Dung, Dust, or Ashes which shall be removed by the Police to the public Dung-steads, and afterwards sold, and the Price applied in the same Manner as the Penalty.

Penalty for emptying Slaughter-houses, &c., but at certain Hours.

CVII. And be it enacted, That if any Person shall hereafter empty or cause to be emptied any Slaughter-house, Privy, or Necessary within the said Limits, or cause to be carried any of the Soil thereof, or any other offensive Substances, through any of the Streets or public

public Passages and Places within the said Limits at any Time of the Year between First *April* and First *October*, except between the Hours of Eleven of the Clock in the Evening and Seven of the Clock in the Morning, or at any Time of the Year between First *October* and First *April*, except between the Hours of Eleven of the Clock in the Evening and Nine of the Clock in the Morning, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Two Pounds: Provided always, that nothing herein contained shall extend to prevent the carrying or causing to be carried off any Ashes, Dung, or other Manure (except Nightsoil), for the Purpose of manuring or being spread on the Lands or Grounds of any Person, through such Streets and other public Passages and Places at any Hour or at any Time whatever.

Persons wheeling Dung, &c. to clean Closses and Streets.

CVIII. And be it enacted, That the Persons employed in carrying or wheeling such Dung, Dust, or Ashes to the Streets shall be obliged to sweep, scrape, and cleanse the Closses, Foot Pavements, and Streets through, over, or upon which the Dung shall have been carried, wheeled, or placed, immediately after they shall have finished their Work, under a Penalty not exceeding Five Shillings Sterling for each Offence.

Removal of Swine in certain Cases, &c.

CIX. And be it enacted, That it shall be lawful to any One of the Magistrates to order Swine to be removed within a limited Time from any Place within the Limits of this Act, where they are a Nuisance or Annoyance to any Person residing or occupying any House, Shop, or other Premises in the Neighbourhood thereof; and if such Swine are not removed from such Place within such Time limited, or if any Person shall breed, feed, or keep Swine within any Dwelling House, or any Room, Vault, or Cellar thereof within the Limits of this Act, or shall suffer Swine belonging to him or under his Charge to stray or go about in any Street, Thoroughfare, or public Place within such Limits, every Person so offending shall for such Offence forfeit a Sum not exceeding Twenty Shillings, and shall also forfeit such Swine; and it shall be lawful to the Superintendent, or any of the other Officers of Police and their Assistants, to seize and carry away such Swine, and after Conviction by a Magistrate, declaring the same to be forfeited, to sell the same; and the Price thereof shall be applied in the same Manner as the Penalties under this Act; and if any Swine shall be kept in any Place within the said Limits, other than in any Farm-yard, Distillery, or Brewery, the Places within which they are kept shall be regularly cleansed at least every Forty-eight Hours, and Access shall be given at all reasonable Hours to the Officers of Police for the Purpose of Inspection, under the Penalty of a Sum not exceeding Twenty Shillings for each Offence.

Gates to be placed on Thoroughfares.

CX. And be it enacted, That it shall be lawful for the Commissioners to place and erect, or cause to be placed and erected, Iron Gates within or upon any such Thoroughfares, Passages, or Closses, and at such Parts thereof as they shall direct and appoint, and to cause such Gates to be locked at such Hours, and kept locked for

such Time as they shall think proper, and to be locked and opened, and the Keys thereof to be kept by the Officers, Patrol, or Watchmen on the several Stations, or by such other Persons as they shall authorize so to do; and any Person wilfully damaging or injuring any such Gate shall forfeit and pay any Sum not exceeding Five Pounds Sterling, besides making satisfaction for such Damage; and any Person locking or unlocking any such Gate without being so authorized shall forfeit and pay any Sum not exceeding Ten Shillings Sterling: Provided always, that the Inhabitants in such Thoroughfares, Passages, and Closses shall have free and uninterrupted Access at all Hours to and from their respective Possessions therein by one of the principal Streets, Roads, or Passages connected therewith.

Houses, &c. may be numbered.

CXI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the Houses, Buildings, Shops, and Warehouses in the Streets within the said Limits to be numbered, and to cause to be affixed or painted or otherwise inscribed on a conspicuous Part of any House or Building at or near the End or Corner of each Street the Name of such Street; and if any Person shall destroy, injure, obliterate, or deface any such Number or Name, or shall put up any Number or Name other than the Number or Name put up by the Commissioners, he shall for every such Offence forfeit a Sum not exceeding Two Pounds Sterling; and if and when any of such Names or Numbers shall be unavoidably defaced, in consequence of the Shop Door, Wall, or other Place on which the same is marked being new painted, or otherwise, the Proprietors or Possessors of such Shop Door or Wall shall be bound to replace the original Name or Number, in a Character easily legible, where it formerly was, or in such other conspicuous Place, to be approved of by the Commissioners, within Ten Days after the same has been so defaced, under the like Penalty for each Offence.

Inhabitants may be enumerated.

CXII. And be it enacted, That it shall be lawful for the Commissioners to cause Enumerations of the Inhabitants to be made from Time to Time and as often as they shall think expedient, and to employ proper Persons for that Purpose, to be paid from the Assessments; and all Innkeepers and Masters of Hotels, Keepers of Public Houses, Lodging Houses, and other Houses of Entertainment shall, on such Occasions, and at all other Times when required by the Commissioners, or any of the Magistrates, or any Officer or other Person acting under or by virtue of a written Order from them or either of them, give the Names and Occupations of, and otherwise describe, all Persons living in their Houses or Families, under the Penalty of forfeiting for each Refusal any Sum not exceeding One Pound Sterling, to be levied and applied in manner herein directed.

Hackney Coaches to be licensed.

CXIII. And be it enacted, That it shall be lawful for the Magistrates from Time to Time to license such Number of Hackney Coaches or Carriages, of any Kind or Description, to ply for Hire within the Limits of this Act as they shall think fit.

Licence to be in force for One Year.

CXIV. And be it enacted, That every Licence so to be granted shall be signed by Two or more of the Magistrates, and shall express the

the Number of the Hackney Coach or Carriage, and shall not include more than One Carriage so licensed, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next general licensing Meeting, in case any such general licensing Day shall be appointed by the Magistrates, as they are hereby authorized to do.

Licences to be registered.

CXV. And be it enacted, That every Licence shall be made out by the Clerk of the Magistrates, and duly entered in a Book to be provided by him for that Purpose, with the Christian and Surname, and Place of Residence, of the Person whose Coach or Carriage shall be licensed, and the Number of the Licence, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Owner, Driver, or Person attending such Coach or Carriage.

Fee on Licence.

CXVI. And be it enacted, That for every such Licence there shall be paid to the Clerk of the Magistrates the Sum of Two Shillings and Sixpence.

Licences may be suspended or revoked for Misconduct.

CXVII. And be it enacted, That any such Licence may for the Misconduct of the Owner or Driver, or Person attending such Hackney Coach or Carriage, be suspended or revoked by the Magistrates as they shall deem right.

Penalty for plying without a Licence.

CXVIII. And be it enacted, That if the Driver of any Hackney Coach or other Carriage shall be found standing or plying for Hire, or using any such Coach or other Carriage, on any Part of the Streets within the Limits of this Act, without a Licence from the Magistrates, the Owner or Driver of such Coach or other Carriage so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for refusing to pay the Fare.

CXIX. And be it enacted, That if any Person shall refuse to pay, on demand, to any Hackney Coachman or Person the regular Fare due to him for the Hire or Service of any licensed Hackney Coach or Carriage he shall be liable to a Penalty not exceeding Two Pounds.

Penalty for damaging the Coach.

CXX. And be it enacted, That if any Person shall cut, break, or injure any such Coach or Carriage such Person shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Owner of such Hackney Coach or Carriage reasonable Satisfaction for the Damage sustained by the same, and such Satisfaction shall be ascertained by the Magistrates before whom the Conviction of the Penalty takes place, and shall be recovered by the same Means as the Penalty.

Bye Laws for regulating Hackney Coaches, &c.

CXXI. And be it enacted, That for better regulating the Hackney Coaches or other Carriages to be so licensed as aforesaid it shall be lawful for the Magistrates from Time to Time to make such Bye Laws as they shall think fit, and for all or any of the following Purposes; (that is to say,)

For regulating the Conduct of the Owners and Drivers thereof respectively in their several Employments:

For regulating the Hours within which they may exercise their calling:

For regulating the Numbers of such Hackney Coaches or other Carriages:

For regulating the Number of Persons to be carried by such Coaches or other Carriages, and what Number of Horses or other Animals are to draw the same:

For fixing and altering the Stands of such Coaches or other Carriages, and the Distance to which such Hackney Coachmen or Persons attending the Carriages shall be obliged to drive, not exceeding Two Miles from the Limits of this Act:

For fixing the Rates or Fares to be paid for such Hackney Coaches:

For punishing the Misconduct of Hackney Coachmen and Persons attending such Carriages, whether in the way of Imposition by demanding or receiving more than the regular Fare, or otherwise:

And the Magistrates may, from Time to Time as they shall think fit, repeal any such Bye Laws, and make others in their Stead, provided such Bye Laws be not repugnant to the Laws of *Scotland* or the Provisions of this Act, and be signed by Three of the Magistrates, and be printed and published as herein-after mentioned.

Penalty for enforcing Bye Laws.

CXXII. And be it enacted, That it shall be lawful for the Magistrates, by the Bye Laws so to be made by them, to impose such reasonable Penalties for enforcing the better Observance thereof, as they shall think fit, not exceeding Five Pounds for any One Offence: Provided always, that such Bye Laws shall be so framed as to allow the Magistrates before whom any Penalty imposed thereby may be sought to be recovered to order the Whole or any Part of such Penalty to be recovered.

Bye Laws to be confirmed.

CXXIII. And be it enacted, That no such Bye Law shall come into operation until the same shall be allowed by the Sheriff of the County of *Lanark*; and it shall be incumbent on the said Sheriff, on the Request of the Magistrates, to examine into the Bye Laws which may be tendered to him for that Purpose, and to allow of or disallow the same, as to him may seem meet: Provided always, that no such Bye Laws shall be confirmed unless Notice of the Intention to apply for a Confirmation of the same shall have been given in One or more Newspapers of the County of *Lanark* One Month at least before the hearing of such Application; and any Party aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the Magistrates Ten Days before the hearing of such Application, may, by himself, his Attorney or Agent, be heard thereon, but not so as to allow more than One Party to be heard upon the same Matter of Objection.

A Copy of the proposed Bye Laws to be open for Inspection.

CXXIV. And be it enacted, That for One Month at least prior to any such Application for Confirmation of such Bye Laws a Copy of such proposed Bye Laws shall be kept at the principal Office of the

the Magistrates, and it shall be lawful for all Persons at all reasonable Times to inspect such Copy without Fee or Reward, and to be furnished by the Magistrates with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every Hundred Words so to be copied.

Publication of Bye Laws.

CXXV. And be it enacted, That a Copy of every such Bye Law shall be painted on Boards and affixed in the Office of the Clerk of the Magistrates, and such Boards shall be renewed from Time to Time, and shall be open to Inspection without Fee or Reward; and in case the said Clerk shall not permit the same to be inspected at all reasonable Times he shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Bye Laws to be binding on all Parties.

CXXVI. And be it enacted, That such Bye Laws, when so confirmed, published, and affixed, shall be binding upon and be observed by all Parties, and shall be sufficient to justify all Persons acting under the same.

Proof of making Publication of Bye Laws.

CXXVII. And be it enacted, That the Production of a written or printed Copy of the Bye Laws, authenticated by the Signature of the Sheriff, shall be Evidence of the Existence and due making of such Bye Laws in all Cases of Prosecution under the same, without deducing Proof of such Signature; and with respect to the Proof of the Publication of any such Bye Laws it shall be sufficient to prove that a painted Board, containing a Copy thereof, was affixed and continued in manner by this Act directed, and, in case of its afterwards being displaced or damaged, that such Board was replaced or restored as soon as conveniently might be, unless Proof be adduced by the Party complained against that such painted Board did not contain a Copy of such Bye Laws, or was not duly affixed or generally continued as directed by this Act.

Penalty for damaging Boards used for Publication of Bye Laws.

CXXVIII. And be it enacted, That if any Person shall pull down or destroy, damage or deface, any Board fixed in any Office in pursuance of this Act for the Publication of the Bye Laws of the Magistrates he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and every Person doing any such Damage shall also be liable to pay for or make good all Damage done, and the Expences occasioned thereby.

Regulations as to the Sale of Coals.

