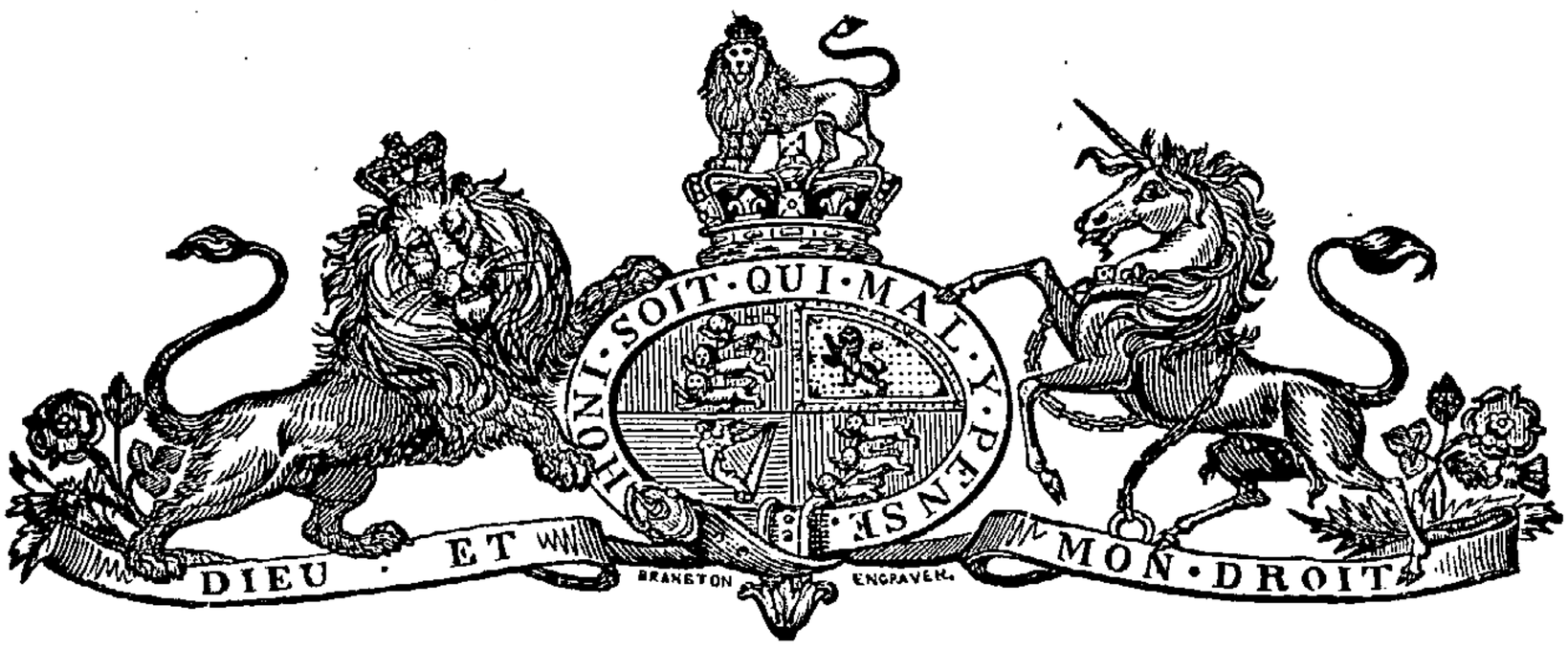


ANNO QUINTO

VICTORIÆ REGINÆ.

Sess. 2.

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Granton and adjacent to the said Pier, for the Accommodation of Persons resorting thereto, and has constructed on the said Lands of *Granton* a Reservoir, Filter Bed, and other Conveniences for supplying the said Pier and Buildings with fresh Water, and has laid down Pipes for conveying the same from the said Reservoir and Filter Bed to the said Pier and Buildings: And whereas the said Pier would be greatly improved, and rendered more beneficial to the Public, by the Construction, within the Boundaries thereof as fixed by the said recited Act, of such Breakwaters for the Protection of the same, and such additional Quays, Docks, and other Works in the Vicinity thereof, as are hereafter specified, and it is also desirable that the said Works for supplying the said Pier and the Buildings adjacent thereto with Water should be completed and hereafter maintained; but inasmuch as the several Purposes aforesaid cannot be effected without the Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Powers of the recited Act made applicable to the present Act.

That all the several Provisions, Matters, and Things contained in the said herein-before in part