CXXIX. And be it enacted, That, except as herein otherwise provided, it shall not be lawful to any Person to sell or dispose of Coals within the Limits of this Act except by Weight; and the Commissioners shall be empowered and authorized to erect and to maintain Steelyards, Scales, or other Weighing Engines upon or adjacent to the different Turnpike Roads or Streets within or passing through the said Limits, or at any other convenient Place, for the Purposes herein mentioned, or to grant Powers to others to that Effect, and to appoint proper Persons to attend the same, with suitable Allowances for their Trouble, and to order and appoint every Cart or Waggon employed for the Carriage of Coals for Sale within the said Limits to be numbered and weighed, and recorded in a Book to be kept for

that Purpose, within the said Limits, under the Direction of the Commissioners, and the Number and Tare to be painted or inscribed on such Cart or Waggon in such Manner as the Commissioners shall direct; and such Carts and Waggons shall not be used in the Carriage of Coals for Sale until the Weight or Tare of such Cart or Waggon shall be ascertained, recorded, and inscribed as aforesaid, and shall not be afterwards altered in the Weight or Tare thereof, further than shall be occasioned by wet Roads, under a Penalty not exceeding Twenty Shillings; and every such Cart or Waggon loaded with Coals shall be weighed at the said Steelyards, Scales, or other Weighing Engines, and the Weight of the Coals marked on a Ticket to be delivered to the Driver; and it shall be lawful for the Person having the Charge of such Steelyards, Scales, or other Weighing Engines to exact from the Driver of each Cart a Sum not exceeding One Penny Sterling, for each Cart and a Half a Sum not exceeding Three Halfpence Sterling, and for each Waggon a Sum not exceeding Two-pence Sterling, to defray the Expence of erecting and keeping in repair such Steelyards, Scales, or other Weighing Engines, and for Payment of the Persons employed for weighing the Coals, and delivering the Tickets, and certifying the Weight thereon, the Money to be repaid to the Drivers by the Purchasers of the Coals; and the Property of such Steelyards, Scales, and Weighing Engines shall be vested in the Commissioners, and when the same shall have been erected by any Person under their Authority then the Property thereof shall be vested in the Persons authorized by them to erect the same.

Carters to produce Pass Tickets.

CXXX. And be it enacted, That unless the Driver of any Cart loaded with Coals shall have and produce a Pass Ticket from the Master or Hillman of the Colliery where his loading has been made, certifying that the loading is going beyond the Limits of this Act, it shall be lawful for any Officer of Police to seize such Cart or Waggon loaded with Coals within the said Limits, or within the Bounds where the respective Steelyards, Scales, or other Weighing Engines are erected, which shall not have been weighed, and to seize, forfeit, and sell the whole Coals contained in such Cart or Waggon, and to apply the Price thereof in the same Manner as the Fines imposed by virtue of this Act, but such Cart or Waggon shall be returned to the Driver.

Portable or moveable Weighing Machines may be provided.

CXXXI. And be it enacted, That it shall be lawful for the Commissioners to provide, furnish, and maintain such Number of portable or moveable Machines for weighing Coals as they may consider necessary to be kept at convenient Places, in order that the Inhabitants may have Access to them for the Purpose of re-weighing their Coals at their own Expence, if they shall be so inclined, and to employ proper Persons to attend such Machines, and to establish the Rates to be payable to them for such re-weighing as aforesaid; as also, that the Master or Superintendent of Police, the Officers acting under him, or any of the Keepers of the Weighing Machines may cause Coals offered for Sale to be re-weighed when they may think the same necessary, as a Check upon the Conduct of Carters or others, such re-weighing being always done free of Expence.

CXXXII. And

Provisions as to Cases of Fraud by Carters.

CXXXII. And be it enacted, That if the Driver of any Cart or Waggon shall, at or before the Time of weighing or re-weighing as aforesaid, knowingly have any Article, Matter, or Thing in or about such Cart or Waggon other than the proper loading thereof, or shall alter the Tare or Weight or the Ticket denoting the Weight of any such Cart or Waggon, or the loading thereof, or shall make or use, or be privy to the making or using, any false or fraudulent Ticket respecting the Weight of any such Cart, Waggon, or Loading, or shall be guilty of any other fraudulent Contrivance touching the Weight of any such Cart, Waggon, or Loading, or if by such re-weighing or otherwise it shall be discovered that any Coals have been abstracted or embezzled from such Cart or Waggon after it shall have passed the Steelyard or Weighing Machine where it was originally weighed, it shall be lawful to punish the Driver of such Cart or Waggon, or any other Person accessory to such Fraud, Abstraction, or Embezzlement, by a Fine not exceeding Five Pounds for each Offence, or by Imprisonment for a Period not exceeding Sixty Days.

To whom the foregoing Provisions shall apply.

Regulations as to Retailers.

CXXXIII. And be it enacted, That the foregoing Provisions regarding the weighing of Coals shall apply to all Dealers in Coals keeping and selling Coals within any Yard, Depôt, Cellar, or Place within the said Limits, when the Quantity sold at one Time shall exceed Five hundred Pounds Weight; and for the Purpose of ascertaining the Weight of Coals sold in smaller Quantities in such Yard, Depôt, Cellar, or Place where they may be kept, or from any Cart or Waggon from which they may be carried by such Dealer for Sale, such Dealers shall be obliged to have and keep Scales and Weights of the legal Standard within such Yard, Depôt, Cellar, or other Place so kept, and also to have such Scales and Weights attached to the Cart or Waggon used by them for the Sale of such Coals, whereby the Coals so sold by Retail may be weighed at the Time of the Sale or Delivery; and the Dealers shall be obliged to weigh the same upon being required to do so either by the Purchaser or by any Officer of Police; and any such Dealer in Coals failing to have and keep such Scales and Weights, or refusing to weigh the Coals as aforesaid, shall be subject to a Penalty not exceeding Forty Shillings for the first Offence, and Five Pounds for any subsequent Offence.

Power to adjust Beams, and Scales and Weights.

CXXXIV. And be it enacted, That the Magistrates shall be authorized to appoint a fit and proper Person to adjust all Beams and Scales, Weights and Measures, to be used within the Limits of this Act, according to the legal Imperial Standards; and it shall not be lawful for any Person to sell or dispose of any Goods or Liquids, usually sold by Weight or Measure within the said Limits, by or according to any Beams, Scales, Weights, or Measures which have not been approved of by the Person so employed, and stamped by him accordingly, under a Penalty not exceeding Five Pounds for each Offence; and the Person so employed as Stamper shall be entitled to demand from the Persons whose Beams, Scales, Weights, or Measures he may be called on to inspect and stamp the various Fees specified and contained in the Schedule of Fees subjoined to the Act of the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the Fourth and Fifth Year of His present Majesty* 5 & 6 W. 4. c. 63.

Majesty relating to Weights and Measures, and to make other Provisions instead thereof.

For preventing Fraud in the Sale of Articles disposed of as of a specified Weight.

CXXXV. And for the Purpose of preventing Fraud in the Sale of Butter, Bread, and other Articles made up in Parcels, or in Quantities representing a Pound or Half Pound, or other small specific Weight, by the same being light or deficient, be it enacted, That it shall be lawful to any Superintendent of Police, or any Inspector appointed by the Magistrates, or to any Officer of Police having Orders or Instructions to that Effect from the Magistrates, or any One of them, to try the Weight of such Parcel or Quantities of Butter, Bread, and other Articles brought within the Limits aforesaid for Sale, or sold, or exposed for Sale, in any Market Place within the said Limits; and it shall be lawful to any such Superintendent, at any Time when he shall deem it necessary or proper, or to such Inspector, or to any Officer of Police, on the Warrant of any of the Magistrates, to enter any Shop, Store, or other Premises within the Limits aforesaid, in which such Parcels or Quantities of Butter, Bread, or other Articles are sold, or exposed or kept for Sale, and to try the Weight of such Parcels or Quantities of Butter, Bread, and other Articles as may be found therein; and if upon any Trial or Examination any Parcel or Quantity shall be found light or deficient in Weight, it shall be lawful to seize the same, and to require the Person possessed thereof to appear before any of the Magistrates at the Police Office of the District or elsewhere, and in the event of Refusal, and such Person not being known as a Householder or Shopkeeper within said Limits, to convey such Person before the Magistrates, or any of them, or to the Police Office, for Examination; and it shall be lawful to the Magistrates, or any of them, on finding that any Parcel or Quantity of Butter, Bread, or other Articles so seized is light or deficient, or was so at the Time of Seizure, to declare the same forfeited for any charitable Purpose, and to fine the Person in whose Possession it has been found in a Sum not exceeding Twenty Shillings for every Article found deficient in Weight.

For preventing Fraud by light or deficient Weights.

CXXXVI. And in order to prevent Frauds by the Use of light or inadequate Weights or Measures in the Sale of Provisions, Groceries, and other Articles of Consumpt within the Limits of this Act, be it enacted, That it shall and may be lawful to any Superintendent of Police, or Inspector appointed as aforesaid, at any Time when he shall think proper to do so, or to any other Officer of Police having a Warrant from any of the Magistrates to that Effect, to enter into any Warehouse, Shop, Cellar, Store, or other Premises within the said Limits where Provisions, Groceries, and other Articles of Consumpt, or other Articles usually sold by Weight or Measure, are sold or kept for Sale by Weight or Measure, and to ascertain whether the Beams, Scales, and Weights and Measures, or any of them, are just and correct; and if it shall be found that any of such Beams and Scales, Weights or Measures, either have never been duly stamped, or at the Time are either not properly adjusted or deficient, as compared with the authorized Imperial Standard Weights or Measures, it shall be lawful to such Superintendent of Police, Inspector, or other Police Officer, or any of them, to seize the same, and to require the Person

in whose Possession or Premises the same may be found to appear before any of the Magistrates at the Police Office, or elsewhere; and it shall be lawful to any of the Magistrates, on finding any of such Beams and Scales not properly adjusted, or any of such Weights or Measures deficient, to declare the same forfeited for any charitable Purpose, and to fine the Person in whose Possession or Premises such Beams and Scales not properly adjusted, or Weights or Measures deficient, have been found, in a Sum not exceeding Five Pounds for each Beam and Scale not properly adjusted, and each Weight or Measure which may be deficient, in addition to the Fine which may be imposed on any such Person in consequence of any of such Beams and Scales, or Weights or Measures, being used or kept without being inspected and duly stamped in manner herein-before provided.

Unwholesome Meat, &c. may be seized.

CXXXVII. And be it enacted, That it shall be lawful to the Superintendent of Police, and Officers acting under him, or other Persons whom the Magistrates, or any One of them, may authorize, to apprehend and bring before the Magistrates any Person who shall sell, or expose for Sale, in any Market, Shop, Stand, or Place within the Limits of this Act any Butcher's Meat, Fish, Game, Poultry, or Fruit of an unwholesome Description, and to seize and take possession thereof; and if Two or more respectable Dealers in such Articles, or other Persons whom any One of the said Magistrates may appoint, shall, after Inspection, certify that it is unwholesome, and ought to be buried or destroyed, the Superintendent or Officers are hereby empowered immediately to cause the same to be buried or otherwise destroyed; and any Person who shall be convicted of selling, or exposing any such Articles for Sale as aforesaid, shall for each Offence be liable in a Penalty not exceeding Five Pounds, over and above the Expences of the Complaint, and the Meat, Fish, Game, Poultry, or Fruit so seized shall, if not previously buried or destroyed, be disposed of as the Magistrates, or any One of them, shall direct.

Provision as to adulterated Butter.

CXXXVIII. And whereas large Quantities of adulterated Butter, or Butter with a Mixture of Flour, Meal, Lard, or other Foreign Matter, have been imported, or brought into the said Town or Barony, and sold by the Importers, or their Agents or Servants, in the Knowledge of the same being adulterated, or having such Mixture, to Persons unaware thereof, and it is expedient to prevent the Lieges from being so imposed on or defrauded; be it enacted, That it shall be lawful to the Magistrates within the Limits of this Act, or any One of them, on the Application of the Procurator Fiscal of Court, having received Information, and having just Cause to believe that Butter so adulterated or mixed is in the Possession of any Importer thereof, Dealer therein, or of any Agent or other Person, for the Purpose of the same being so disposed of, to grant Warrant to seize such Butter; and if it shall be ascertained by chemical Analysis, or other satisfactory Examination made by Order of the Magistrates, or any of them, that the Butter so seized is adulterated or mixed as aforesaid, it shall be lawful to the Magistrates, or any One of them, to declare the same forfeited, and to fine the Importer, Agent, Dealer, or other Person possessed thereof as aforesaid in a Sum not exceeding Five Pounds for each Cask or Parcel so found.

CXXXIX. And

Penalty on Persons selling the same.

CXXXIX. And be it enacted, That if any Person shall sell any such adulterated Butter, or Butter having such Mixture as aforesaid, knowing the same to be so adulterated or mixed, to any Person not in the Knowledge thereof, such Person so offending shall for every such Offence forfeit a Penalty not exceeding Five Pounds.

Brokers to register their Names, &c. at the Police Office.

CXL. And be it enacted, That all Brokers or Dealers in Second-hand Goods, other than licensed Pawnbrokers, resident within the Barony shall be bound to register their Names, and Places of Residence and of Business, at the Police Office of the Barony, where they shall obtain a Certificate under the Hand of any One of the Magistrates of such Registration; and all such Brokers and others failing to register their Names and Places of Residence as aforesaid shall be liable in a Penalty not exceeding Five Pounds Sterling.

Brokers to produce Goods, on Demand.

CXLI. And be it enacted, That all Brokers or Dealers in Second-hand Goods or Metals of whatsoever Kind or Description, other than licensed Pawnbrokers, shall at all reasonable Times show and produce, on Demand, to the Superintendent of Police, the Officers acting under him, or other Officers authorized by the Magistrates, or any of them, every Article in their Possession, or which they may have received in Pawn or purchased; and shall also produce their Books in which the Description of any such Articles may have been entered; and as often as it shall be found that any Goods or Articles which have been stolen or fraudulently obtained shall be in the Possession of any such Persons, they are hereby required, on being informed that such Goods or Articles were stolen or fraudulently obtained, to deposit the same with the Superintendent or other superior Officer of Police, in order that they may be produced in such Manner as may be necessary for the Ends of public Justice, or restored to the proper Owner thereof; and every Person so dealing in Second-hand Articles who shall refuse to produce and show the Goods or Articles in his Possession, or the Book in which the same are described, on being required so to do as aforesaid, or who shall not instantly deliver any such Goods or Articles alleged to be stolen or fraudulently obtained as aforesaid, shall for every such Offence forfeit a Sum not exceeding Five Pounds Sterling, upon Conviction before the Magistrates, or any One of them, without Prejudice to such Persons being also proceeded against as Receivers or Resetters of stolen Goods according to Law; and in case of any such Refusal to produce and show such Goods or Articles in their Possession, or to deliver up any such Goods or Articles alleged to be stolen, it shall be lawful for any of the said Magistrates to grant a Warrant to the Superintendent of Police, the Officers acting under him, or other Officers authorized by the Magistrates, to search for and produce to the Superintendent of Police such Goods or Articles so alleged to be stolen: Provided always, that a Book shall be kept by or under the Direction of the Superintendent of Police, in which Entries shall be made of all Property seized or detained by any of the Officers of Police, or lodged with them, for Purposes of Evidence or otherwise, as well as of the Time and Manner in which such Goods shall have been afterwards disposed of.

CXLII. And

For preventing disorderly Conduct in Spirit Shops and Places of public resort.

CXLII. And be it enacted, That if any Person shall within the foresaid Limits permit any Breach of the Peace, or riotous or disorderly Conduct, within any Shop, Cellar, Room, Place of public resort, House, Office, or Premises, occupied and rented by such Person, such Person, on summary Conviction, shall forfeit and pay any Sum not exceeding Ten Pounds, and the Magistrates, or any of them, are hereby respectively authorized and empowered to ordain such Person to find Security for his good Behaviour for such Length of Time, not exceeding Twelve Months, and to such Extent, not exceeding Fifty Pounds, as they or any of them shall respectively see meet; and if any Person who is licensed to sell Ale, Beer, or spirituous Liquors shall permit such Offences within any of the aforesaid Premises, occupied by such Person for vending such Liquors, or shall knowingly permit or suffer Men or Women of notoriously bad Fame, or dissolute Boys or Girls, to assemble or meet therein, or shall suffer any drinking or tippling within the House, Office, or Premises occupied by him, or sell any Ale, Beer, or spirituous Liquors on any *Sunday* during the Hours usually appropriated to public Worship, and be convicted thereof before the Magistrates, or any of them, such Person shall forfeit and pay for each Offence any Sum not exceeding Ten Pounds, and may further be obliged to find Security for his good Behaviour, in the same Way and to the same Extent as is provided in the Cases last before mentioned; and in the event of such Security not being found within a reasonable Time, to be specified, it shall be lawful to the Magistrates, or any of them, to deprive such Person of his Licence.

Against selling Liquor to Children.

CXLIII. And be it enacted, That if any Publican or other Person licensed as aforesaid shall supply any Sort or Description of spirituous or intoxicating Liquors to any Boy or Girl under or apparently under the Age of Twelve Years if a Girl, and Fourteen Years if a Boy, to be consumed within their Shops, Cellars, Vaults, or other Premises, such Person, on being summarily convicted thereof before any of the Magistrates, may be subjected for the first Offence in a Penalty not exceeding Two Pounds, and for the second or any subsequent Offence in a Penalty not exceeding Five Pounds, and may besides, in the Case of a second or subsequent Offence, be deprived of his or their Licence.

Keepers of Houses suspected to be resorted to by Rogues, &c. may be required to report.

CXLIV. And be it enacted, That in case of Houses known or suspected to be resorted to by Rogues or Vagabonds or other such Persons, it shall be lawful to any of the Magistrates to issue a general Order to the Keepers of such Houses to report each and every Day at the Police Office, at any Hour, and to any Person to be appointed, every Person who has resorted to such Houses during the preceding Night and Day; and such general Order the Keepers of such Houses shall be bound and are hereby required to obey, under a Penalty not exceeding Twenty Shillings for each Failure or Refusal to do so.

Penalty for letting Houses, &c. to disorderly Persons.

CXLV. And be it enacted, That if any Proprietor, Factor, or other Person having the Charge of any House or Apartment within the said Limits shall knowingly let, by the Year or otherwise, such House

House or Apartments to Harbourers of Vagrants or disorderly Persons, or Persons notoriously following no lawful Employment or Occupation, or Harbourer of reputed Thieves or Prostitutes, such Proprietor, Factor, or other Person shall for each such Offence forfeit a Sum not exceeding Ten Pounds: Provided always, that in the event of any Tenant being convicted of the Offence of harbouring Persons of the above Description, or keeping House in a disorderly Manner, Intimation of such Conviction shall be given to the Landlord, or Factor, or other Persons having charge of letting the House, to found any Complaint against such Landlord, Factor, or other Person under the above Enactment; and that no such Complaint shall be sustained, unless upon Evidence by the Prosecutor of such Intimation having been delivered.

Penalty for harbouring Idlers.

CXLVI. And be it enacted, That if any Person within the Limits of this Act shall knowingly permit or suffer any Idler, Rogue, or Vagabond to lodge or take Shelter in any House, Barn, or Outhouse belonging to him, and shall not apprehend and carry such Rogue, Idler, or Vagrant before One of the Magistrates, or give Notice to some Constable or other Officer so to do, every Person so offending, upon being lawfully convicted thereof by his own Confession, or by legal Evidence before One or more of the Magistrates, shall forfeit a Sum not exceeding Two Pounds Sterling for each Offence, one Moiety thereof to be paid to the Informer, and the other to be applied to the Purposes of this Act.

Punishment of Chain-droppers, &c.

CXLVII. And be it enacted, That all Chain-droppers, Thimblers, loaded Dice Players, and other Persons of that or any other Description, who shall exhibit Implements or Articles for practising Games of Hazard to induce or entice, or who shall induce or entice, any Person to play at any Game of Hazard, or who, by any fraudulent Art or Device, shall cozen and cheat, or attempt to cozen and cheat, any Person on any of the Roads or Streets, or in any Field or open Place, or in any Waggon, Booth, or Tent, or at any Market, Fair, Race, or other public Assemblage, or in the Vicinity thereof within the Limits of this Act, shall, on being convicted under the summary Procedure authorized by this Act, and on the Testimony of One credible Witness, or other legal Evidence of any such Offence, be punished by Fine not exceeding Ten Pounds, or by Imprisonment for any Term not exceeding Sixty Days, and shall also at the same Time be ordained to repay any Money or restore any Property which he may have obtained by means of such Offence, and, failing such Payment or Restoration, may, under the same Procedure, be committed to or detained in Prison for a further Term not exceeding Sixty Days.

Prohibition against Females cleaning Windows,&c. Outside.

CXLVIII. And be it enacted, That it shall not be lawful for the Occupier of any House or other Building, or for any other Person, to order or direct, or to authorize or permit, any Female, nor shall it be lawful for any Female, to clean or paint, or perform any other Operation upon the Outside of any Window, or any House or other Building within the aforesaid Limits, by standing or sitting on the Outside of such Window, except such Window shall be in the

Sunk or Basement Story; and such Occupier or other Person who shall so order or direct, or authorize or permit, and any Female so offending of her own Accord, shall for each Offence be liable in a Penalty not exceeding Two Pounds.

Penalty for Nuisances in the Streets.

CXLIX. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who, in any Street within the Limits of this Act, shall commit any of the following Offences; (that is to say,)

Every Person who shall, to the Annoyance of the Inhabitants or Passengers, expose for Show, Hire, or Sale, except in a Market lawfully appointed for that Purpose, or feed or fodder, any Horse or other Animal; or show any Caravan or Carriage containing any Animal, or any other Show or public Entertainment; or shoe, bleed, or farry any Horse or Animal, except in Cases of Accident; or clean, dress, exercise, drain, or break, or turn loose any Horse or Animal; or clean, make, or repair any Part of any Cart or Carriage, except in Cases of Accident where Repair on the Spot is necessary:

Every Person who shall suffer to be at large any unmuzzled ferocious Dog; or set on or urge any Dog or other Animal to attack, worry, or put in fear any Person, Horse, or other Animal:

Every Person who, by Negligence or Ill-usage in driving Cattle, shall cause any Mischief to be done by such Cattle, or who shall in anywise misbehave himself in the driving, Care, or Management of such Cattle; and also every Person, not being hired or employed to drive such Cattle, who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle:

Every Person who shall slaughter any Cattle, or dress any Cattle, or any Part thereof, except in the Case of any overdriven Cattle, or which may have met with any Accident, and which it may be impossible to get to any Slaughter-house, and which the public Safety or other Circumstances may require to be killed on the Spot:

Every Person having the Care of any Waggon, Cart, or Carriage who shall ride on any Part thereof, or on the Shafts, or on any Horse or other Animal drawing the same, without having Reins, and holding the same; or who shall be at such a Distance from such Cart, Waggon, or Carriage as not to have the complete Control over every Horse or other Animal drawing the same; or shall not keep the Waggon, Cart, or Carriage to the Left or Near Side, except in case of actual Necessity, or some sufficient Reason for Deviation; or shall wilfully prevent any Person or Carriage from passing him, or any Carriage under his Care:

Every Person who shall drive any Horse or other Animal drawing any Waggon, Cart, or other such Carriage at any faster Rate than a common Walk:

Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or to the common Danger of the Passengers in any Thoroughfare:

Every Person who shall cause any public Carriage, Sledge, Truck, or Barrow, with or without Horses, to stand longer than may be necessary for loading or unloading, or for taking up or setting down

down Passengers, except Hackney Carriages standing for Hire in any Place appointed for that Purpose by the Magistrates; and every Person who, by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Horse or other Animal, shall wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any Thoroughfare:

Every Person who shall draw any Timber, Stone, or other weighty Article without the same being placed upon or suspended from a wheeled Carriage proper for that Purpose:

Every Person who shall cause any Tree or Timber to be drawn in or upon any Timber Carriage, without having to guide and direct the hind Wheels of such Carriage a Person who shall not be under the Age of Eighteen Years, and who shall be of sufficient Strength to guide and direct the same by means of a Rope or Chain attached to the Steerer thereof:

Every Person who shall lead or ride any Horse or Animal, or draw or drive any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway or Curb-stone; or fasten any Horse or other Animal so that it may stand across or upon any Footway:

Every Person who shall place or leave any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Basket, Pail, or Bucket, or place or use any Standing Place, Stool, Bench, Stall, or Showboard, on any Footway; or shall place any Blind, Shade, Covering, or Awning over or along any such Footway, unless such Blind, Shade, Covering, or Awning shall be Eight Feet in Height at least, in every Part thereof, from the Surface of such Footway, and shall extend over the whole Breadth of such Footway:

Every Person who shall place, hang up, or otherwise expose to Sale any Goods, Wares, Merchandize, Matter, or Thing whatsoever, so that the same shall project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same shall be so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway:

Every Person who shall roll or carry any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

Every Person who shall suffer any Goods or Merchandize, or any Coal or Fuel intended for any House, to remain in any Street for a longer Period than shall be necessary for the housing or removing thereof:

Every Person who shall place any Line, Cord, or Pole across any Street, or hang or place any Clothes therein, to the Danger or Obstruction of any Person:

Every Person who shall convey or carry, or cause to be conveyed or carried, the Carcase, or any Part of the Carcase, of any slaughtered Cattle, without a sufficient Cloth Covering to the same:

Every common Prostitute or Night-walker loitering or being in any Thoroughfare or public Place, for the Purpose of Prostitution or Solicitation, to the Annoyance of the Inhabitants or Passengers;

Every

Every Person who shall wilfully and indecently expose his Person:

Every Person who shall sell or distribute, or offer for Sale or Distribution, or exhibit to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sing any profane, indecent, or obscene Songs or Ballad, or write or draw any indecent or obscene Word, Figure, or Representation, or use any profane, indecent, or obscene Language, to the Annoyance of the Inhabitants or Passengers:

Every Person who shall use any threatening, abusive, or insulting Words or Behaviour, with Intent to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned:

Every Person who shall blow any Horn or use any other noisy Instrument for the Purpose of calling Persons together, or of announcing any Show or Entertainment, or for the Purpose of hawking, selling, distributing, or collecting any Article whatsoever, or of obtaining Money or Alms;

Every Person who shall wantonly discharge any Fire-arm, or throw or discharge any Stone or other Missile, to the Damage or Danger of any Person, or make any Bonfire, or throw or set fire to any Fire-works:

Every Person who shall wilfully and wantonly disturb any Inhabitant, by pulling or ringing any Door Bell, or knocking at any Door, without lawful Excuse; or who shall wilfully and unlawfully extinguish the Light of any Lamp:

Every Person who shall fly any Kite or play at any Game to the Annoyance of the Inhabitants or Passengers, or who shall make or use any Slide upon Ice or Snow to the common Danger of the Passengers:

Every Person who shall burn, dress, or cleanse any Cork; or cleanse, hoop, fire, wash, or scald any Cask or Tub; or hew, saw, bore, or cut any Timber or Stone; or slake, sift, or screen any Lime:

Every Person who shall throw or lay any Stones, Slates, Shells, Lime, Bricks, Timber, Iron, or other Materials, except Building Materials or the Rubbish thereby occasioned, according to the Provisions herein-before contained:

Every Person who shall beat or shake any Carpet, Rug, or Mat (except Door Mats before the Hour of Eight in the Morning).

Penalty for other Offences.

CL. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who, within the Limits of this Act, shall commit any of the following Offences; (that is to say,)

Every Person who shall fix or place any Flower Pot or Box in any upper Window without sufficiently guarding the same against being blown or thrown down:

Every Person who shall throw or cast from the Roof or any Part of any House or other Building any Slate, Brick, Part of any Brick, Wood, Rubbish, or other Material or Thing:

Every Person who, without the Consent of the Owner or Occupier, shall affix any Posting Bill or other Paper upon any Building, Wall, Fence, or Paling, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Paling with Chalk or

Paint, or in any other Way whatsoever, or wilfully break, destroy, or damage any Part of any such Building, Wall, Fence, or Paling, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat in any public Walk, Park, or Garden:

Every Person who shall expose any thing for Sale in any Park or public Garden, unless with the Consent of the Owner of such Park or Garden, or other Person authorized to give such Consent:

Every Person who, to the Danger of Passengers in any Thoroughfare, shall leave open any Vault or Cellar, or the Entrance from any Thoroughfare to any Cellar or Room under Ground, without a sufficient Fence or Hand-rail, or leave defective the Door, Window, or other Covering of any Vault or Cellar; or who shall not sufficiently fence any Area, Pit, or Sewer left open in or adjoining to any Thoroughfare; or who shall leave such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling therein:

Every Person who shall throw or lay any Dirt, Litter, or Ashes, or any Carrion, Fish, Offal, or Rubbish, on any Street; or throw or cause any such Thing to fall into any Sewer, Pipe, or Drain, or into any Well, Stream, or Watercourse, Pond, or Reservoir for Water; or cause any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill into any Street or other uncovered Place, whether or not surrounded by a Wall or Fence: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost to prevent Accidents, or Litter or other Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things shall cause them to be removed as soon as the Occasion for them shall cease:

Every Person who shall keep any Pig-sty to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence, or who shall keep any Swine in or near any Street or in any Dwelling so as to be a common Nuisance:

Every Person who shall, within the Distance of One hundred Yards from any Dwelling House, burn any Rags or any offensive Substance so that the same shall be a common Nuisance:

Every Person who shall place or keep any offensive Matter in any inclosed or open Ground within One hundred Yards of any Dwelling House, so as the same may become a Nuisance or Annoyance to any Inhabitant.

Restricting the keeping of Gunpowder in Houses within the Limits of the Act.

CLI. And be it enacted, That no Merchants, Shopkeepers, Traders, or other Persons, Dealers in Gunpowder, within the Limits of this Act, shall have or keep in their Houses, Shops, or Warehouses at any one Time more than Ten Pounds Weight of Gunpowder; and all Dealers in Gunpowder shall be debarred from selling or disposing of the same by Candlelight or other artificial Light; and if any Merchant, Trader, Shopkeeper, or other Person dealing in Gunpowder shall be convicted of having in his House, Shop, or Warehouse at any one Time a greater Quantity than Ten Pounds Weight of Gunpowder he shall forfeit and pay the Sum of Twenty Shillings for every Pound Weight above the said Quantity, over and

besides

besides the Forfeiture thereof; and if any Person shall be convicted of selling any Quantity thereof at any other Time than during Daylight the Person so offending shall for every such Offence forfeit and pay the like Sum of Twenty Shillings, over and besides the Forfeiture of the Powder in his Possession; and the Commissioners shall make such Orders and Regulations respecting the receiving and depositing such Gunpowder as the Nature of the Case shall appear to them to require.

Power to search suspected Premises for Gunpowder.

CLII. And be it enacted, That it shall be lawful to the Magistrates, or any One of them, by a Warrant under his Hands, to authorize the Superintendent of Police and his Assistants to enter and search for Gunpowder in the Premises of any Dealer or suspected Dealer in that Article, provided that the Name of the Dealer whose Premises are to be searched shall be mentioned in such Warrant.

Quantity kept in Houses, &c. to be secured.

CLIII. And be it enacted, That the Quantity of Ten Pounds Weight of Gunpowder or under which may be kept in any Shop, House, or other Premises within the Limits aforesaid, shall be kept in Stone Jugs or Canisters properly covered, and having the Word Gunpowder legibly inscribed thereon, or on the Label thereto, properly attached, and shall also be kept separate from all other Goods or Commodities, and secured by Lock and Key, under a Penalty not exceeding Five Pounds for each Offence, to be paid by the Owner or by the Person in whose Possession any Gunpowder not so kept and secured shall be found, and such Gunpowder shall be seized and forfeited.

Regulations respecting the keeping of Dogs.

CLIV. And be it enacted, That if any Person shall have or keep, or permit to be kept, within any House, Shop, Cellar, Court, or Area, or other Premises, any Dog which shall be a Nuisance or Annoyance to any of the Lieges in the Neighbourhood, and shall not prevent the Continuance thereof by the Removal of such Dog or otherwise, within such Time as any of the Magistrates trying such Case shall determine, and which they are hereby authorized to try in a summary Manner; or if any Person shall permit or suffer to be at large any Dog without a leathern or metal Collar, with a Plate thereon inscribed with the Name and Address of the Owner, or if any Person shall permit or suffer to be at large any ferocious, rabid, or vicious Dog, not being muzzled, or if any Person shall, after Notice given by the Magistrates directing Dogs to be confined on account of any Suspicion of any Canine Madness or other dangerous Circumstances, permit or suffer any Dog to be at large, or shall have the same at large within the Limits of this Act during the Time specified in such Notice, any Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds; and it shall be lawful to the Officers of Police, or other Officers of the Law and their Assistants, to seize and take possession of any Dog being a Nuisance or Annoyance as aforesaid, and not removed if so ordered, or any Dog found at large, not having a Collar or not being muzzled as aforesaid, or any Dog not confined after such public Notice, and to the Superintendent of Police to order any Dog so seized to be destroyed; and it shall also be lawful to such Officers to destroy any Dog reasonably suspected to be in a rabid

State,

State, or which has been bitten by any Dog reasonably suspected to be in a rabid State.

Superintendents of Police to be appointed;

CLV. And be it enacted, That it shall be lawful for the Commissioners, or a Majority of them, to appoint a Superintendent of Police, during their Pleasure, to act under the Authority and Orders of the Magistrates or any One of them, for executing the Matters committed to them by this Act, and for regulating the Police, and for preserving Peace and good Order within the Limits of this Act.

also Serjeants, Patrolmen, &c.

CLVI. And be it enacted, That it shall be lawful for the Commissioners to appoint such a Number of Serjeants, Patrolmen, Watchmen, Scavengers, and other inferior Servants, as they shall judge necessary, for guarding, patrolling, and watching the Streets within the Limits of this Act, in such Manner and under such Rules and Regulations as to the Commissioners shall appear proper and expedient,

Power to pay suitable Salaries and Wages.

CLVII. And be it enacted, That it shall be lawful for the Commissioners to order suitable Salaries or Allowances to be made to the Superintendent of Police, and Serjeants, Patrolmen, Watchmen, and other inferior Servants, and to pay the necessary Expences incurred by them in the Execution of the Duties of their respective Offices, and the necessary Charges and Expences of the aforesaid Establishment, from the Police Rates hereby granted.

Duty of Superintendent and other Officers of Police.

CLVIII. And be it enacted, That the Duty of the Superintendent of Police, Servants, Watchmen, and other Officers shall be and they are hereby authorized to aid and assist the Magistrates in apprehending, detecting, and bringing to Justice Persons guilty of Street Robberies, Housebreaking, Assaults, Reset of Theft, Shoplifting, picking Pockets, Gambling, and other Crimes, by causing the Parties accused to be apprehended and imprisoned upon legal Warrants, and proceeded against in Terms of Law; in apprehending and putting the Law into execution against Vagabonds, Vagrants, public and sturdy Beggars, and other idle and disorderly Persons who follow no lawful Employment or Occupation; in suppressing disorderly Public Houses and other Houses frequented by Persons of the aforesaid Description; in suppressing Mobs and Riots; in assisting to extinguish Fires; in putting the Laws into execution by which Owners and Drivers of Carts and other Carriages are prohibited from leaving the same in the Streets, Roads, and Passages, or riding on their Carts, or driving Carriages or Horses or Cattle furiously or improperly, so as to endanger Her Majesty's Liege Subjects, or cruelly treating Horses or Cattle or other Animals, or leaving Wheel or Hand Barrows or any other Vehicles in or upon which Goods or Provisions are carried, upon the Streets or Pavements or in the Closses or Passages after Sunset; in seeing that Streets, Passages, and other Places are properly lighted and cleaned; guarding, patrolling, and watching the Streets; and in general in aiding and assisting the Magistrates in all Matters relative to regulating the Police and preserving good Order and Tranquillity within the Limits

of this Act, and otherwise in carrying the different Purposes of this Act into execution.

Superintendent and other Officers may be dismissed.

CLIX. And be it enacted, That it shall be lawful to the Magistrates, or any Three of them, to dismiss the Superintendent of Police, or any of the Officers, Patrolmen, Watchmen, or Servants appointed by virtue of this Act under the Charge of the Superintendent, when they shall find Cause and see it proper so to do; and that no Person so dismissed shall be reinstated without the Consent and Approbation of the whole of the Magistrates for the Time being.

Power to appoint Town or Burgh Officers, and to constitute Officers Special Constables.

CLX. And be it enacted, That the Magistrates shall have Power to constitute the Superintendent of Police and other Officers to be named by the Commissioners as aforesaid, and such other Persons as they may think fit, Special Constables for the Purpose of attending the Magistrates and executing the Sentences or Warrants to be issued by them by virtue of this Act, with all the Powers competent to Constables by the Law of *Scotland*.

Commissioners may make Bye Laws to govern themselves and their Servants.

CLXI. And be it enacted, That it shall be lawful for the Board of Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business, and the Business of their Committees, and for the Government of their Officers, Servants, or other Persons in their Employ, as they shall think fit, and to repeal or alter any such Bye Laws as they shall see Cause, so as no such Bye Law be contrary to the Laws of *Scotland* or the Provisions of this Act, and so as the same be reduced into Writing, and signed by the Board of Commissioners, or a Quorum of their Number.

Fines for Breach of such Bye Laws.

CLXII. And be it enacted, That it shall be lawful for the Board of Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants, or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Judge before whom any Penalty imposed thereby may be sought to be recovered to order the Whole or a Part only of such Penalty to be paid.

Power to enter Public Houses, &c.

CLXIII. And be it enacted, That the Superintendent of Police, or any Officer acting under him, shall have Power by virtue of his Office to enter any Public House, or any Room, Booth, Tent, Caravan, or other Place, on hearing any disorderly Noise therein, or having just Reason to believe that Persons are harboured or entertained therein contrary to the Provisions of this Act; and if the Keeper of any such House, Room, Booth, Tent, Caravan, or Place, or any Servant or other Person having the Charge thereof, shall in such Case refuse to admit or shall not admit such Officer when required, such Keeper, Servant, or other Person shall for each such Offence be liable in a Penalty not exceeding Five Pounds.

Power to enter Vessels in Harbour.

CLXIV. And be it enacted, That the Superintendent of Police, or other Officer acting under him, shall have Power by virtue of his Office to enter any Ship or other Vessel (not being then employed in

in Her Majesty's Service) lying in any Harbour, Dock, Port, River, or Canal within the Limits of this Act, for the Purpose of taking such Measures as may be necessary for providing against or extinguishing Fire, and preventing other Accidents, for seizing and removing to proper Places and detaining any unlawful Quantity of Gunpowder found on board any such Vessel, for preserving Peace and good Order therein, and for the effectual Prevention or Detection of any felonious or criminal Act.

Power to apprehend certain Parties without written Warrant.

CLXV. And be it enacted, That it shall be lawful for any Officer of Police appointed under this Act to take into Custody by Authority hereof, and without any other Warrant, any Person who within the Limits aforesaid shall be charged by any other Person with committing any aggravated Assault, or other Crime or Offence, in every Case in which such Officer shall have good Reason to believe that such Assault or Offence has been committed, although not within View of such Officer, and that by reason of the recent Commission of the Offence, or otherwise, a Warrant could not have been obtained for the Apprehension of the Offender.

Persons committing Offences may be apprehended by public Officer or by private Party.

CLXVI. And be it enacted, That any Person found committing any Offence punishable either upon an Indictment, or upon Criminal Libel, or upon summary Conviction under this Act, may without a Warrant be taken into Custody by any public Officer, or be apprehended by the Person against whom, or the Owner of the Property in or with respect to which the Offence shall be committed, or by his Servant, or by any Person authorized by him, and may be detained until he can be delivered into the Custody of a Police Officer or other Constable to be dealt with according to Law; and any Police Officer may also stop, search, and detain any Vessel, Boat, or Carriage in or upon which there shall be Reason to suspect that any thing stolen or unlawfully detained or fraudulently carried away may be found, and also any Person who may be reasonably suspected of having or carrying in any Manner any thing stolen or fraudulently obtained or carried away.

Horses in charge of Parties apprehended may be detained.

CLXVII. And be it enacted, That when any Person having charge of any Horse, Cart, or Carriage, Boat, or any Animal or Thing, shall be taken into Custody of any Officer under the Provisions of this or any other Act, it shall be lawful for such Officer to take or cause to be taken such Animal, Article, or Thing, and deposit the same in some Place of safe Custody, and to detain the same as a Security for Payment of any Expences which may have been necessarily incurred for taking charge of and keeping the same.

Persons taken into Custody to be delivered over at nearest Station.

CLXVIII. And be it enacted, That every Person taken into Custody by any Officer belonging to the Police Force without a Warrant, except Persons detained for the mere Purpose of ascertaining their Name or Residence, shall be forthwith delivered into the Custody of the Officer in charge of the nearest Station House, or the Police Office of the District, in order that such Person may be secured until he can be brought before a Magistrate, to be dealt

with according to Law, or may give Bail, by Bond, Letter of Obligation, or Pledge, for his Appearance before a Magistrate, if the Officer in charge shall deem it prudent to take Bail in the Manner herein mentioned.

Bail may be taken.

CLXIX. And be it enacted, That where any Person charged with any petty Misdemeanor shall be brought without the Warrant of One of the Magistrates into the Custody of any Officer or Constable appointed under this Act, during his Attendance at any Watch-house or Police Office within the foresaid Police District, it shall be lawful for the attending Constable, if he shall deem it prudent, to take Bail, by Bond, Letter of Obligation, or Pledge or Deposit, from such Person that such Person shall appear for Examination before One or more of the Magistrates at some Time and Place to be specified; and every Bond or Deposit so taken shall have equal Effect and be of equal Obligation on the Parties entering or making the same, and shall be liable to such and the like Proceedings for the forfeiting thereof, as if the same had been taken before the Magistrates; and the Constable shall enter in a Book to be kept for that Purpose in every Watch-house or Police Office the Names, Residence, and Occupation of the Party, the Amount or Nature of the Pledge and his Surety, if any, entering into such Bail, together with the Condition thereof, and the Sums respectively acknowledged, and shall lay the same before such Magistrate as shall be present at the Time and Place when and where the Party is required to appear.

Penalty on resisting or obstructing, or enticing Officers.

CLXX. And be it enacted, That if any Person shall resist, obstruct, or molest, or entice from Duty any Constable, Officer, Watchman, Workman, or other Person employed in the Execution of any Duty, or the Performance of any Work, by virtue of this Act, or of any Warrant of the Magistrates, or any of them, or shall aid or incite any Person so to do, such Person so offending shall for each such Offence forfeit a Sum not exceeding Five Pounds; and if any Person shall assault or strike any such Constable, Officer, Watchman, Workman, or other Person employed as aforesaid, or aid or incite any Person so to do, or shall rescue or attempt to rescue, or aid or incite any Person to rescue or to attempt to rescue, any Prisoner whom any such Constable, Officer, Watchman, or other Person shall have in Custody or be aiding to secure, such Person so offending shall for each such Offence forfeit a Sum not exceeding Five Pounds, without Prejudice to any Constable, Officer, Watchman, or other Person on whom such Assault or Offence may have been committed to sue in any competent Court for Compensation, Damages, or Expences for any Injury or Loss which he may thereby have sustained.

Publicans harbouring Officers during the Hours of Duty.

CLXXI. And be it enacted, That if the Keeper of any Spirit Shop or Cellar or Public House shall knowingly harbour, entertain, or suffer to remain therein any Officer, Watchman, or other Person belonging to the Police Force during any Part of the Time appointed for his being on Duty, (unless such Officer or Watchman shall be there for the Purpose of quelling Disturbance, or otherwise in discharge of his Duty,) or if any Person shall supply any such Officer, Watch-

Watchman, or other Person with Liquor when upon his Station, or in any Shop, Cellar, House, or other Place during his Hours of Duty, such Person so offending shall for each such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on Parties possessed of or assuming the Dress of Officers.

CLXXII. And be it enacted, That every Person not being an Officer of the Police Force who shall have in his Possession any Article, being Part of the Clothing, Accoutrements, or Appointments supplied to any such Officer, and who shall not be able satisfactorily to account for his Possession thereof, or who shall put on the Dress, or take the Name, Designation, or Character, of any Person appointed as such Officer, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in addition to any other Punishment to which he may be liable for such Offence, be liable in a Penalty not exceeding Five Pounds.

Vagrants and common Beggars to be apprehended.

CLXXIII. And be it enacted, That it shall be lawful for the Officers of Police to apprehend and bring before the Magistrates, or any of them, all Vagrants and common Beggars for Examination, and if any such Person shall appear to have acquired a legal Settlement in any Parish over which this Act extends, such Person may be sent to the Parish to which he belongs, and if it shall appear that the Person so apprehended does not belong to any Parish within the said Limits such Person may be ordered to quit the said Limits.

Power to commit Idlers, &c. to Bridewell.

CLXXIV. And be it enacted, That it shall be lawful for the Magistrates, or any One of them, to commit Idlers, Vagabonds, public and sturdy Beggars, and all Persons who have no settled Place of Residence, or follow no lawful Employment, to the North or South Prison, or any Bridewell built or to be built at *Glasgow* for the County of *Lanark*, to be kept at hard Labour for a Period not exceeding Three Calendar Months.

Children found begging to be apprehended.

CLXXV. And whereas the Inhabitants of the Town or Barony, and Persons passing along the Streets and Thoroughfares thereof, have been much annoyed by mendicant Boys and Girls sent out or suffered to go out by profligate Parents or other Parties for the Purpose of begging, and the Health of such mendicant Youths has been endangered by their being exposed to the Inclemency of the Weather when so sent out or suffered to go out; be it enacted, That it shall be lawful for the Officers of Police to apprehend and bring before any of the Magistrates all such young Persons found begging or exposed for that Purpose within the Limits of this Act, and the Parents or other Relations of such young Persons, or other Parties by whom they have been so sent or suffered to go out or exposed; and on Complaints being established that such young Persons have been sent out or suffered to go out for that Purpose by their Parents or either of them, or by any other Relation, or any other Person to whose Control they had been subject, and that such Parents or other Relations, or other Persons respectively, are of profligate Habits, it shall be

be lawful to the Magistrates, or any of them, to punish such Parents, or other Relations or Persons, as Vagrants or disorderly Persons, by Imprisonment for a Period not exceeding Sixty Days.

Superintendent to act as Fiscal in Police Court.

CLXXVI. And be it enacted, That the Superintendent of Police under this Act, or his Lieutenants with his Authority, shall be entitled to act as Procurators Fiscal in the Police Court.

Breach of Regulations by Coachmen, Carters, and others punishable.

CLXXVII. And be it enacted, That in all Cases of Breach of Police Regulations, or Exaction of higher Rates or Fares by Coachmen, Carters, or Porters than those established by any Act, Bye Law, or Regulation, and in general in all Cases inferring small pecuniary Penalty or Fine, where Complaint shall be made by any Party to the Officers of Police of any Offence competent to be tried as aforesaid, it shall be lawful for such Officer, on such Complaint, to summon and convene the Party complained against, and to cite Witnesses for either Party; and on such Summons the Magistrate shall be authorized to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, although no Complaint in Writing shall have been presented before such Magistrate; and all such Proceedings by Summons, without a written Complaint, shall be as valid as if a Complaint in Writing had been presented: Provided always, that at the Time of hearing any such Case, or immediately thereafter, the Charge and a Note of the Sentence shall be inserted in a brief Form in the Police Court Book, or otherwise recorded, and which Entry or Record shall be signed by the Magistrate, and form Part of the Records of the Court.

Police Court to determine all Questions regarding common Closses, &c.

CLXXVIII. And be it enacted, That it shall be lawful for any of the Magistrates sitting in the Police Courts within the foresaid Limits to determine in the summary Manner herein authorized all Questions in relation to common Closses, Passages, Courts, or Areas, as to any temporary Incumbrance, Obstruction, or offensive Matter or Thing therein, and particularly as to the Occupancy of such with Carts, Barrows, Crates, Barrels, Boxes, or other Articles which may obstruct the Passage, or afford Facilities to Thieves or other evil-disposed Persons in committing Crimes and Offences, and to order the same to be removed or secured so as to prevent such Obstruction or illegal or improper Use.

Service on One of Two or more Persons jointly concerned effectual.

CLXXIX. And be it enacted, That in all Cases where, by any of the Provisions of this Act or any other Act, or any Rules or Bye Laws in pursuance thereof, any Summons or Notice ought to be given to Two or more Persons for or respecting the joint Act or Omission of any such Persons (whether any such Persons be in Partnership in Trade or not) when jointly concerned in any such Act or Omission, the Service of any such Summons or Notice on any One of such Persons shall be a valid and sufficient Service thereof upon the Parties.

Act to be Authority for citing Parties,

CLXXX. And be it enacted, That this Act shall be deemed Authority to the Officers of Police within the Limits to which the same

Witnesses, &c.

same extends for citing Parties charged with Offences within the Meaning of this Act, or of any other Act, or at Common Law, or of any Regulations made in virtue hereof, and for summoning Witnesses to give Evidence in relation to the same; and it shall be deemed a legal Citation of Parties if the Citation be left within their Dwelling Houses, Shop, Warehouse, Counting-house, or other Place of Business within said Limits, or in the Case of the Master of any Ship or other Vessel, if left on board such Vessel in the Hands of a Person on board thereof, which Citation shall specify the Charge or Offence by Name, Character, or Description only, and the Time and Place of Appearance; and it shall be lawful for the Court either to hear Parties cited, or any Procurator, Agent, or other Person duly authorized by them; and in the event of Parties not appearing by themselves, or by a Procurator, Agent, or other Person duly authorized by them, on the Citation being verified by the Oath of the executing Officer, to continue the Case, and either to grant Warrant for apprehending the Party and bringing him into Court, or to take Evidence of the Charge, and on the Charge being proved to convict the Parties, award the Penalties, and grant Warrant for Recovery thereof, with the Expences of Conviction.

Persons cited as Witnesses failing to attend or to give Evidence to be punished.

CLXXXI. And be it enacted, That if any Person shall be summoned as a Witness to give Evidence before any of the Magistrates, either on the Part of the Prosecutor or the Person accused, and shall refuse or neglect to appear at the Time and Place for that Purpose appointed without a reasonable Excuse for any such Refusal or Neglect, or if any Person appearing, or being called as a Witness, shall refuse to be sworn and examined upon Oath, or in case of a Quaker to be affirmed and examined on solemn Affirmation, or after having been sworn or affirmed shall refuse to give Evidence touching or concerning the Subject Matter of Complaint, or upon any Matter or Thing incidental or relating thereto, such Person so refusing or neglecting to appear, or appearing and refusing to give Evidence, shall for every such Offence forfeit any Sum not exceeding Five Pounds; and it shall be lawful for the Magistrate, by Warrant under his Hand, to cause such Person to be apprehended and committed to Prison for any Time not exceeding Two Calendar Months, or until such Person shall submit himself to be examined, and give his Evidence before such Magistrate as aforesaid: Provided always, that Proof on Oath by the Officer in the Case of a Person not appearing according to such Summons shall be first made before such Magistrate of the due Service in manner before directed of such Summons on every such Person.

Provision for adjourning the Diet in certain Cases.

CLXXXII. And be it enacted, That where, from the Absence of the Witnesses for any summary Prosecution or from any other Cause, it becomes necessary to adjourn the Diet, and where Witnesses for the Defender in such Prosecution are in attendance, it shall be lawful for the Court, at the Request of the Defender, and if the Court in the Circumstances shall deem it proper, to take the Evidence of the Defender's Witnesses before the Proof for the Prosecution has been concluded; and it shall be lawful to adjourn the Diet for further Evidence on either Side, and it shall be no legal Objection to a

Witness that he has appeared without Citation, or to his Evidence, or the Regularity of the Procedure, that the usual Questions *in initialibus* have not been put to him, unless desired by the respective Parties to whom it shall be competent to move the Court to that Effect.

Offenders may be committed to the Glasgow Prisons.

CLXXXIII. And be it enacted, That in all Cases where by Common or Statute Law any Offender is liable to be committed to a Gaol or House of Correction, or to hard Labour, it shall be lawful for the Magistrates, or any One of them, to commit such Offender to either of the Prisons of *Glasgow*, or to the Prison of *Gorbals*, and the Warrants of the Magistrates, or any One of them, shall be effectual beyond the Limits of this Act, in so far as regards the Committal of any Offender to the Prison of *Glasgow* as well as the Prison of *Gorbals*, or to their Liberation therefrom, or to the bringing back of any Offender within the said Limits, who may have been committed by the Magistrates for Examination or otherwise, or who may have escaped from Justice; and the Officers of Police and other Officers under this Act shall have Power to execute such Warrants beyond the said Limits, so far as regards any such Offender or Offenders.

Punishment of Offenders without Record kept in certain Cases, except of the Charge and Judgment.

CLXXXIV. And be it enacted, That all Offences, Matters, and Things falling under this Act, including all minor Offences and Crimes punishable at Common Law or under any special Statute, shall be judged of or determined by the Magistrates, or any One of them, at the Instance of their Procurator Fiscal, or of the Superintendent of Police, to either of whom it shall be competent to bring Actions and Prosecutions; and that in all Actions and Prosecutions brought accordingly, and whether concluding for Fines, Penalties, or Imprisonment, it shall be competent to the Magistrates, or any of them, to inflict such Punishment as they may think fit on the Offender or Offenders, not exceeding a Fine or Penalty of Five Pounds Sterling, or Imprisonment not exceeding Sixty Days, excepting in such Cases as may be herein otherwise specially provided for; and in all such Cases the Procedure against Offenders shall be of a summary Nature, without any written Pleadings or Record of Evidence, but a Record shall be preserved of the Charge, and the Judgment pronounced only.

When Crime has been committed beyond Limits of Act.

CLXXXV. And be it enacted, That when Crimes, Delinquencies, or Offences shall have been committed beyond the Limits of this Act, and the Offender shall be apprehended within the Limits thereof, it shall be lawful to the said Magistrates, or any of them, either to transmit the Person accused or suspected to the Sheriff or Justices of the Peace of the County within which the Crime, Delinquency, or Offence is alleged to have been committed, or to authorize such Person to be detained in the Police Office or in Prison until disposed of according to Law, Notice of such Detention being forthwith given by the Superintendent of Police or Procurator Fiscal of Court to the Procurator Fiscal of the City, Burgh, or County or other Jurisdiction within which the Crime, Delinquency, or Offence is alleged to have been committed if within *Scotland*, and to the Chief Magistrate

or

or Clerk of the Peace if within any City or County in *England* or *Ireland*.

Proceedings in case of Bail being forfeited.

CLXXXVI. And be it enacted, That where any Person shall have been apprehended, and afterwards liberated on Bail, and shall fail to appear, and where any Offenders who shall have found Caution for good Behaviour or for keeping the Peace, shall commit a new Offence, such Failure or new Offence incurring Forfeiture of the said Bail or Caution, it shall be competent for the Magistrates, or any of them, to declare the Bail to be forfeited, and to appoint and ordain such Forfeiture to be intimated to the Cautioner, and to require him to make Payment of the Sum contained in the Bond of Caution within the Space of Forty-eight Hours; and in default of such Payment such Sum shall thereupon be recoverable, at the Instance of the Procurator Fiscal, by a Precept or Warrant to be issued by any of the Magistrates, and upon Failure of Payment it shall be competent to grant Warrant to poind and sell the Cautioner's Goods and Effects for the Sum so forfeited, and the Expence of such Proceedings, and of the Poinding and Sale.

Where Money or Articles deposited.

CLXXXVII. And be it enacted, That where Money or Articles have been or shall be deposited by any Person as a Security for his Appearance, and where such Person shall fail to appear, it shall be competent to any of the Magistrates to declare such Deposit to be forfeited, and if it shall be Money it shall forthwith be paid to the Clerk of Court, or other Person authorized to receive Fines and Forfeitures, and if it be not Money the Article deposited shall be ordered by the Magistrates, or any of them, to be sold by Auction, and the free Proceeds shall be paid to such Clerk or other Person, and in both Cases accounted for with the Fines and Penalties, and applied in the same Manner.

Power to remand Prisoner till Payment of Fine, &c.

CLXXXVIII. And be it enacted, That on Sentence being pronounced awarding a Fine or Penalty, Damages or Expences, in any Prosecution before any of the Magistrates, it shall be lawful to remand or commit the Person convicted till Payment thereof; and in the event of Payment not being made within Twenty-four Hours after Conviction or Sentence it shall be lawful to grant Warrant to commit such Person to Prison for a Period not exceeding Eight Days from the Date of Conviction or Sentence where the Amount of such Fine, Penalty, Damages, or Expences does not exceed Ten Shillings; for a Period not exceeding Fifteen Days where the Amount is Ten Shillings, and does not exceed Twenty Shillings; for a Period not exceeding Thirty Days where the Amount is Twenty Shillings, and does not exceed Forty Shillings; for a Period not exceeding Forty Days where the Amount is Forty Shillings, and does not exceed Three Pounds; for a Period not exceeding Sixty Days where the Amount is Three Pounds, and does not exceed Five Pounds; and for a Period not exceeding Three Calendar Months where the Amount exceeds Five Pounds; on the Expiration of which respective Terms of Imprisonment the Party shall be set at liberty; and no further Proceedings shall be competent to be directed against him

to

to enforce Payment: Provided always, that where a Fine or Penalty or Expences shall have been awarded, and the Party shall have undergone Imprisonment thereanent, it shall nevertheless be competent to any private Party aggrieved to sue for Damages from the Party convicted in relation to the same Fact for which the Fine Penalty, or Expences shall have been awarded.

Magistrates may decern for Expences of Works and Costs of Suit.

CLXXXIX. And be it enacted, That the Magistrates are hereby empowered in all Cases to decern, not only for the Expence of any Works or Operations, or of any other Expences, Sums of Money, Damages, or Penalties, under the Authority of this Act, but also for the Costs of Suit: Provided always, that such Costs of Suit shall not include the Costs of any Proceedings in Writing, excepting the original Charge or Complaint, and that the Costs allowed for such Charge or Complaint shall in no Case exceed the Sum of Five Shillings.

Penalty on Persons guilty of Contempt of Court.

CXC. And be it enacted, That if any Person shall be guilty of Contempt of Court, or shall resist or obstruct the Officers of the Law when in attendance on the Court, it shall be competent for the Magistrate on his own Motion summarily, and without the Necessity of a Complaint or other Procedure, to punish the Offender by a Fine not exceeding Five Pounds, or by Imprisonment for a Period not exceeding Thirty Days, or he may direct the Offender to be prosecuted in the usual Form by the Procurator Fiscal, in which Case the same Forms shall be observed, and the same Punishment may be inflicted, as in other Cases at his Instance: Provided always, that when the Magistrate shall proceed to punish summarily he shall award the Punishment by Sentence or Warrant in Writing, which shall set forth the Facts which may have led to such Punishment.

Power to mitigate Sentences.

CXCI. And be it enacted, That it shall be lawful for the Magistrates, or any One of them, of their own Accord, or on the Application of the Procurator Fiscal, or the Offender himself, from Time to Time to mitigate any Sentence which may have been pronounced by them, by shortening the Duration of the Term of Imprisonment which may have been inflicted, or by lessening any of the Forfeitures and Penalties incurred under this Act to any Sum not less than One Third of the said Forfeitures and Penalties, besides the Expences and Charges of suing for the same.

Stolen or unclaimed Goods to be sold.

CXCII. And be it enacted, That where any stolen or unclaimed Goods or Effects may be brought to the Police Office, the Superintendent or other Officer of Police shall forthwith enter the same in a Book to be kept in the Police Office for that Purpose, with the Names of the Parties by whom pledged or brought to the Police Office, in which also the Superintendent or other Officers of Police shall enter the Date and Manner in which such stolen or unclaimed Goods shall be disposed of: Provided always, that in case such stolen or unclaimed Goods and Effects shall not be claimed within Twelve Months from the Time the same may have been lodged in the Police Office, then it shall be lawful and competent to the Magistrates, or any One of them, on the Application of the Procurator

Fiscal or the Superintendent of Police, to grant Warrant for selling and disposing of the same by public Roup, after such previous Notice in any One or more of the *Glasgow* Newspapers, to be specified in the said Warrant, as the Magistrates, or any One of them, may think proper; and the Proceeds of the Sale of such Goods, to be made from Time to Time, shall be applied to the Purposes of this Act: Provided always, that the Book in which such Goods or Effects shall be entered, and the Account Sales thereof, when sold, shall at all Times be open for the Inspection of the Commissioners.

Yearly Estimate of Expences to be prepared and Assessment laid on accordingly.

CXCIII. And be it enacted, That the Commissioners shall have Power at a Meeting to be held on the Second *Monday* after the passing of this Act, and thereafter on the Second *Monday* of *June* annually, or on some other Day to which the same may be adjourned, to prepare an Estimate of the Sums of Money to be expended by them for the various Purposes of this Act for the then current Year, and to ascertain and lay on the several Assessments, Rates, and Duties before and after specified according thereto, and it shall not be lawful for the Commissioners, or any Persons acting under their Authority, to levy or expend any Monies by virtue of this Act, unless the same shall have been previously assessed and laid on and the Expenditure thereof voted by the Commissioners.

Manner and Rate of Assessment for Police Purposes.

CXCIV. And be it enacted, That the Commissioners shall be empowered and they are hereby required at a Meeting to be held on the Second *Monday* after the passing of this Act, and thereafter on the Second *Monday* of *June* annually, or upon such other Day as the said Meeting in that or any future Year may be adjourned to, in order to raise a Fund for defraying the Expence of guarding, watching, lighting, and cleansing, and the general Purposes of this Act not herein otherwise provided for, to assess upon all Renters, Occupiers, or Possessors of Dwelling Houses, Shops, Warehouses, Counting-houses, Timber Yards, Depôts, Works, Cellars, Stables, Factories, and other Buildings and Pertinents thereof within the Limits of this Act, (but not including the Roadway or Lines of Rails of any Railway,) rented or valued in Sterling Money, as follows; an annual Assessment not exceeding in Money Sterling, as follows, (that is to say,) for Premises rented at Four Pounds, and under Nine Pounds, Ten-pence in the Pound, and at Nine Pounds and upwards One Shilling and Two-pence in the Pound, and so on in proportion for less Sums, or so much of the said Sums as the Commissioners shall judge necessary to assess and lay on for the said Services at the Time; which annual Assessment shall be calculated for the current Year from *Whitsunday* to *Whitsunday* annually, upon the aggregate or accumulated Rent of each Person's Possession; and in case such Assessment shall not be laid on to the full Amount of the Rates before specified, one and the same Sums shall be deducted or abated from the maximum Rate of each of the said Assessments: Provided always, that the Assessment shall not be levied from such of the Inhabitants within the Limits of this Act as do not receive the Benefits of watching, cleansing, and lighting, and that the Commissioners shall not be obliged to extend these Benefits to those Parts of the said Limits where the Assessment is not levied.

CXCV. And

Assessment of Railway Depôts.

CXCV. And be it enacted, That the Assessments to be made on any Railway Depôt or Building shall be made on the same Principle as may be adopted with reference to Yards, Depôts, and Buildings occupied by private Individuals.

An additional Assessment for widening Streets, Lanes, &c.

CXCVI. And be it enacted, That for the Purpose of raising and accumulating a Fund for defraying the Expences of opening, extending, widening, and improving Streets, Lanes, and Thoroughfares, and removing Projections, Encroachments, or other Obstructions as aforesaid, and acquiring Subjects for that Purpose, there shall be assessed and levied as an additional Assessment by the Commissioners, along with the other Assessments under this Act, in the Manner and by the Means herein provided, a Sum not exceeding One Penny *per* Pound on the Rental of the Property within the said Limits, rented at Four Pounds a Year and upwards in each of the First Ten Years after this Act comes into operation, and a Sum not exceeding One Halfpenny *per* Pound on the Rental in each Year thereafter, and during the Currency of this Act; and which Sums when levied, shall be applied by them at such Time and in such Manner as they shall deem proper for the said Purposes; and on the Security of the Sums so to be levied it shall be lawful to the Commissioners to borrow or take up in Loan such Sums of Money as may appear to them expedient, not exceeding in all at any one Time the Sum of Five hundred Pounds Sterling for carrying the said Purposes into effect: Provided always, that in the event of the Commissioners resolving at any Meeting specially called for the Purpose, that it is inexpedient to lay on or levy, or to continue to lay on or levy, such additional Assessment in or for any one Year or Term of Years, the same shall be discontinued for such Period, except in as far as shall be necessary for discharging any Debt or other Obligation incurred by virtue of this Act; and provided further, that no Part of the aforesaid additional Assessment shall be imposed without the Consent first had and obtained of a Majority of the whole of the Commissioners.

Surveyor to ascertain Rents, and Notice to be given of Assessment.

CXCVII. And be it enacted, That for the better Ascertainment of the yearly Rents of the various Subjects and the various Persons hereby authorized to be assessed for the Purposes before mentioned, the Commissioners shall and they are hereby required from Time to Time to name and appoint a Surveyor, who shall, at such Times as the Commissioners shall direct, make up exact Lists of all the Subjects and Persons, specifying the Rental of the respective Possessions, and the Sums for which they are respectively assessed in respect of such Possessions; and such Lists being so made up, a Notice shall be left at the Dwelling House or other Premises of every Person so assessed, specifying the Amount of Rent, and stating in the said Notice the Amount of the Assessment, if any, charged for widening or improving Lanes and other Passages separately from the Amount of the Charge for the other Purposes of this Act; and if any Person shall think himself aggrieved by such Assessment it shall be lawful for him, within Six Days after such Notice shall have been left at his Dwelling Place or on the Premises surveyed, to give Notice in Writing to the Clerk to the Commissioners of the Overcharge complained of; and the Commissioners shall meet annually within

within the Court House of *Gorbals*, or other Place to be by them appointed, upon the Second *Monday* in the Month of *June*, or as soon after as conveniently may be, after making the said Survey, with Power to adjourn from Time to Time for the Purpose of hearing the Parties; and in case the Commissioners shall at any of the said Meetings think the Rent of an Occupier so given in by the Surveyor too low, they shall and may give similar Notice to such Occupier, and shall at a subsequent Meeting finally determine the Amount thereof; and similar Surveys shall be made and Meetings held for correcting the Rent Roll in every Year during the Continuance of this Act: Provided always, that the Surveys so to be made shall include all Houses, Shops, Cellars, Warehouses, Cotton or other Works actually inhabited or in operation or in which any Furniture or Goods are deposited at the Time and that a Second Survey shall be made in manner aforesaid, in the Month of *December* or *January* annually, of such Houses or other Premises as were uninhabited, or in which no Furniture or Goods were deposited at the Time of the First Survey; and if any such Houses or other Premises shall be inhabited, or have any Goods or Furniture therein at the Time of such Second Survey, the Rents thereof shall be added to the Second Rent Roll or Return, and assessed for half of the yearly Rate, which half-yearly Assessment shall be paid in like Manner as the other Assessments herein-before mentioned, and in case of Failure recovered in manner herein directed.

Provision as to partial Occupancy.

CXCVIII. And be it enacted, That for every entire Period of Three Months for which any of the Premises assessable as aforesaid can be shown to have been unoccupied a proportional Deduction of the annual Assessment chargeable thereon shall be allowed, except in the Case of travelling Merchants, Auctioneers, Hawkers, Pedlars, and others who shall take up a temporary Residence within the Limits of this Act, for the Purpose of disposing of Merchandize, Goods, and other Effects, and who in prosecution of such Business shall occupy Shops, Warehouses, or other Places for the Purposes thereof within the Limits of this Act, who shall be assessed on One Fourth of the annual Rent of such Premises if they shall occupy the same for any Period less than Three Months, on One Half of the actual Rent if they shall occupy such Premises for any Period more than Three and less than Six Months, or Three Fourths of such annual Rental if they shall occupy such Premises for any Period more than Six and less than Nine Months, and in the whole annual Rental if they shall occupy the same for Nine Months or any longer Period: Provided always, that all Proprietors, Lessees, and others who shall let for Rent or Hire Premises within the said Limits to such temporary Possessors, shall themselves, as well as such temporary Occupiers aforesaid, be responsible for the Assessments applicable to such temporary Occupations, which shall be recoverable either from the Proprietors, Lessees, and others, or from the Occupiers, as the Commissioners shall judge expedient.

Exemption from Assessments.

CXCIX. And be it enacted, That all Houses, or Parts of Houses, and other Buildings herein-mentioned, occupied by any one Person rated under Four Pounds Sterling, and all Persons receiving Charity from the Funds of any Parish, shall be and they are hereby exempted

from

from the Payment of any Assessments to be imposed and levied by virtue of this Act; and that the Commissioners shall, if they think proper, have Power from Time to Time to extend the said Exemption from the Assessments hereby authorized to be levied to Parties liable therefor, whose Possessions are rented at or under Six Pounds; but during such Limitation the Parties exempt in consequence thereof shall not be qualified to vote in the Election of Commissioners for their respective Wards.

Penalty for giving false Certificates to procure Abatements from Assessments.

CC. And be it enacted, That every Proprietor, Landlord, Factor, or Agent who shall grant a Certificate or Receipt containing or specifying a Sum as the Rent of the Premises therein referred to less than the Rent really payable for such Premises, and every Tenant or Occupier who uses or attempts to use such Certificate or Receipt, in order to procure an Abatement of Assessment, shall be liable in a Penalty not exceeding Five Pounds Sterling for each Offence.

Appeal as to Assessments.

CCI. And be it enacted, That if any Person shall consider himself aggrieved by any Decision of the Commissioners in regard to any such Assessment, it shall be lawful to him, within Fourteen Days after such Decision, to appeal therefrom to the Sheriff, who shall in a summary Manner decide the Matter in dispute, and the Decision of the Sheriff shall be final and conclusive, and not subject to Review by any Superior Court.

Recovery of Assessments.

CCII. And be it enacted, That if any Person rated and assessed under this Act, who shall not have appealed to the Commissioners as aforesaid, shall refuse or neglect to pay such Assessments charged upon him for the Space of Fourteen Days next after such Assessments shall be due and demanded, by a written or printed Notice left at his Place of Abode or Place of Business (of which Notice the Certificate of the Collector shall be sufficient Evidence), and by Tuck of Drum through the Bounds of this Act, or if any Person appealing as aforesaid shall so refuse or neglect to pay the Assessments or Part thereof for Ten Days after the Determination of his Appeal by the Commissioners, then and in that Case such Person shall become chargeable with an additional Sum, in Name of Penalty and Expences, agreeably to the Scales contained in Schedule (D.) hereunto annexed; and it shall be lawful to the Collectors to be appointed by the Commissioners to apply to any of the Magistrates for a Warrant to any of the Officers of Police, or other Officer of Law, to enter his House, and to seize and take possession of his Goods and Effects, and which Warrant such Magistrate is hereby authorized to grant upon a Certificate, signed by the Collector, of such Demand having been made, and Notice thereof given, or such Appeal having been determined, and of such Person being in arrear to the Amount stated in such Certificate; and if such Rates and Assessments, and such additional Sum in Name of Penalty and Expences, shall not be paid within Three Days after such Seizure is made, together with the further Costs or Charges by such Seizure incurred, then the Collector is hereby authorized to sell by public Roup, at such Place as may appear proper, such Part of the said Goods and Effects as shall be sufficient to pay the said Rates or

Assessments and Penalty, and the Costs and Charges attending such Seizure and Sale, returning the Surplus, if any, to the said Owner, and such Costs or Charges, to be ascertained by the Magistrates who shall issue the said Warrant: Provided always, that no Notices by the Newspapers or Tuck of Drum shall be requisite in the Case of temporary Possessors, or others coming into Possession of their Premises, liable to the said Assessments after the Term of *Martinmas* in any Year.

Assessments to be recoverable beyond Limits.

CCIII. And be it enacted, That in case any Person liable to any of the Assessments shall remove to any Place beyond the Limits of this Act, it shall nevertheless be lawful to the Commissioners, and their Collectors and Treasurers, or other Officers, to put the Decrees and Warrants which may be granted for the Recovery of such Assessments in manner before mentioned into execution, beyond the Limits of this Act, in the same Manner as if such Person had continued to reside within the said Limits, such Decrees or Warrants being first approved of and backed by a Magistrate of the District within which they are put into execution.

Power to delay Execution for Payment.

CCIV. And be it enacted, That it shall be lawful to the Commissioners to delay the Execution of Diligence for Payment of such Assessment from any Person liable therein, and to give such Abatement or Relief therefrom as the Circumstances of any Person applying for such Relief may seem to them to require.

Power to establish a Slaughter-house, and to levy Rates.

CCV. And whereas it would tend much to the Accommodation of the Inhabitants of the said Town or Barony if a public Slaughter-house for the slaughtering of Cattle and other Bestial were established and erected within the same, or in the Neighbourhood thereof; be it therefore enacted, That the Commissioners shall have Power, when they shall see fit and proper, to purchase Ground, and to erect such Buildings, Sheds, and other Premises, or to take or hire such Ground, Buildings, Sheds, and Premises, as may be necessary for the Purposes of establishing, erecting, and continuing such Slaughter-house, and to borrow any Sums not exceeding in all the Sum of Five hundred Pounds for the said Purpose, and to assign the Market Rates herein next after granted in Security of the Sum so to be borrowed.

Slaughter-house Rates.

CCVI. And be it enacted, That it shall be lawful for the Commissioners, or such Persons as may from Time to Time be authorized by them, to ask, demand, levy, collect, and take of and from every Person who may use such Slaughter-house the Rates and Duties specified in the Schedule (E.) to this Act annexed.

Prohibition against using any other Slaughter-house after the one authorized is established.

CCVII. And be it enacted, That from and after the Establishment of such Slaughter-house it shall not be lawful for any Butcher or other Person to use any Stable, Cow-house, Cellar, or other Place within the Limits of this Act as a Slaughter-house, or to slaughter any Cattle of any Description for Sale in any other Place within the said Limits than the Slaughter-house so established, unless with the special Sanction of the Magistrates, and that under such Restrictions and Regulations as by them shall be deemed proper, which Sanction

the Magistrates, or any Two of them, may suspend or recall when it shall appear necessary so to do for the Health and Comfort of the Inhabitants and the Neighbourhood thereof, on a Certificate to that Effect or any Two duly authorized or licensed medical Practitioners residing within the Limits of this Act; and if any Butcher or other Person shall use any such Place as a Slaughter-house without such Sanction, or while such Sanction is suspended, or after the same has been recalled, he shall for each such Offence forfeit a Sum not exceeding Five Pounds Sterling.

Recovery of Slaughter-house Rates.

CCVIII. And be it enacted, That in case of Delay or Refusal to pay any of the Slaughter-house Rates it shall be lawful to such Persons as shall for that Purpose be authorized by the Commissioners to take and seize any of the Cattle, Butcher's Meat, Hides, or Skins, of whatever Description, found in the public Slaughter-house, or within the Limits of this Act respectively, and belonging to the Person so delaying or refusing to pay such Rates and Duties, or any of them, and the same to detain until the Rates and Duties due and owing by such Person be satisfied and paid; and in case of Neglect or Delay in the Payment of the Rates and Duties, or any of them, for the Space of Twenty-four Hours after such taking, seizing, and detaining, it shall be lawful for such Persons as may be authorized as aforesaid to apply to the Magistrates, or any One or more of them, for a Warrant (which Warrant the Magistrates, or any One of them, is hereby authorized and required to grant), ordaining the said Cattle, Butcher's Meat, Hides, or Skins, of whatever Description, so taken, to be sold and disposed of by public Auction, and the Duty or Duties so neglected or delayed to be paid out of the Proceeds thereof, together with the Charges of such taking, seizing, detaining, and selling, as the same shall be ascertained by the Seller's Account upon Oath, rendering to the Owner of such Cattle, Butcher's Meat, Hides, or Skins, the Overplus (if any be), on Demand, without Prejudice to the Commissioners, or the Person whom they may for that Purpose appoint to sue for and otherwise recover such Rates and Duties according to Law.

Power to farm Slaughter-house Rates.

CCIX. And be it enacted, That it shall be lawful for the Commissioners to let or farm out the whole Rates, or any Part thereof, levied for the Use of the public Slaughter-house in virtue of this Act: Provided always, that the Period for which the said Rates shall be so let or farmed out shall not in any Case exceed Twelve Calendar Months at any one Time.

Bailies, how to be appointed.

CCX. And be it enacted, That there shall be, as at present, One principal and Four resident Bailies in the said Barony of *Gorbals*, who shall be appointed annually in the Month of *October* by the Lord Provost, Magistrates, and Town Council of *Glasgow*, as Baron and Superior thereof: Provided always, that the principal and Two of the said resident Bailies only shall have the Right of voting in the parochial Matters of the old Village of *Gorbals*.

Application of Fines, &c

CCXI. And be it enacted, That a Book shall be kept by the Assessors of the Magistrates, or other Person duly authorized by the

the Magistrates, in which shall be entered an accurate Statement of the Fines, Penalties, and Forfeitures imposed and levied under this Act, and which Book shall at all reasonable Times be patent and open for the Inspection of the Commissioners, or any of them, who may take Copies or Excerpts therefrom without Payment of any Fee, Charge, or Expence, excepting always the ordinary Writing Fees, in case any of the Commissioners shall require the Assessors, or other Person keeping such Books, to make such Copies or Excerpts, and the Fines shall be collected by such Clerk or other Person.

Penalties to be summarily recovered before the Magistrates.

CCXII. And for the Purpose of providing for the Recovery of Penalties or Forfeitures imposed by this Act, or by any Bye Law made in pursuance thereof, the Recovery of which is not otherwise provided for, be it enacted, That every such Penalty or Forfeiture may be recovered by summary Proceeding upon Complaint made before any of the Magistrates; and on the Complaint being made to such Magistrate he shall issue a Summons requiring the Party complained against to appear on a Day and at a Time and Place to be named in such Summons; and every such Summons shall be served on the Party offending, either in Person or by leaving the same with some Inmate at his usual Place of Abode; and either upon the Appearance, or upon the Default to appear, of the Party offending it shall be lawful for any of the Magistrates to proceed to the hearing of the Complaint, although no Information in Writing or in Print shall have been exhibited before him; and upon Proof of the Offence, either by the Confession of the Party complained against, or upon the Oath of One credible Witness or more, it shall be lawful for any of the Magistrates to convict the Offender, and upon such Conviction to adjudge the Offender to pay the Penalty or Forfeiture incurred, as well as such Costs attending the Conviction as such Magistrates shall think fit.

Penalties to be levied by Distress.

CCXIII. And be it enacted, That upon any such Adjudication as aforesaid the Amount of the Penalty or Forfeiture and of such Costs as aforesaid be not paid, the Amount of such Penalty and Costs, together with the Costs of the Distress, shall be levied by Distress, and any of the Magistrates shall issue their Warrant of Distress accordingly.

Imprisonment in default of Distress.

CCXIV. And be it enacted, That it shall be lawful for any of the Magistrates to order any Offender so convicted as aforesaid to be detained and kept in safe Custody until Return can be conveniently made to the Warrant of Distress to be issued for levying such Penalty or Forfeiture and Costs, unless the Offender give sufficient Security, by way of Recognizance or otherwise, to the Satisfaction of the Magistrates, for his Appearance on the Day appointed for such Return, such Day not being more than Eight Days from the Time of taking such Security; but if before issuing such Warrant of Distress it shall appear to the Magistrates, by the Admission of the Offender or otherwise, that no sufficient Distress can be had whereon to levy such Penalty or Forfeiture and Costs, he may, if he think fit, refrain from issuing such Warrant of Distress, and in such Case, or if such Warrant shall have been issued, and upon the Return thereof such

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Insufficiency as aforesaid shall be made to appear to the Magistrate, then such Magistrate shall, by Warrant, cause such Offender to be committed to Gaol, there to remain without Bail for any Term not exceeding Three Months, unless such Penalty or Forfeiture and Costs be sooner paid and satisfied.

Sentences reviewable only by Appeal to Circuit Court.

CCXV. And be it enacted, That if any Person shall feel aggrieved by any Sentence pronounced by the Magistrates, or any of them, under this Act, it shall only be lawful for such Person to appeal to the Court of Justiciary, at the next Circuit Court to be held at *Glasgow*, or elsewhere for the Western Circuit, in the Manner and under the Rules, Limitations, and Conditions contained in an Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for taking away and abolishing Heritable Jurisdictions in* Scotland; and it shall not be competent to appeal from or to bring the Judgment of the Magistrates, or any of them, under this Act, under Review by Advocation, Suspension, and Liberation, or Reduction, or in any way whatever, other than is hereby provided for: Provided always, that the Party so appealing may be detained in Custody until Caution shall be found in the Terms before provided.

20 G. 2. c. 43.

Sheriffs and Judges to aid in giving effect to Act.

CCXVI. And be it 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 in due and lawful Execution.

Rights of the Corporation of Glasgow reserved.

CCXVII. And be it enacted, That nothing herein contained shall affect the Rights of the Magistrates and Council or Corporation of *Glasgow*, as invested with the Superiority or *Dominium directum* of the Barony or Lands annexed, in so far as the same are not expressly abolished or affected by this Act.

Act not to affect Rights of Magistrates and Town Council of Glasgow, &c.

CCXVIII. And be it enacted, That nothing in this Act contained shall take away, abridge, or diminish any Right or Privilege, or Jurisdiction or Power, which now belong to and are enjoyed by the Magistrates and Town Council of the City of *Glasgow*, by the Sheriff and Justices of the Peace of the County of *Lanark*, or by the said Bailies of *Gorbals*, or by the Bailie on the River and Frith of *Clyde*, or by the Trustees on the said River and Firth, in virtue of former Acts of Parliament, Royal Charters, or immemorial Usages, excepting in so far as is herein-before provided for.

Saving Rights of Railway Companies.

CCXIX. And be it enacted, That nothing in this Act contained shall extend to limit, alter, or affect any of the Rights, Powers, or Privileges of the *Glasgow, Paisley, and Greenock* Railway Company, the *Glasgow, Paisley, Kilmarnock, and Ayr* Railway Company, or the *Polloc and Govan* Railway Company, except as herein expressly provided.

Expences of Act.

CCXX. And be it enacted, That the Charges incurred in applying for and obtaining this Act, and incident thereto, shall be defrayed out

out of the Assessments and other Monies hereby authorized to be levied or raised for Police and general Purposes.

Duration of Act.

CCXXI. And be it enacted, That this Act shall commence on the passing thereof, and shall continue for Twenty-one Years, and from thence to the End of the Session of Parliament that shall then next follow.

Provision for a general Criminal Police Act.

CCXXII. And be it enacted, that nothing herein contained shall be deemed or construed to exempt or exclude the Limits over which this Act extends from the Operation of any general Act for the Regulation of the Criminal Police of the City of *Glasgow*, and the adjoining Districts, which may be passed during the present or any future Session of Parliament.

Interpretation of Act.

CCXXIII. 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 only shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall include Incorporation, whether Aggregate or Sole:

The Word "Oath" shall include Affirmation in case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Expressions "Street" and "public Street" shall include every Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place, within the Limits of this Act:

The Word "Lands" shall extend to Tenements, Feu Duties, and heritable Subjects of every Description:

The Expression "the Commissioners" shall mean the Commissioners of Police of the Barony of *Gorbals* for the Time being acting by virtue of this Act:

The Expression "the Magistrates" shall mean the Bailies of the said Barony:

The Expression "Chief Magistrate" shall mean the principal Bailie, and in his Absence the senior Bailie acting at the Time:

When any of the Wards or Districts into which the said Town or Barony is or may be divided under this Act is described as bounded by any "Street" or "Road," such Expression shall mean the Centre of such Street or Road:

The Term "Barony of *Gorbals*" and "Town of *Gorbals*" shall be held to comprehend the whole District within the Limits of this Act.

Public Act.

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

SCHE-

SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

Form of Bond.

By virtue of an Act made in Year of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act*], I Collector *or* Treasurer [*as the Case may be*] of the Commissioners of Police of the Barony of Gorbals, in consideration of the Sum of advanced and paid by *A. B.* of to the Commissioners, do hereby assign and make over to the said *A. B.*, his Heirs, Executors, Administrators, and Assignees, all and sundry the Rates and Assessments payable to the said Commissioners in virtue of the said Act of Parliament, and all Right, Title, and Interest of, in, and to the same, to be held by the said *A. B.* and his foresaids till the said Sum of with the legal Interest thereof, shall be fully satisfied and paid. [*Here insert the Rate of Interest, Terms of Payment, and other Conditions of the Loan, with a testing Clause in the Form of the Law of Scotland.*]

SCHEDULE (B.)

Form of Transfer.

I *A. B.* of in consideration of the Sum of paid to me by *C. D.* of do hereby transfer to the said *C. D.*, and his Heirs, Executors, and Assignees, the Sum of contained in a certain Assignment made in my Favour by the Collector *or* Treasurer [*as the Case may be*] of the Commissioners of Police of the Barony of Gorbals, bearing Date the Day of and all Interest now due and to become due thereon. [*Here insert the Conditions, if any, of the Transfer, and a testing Clause according to the Form of the Law of Scotland.*]

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SCHEDULE (C.)

Form of Conveyance.

I in consideration of paid, [*or other Consideration, as the Case may be,*] do hereby sell, assign, dispone, and convey to and in favour of Clerk to the Commissioners of Police of the Barony of Gorbals, and his Successors in Office, for Behoof of the said Commissioners, all and whole [*here describe the Premises to be conveyed*], and all my Right, Title, and Interest in the same, to be holden by the said Commissioners, and their Successors in Office for ever, by virtue of an Act of Parliament made in the Year of the Reign of Her Majesty Queen Victoria, intituled [*here insert the Title of this Act, and the Conditions, if any, of the Sale, with a Clause of Warrandice, and a testing Clause in the Form of the Law of Scotland.*]

SCHEDULE (D.)

Penalty for refusing or delaying to pay Assessments.

When Rents under 9*l.*	- - -	3*d.*
— — 9*l.* and upwards	- - -	6*d.*

SCHEDULE (E.)

Rates and Duties payable for the Support of the public Slaughter-house to be erected in the Town or Barony of Gorbals by every Person or Persons who shall bring Cattle to the said Slaughter-house for the Purpose of being slaughtered; viz.—

Bulls, Cows, and Oxen - -	9*d.* per Head.
Calves - - - -	2*d.* —
Sheep - - - - -	2*d.* —
Lambs - - - -	1*d.* —
Swine - - - -	2*d.* —
Goats - - - -	2*d.* —

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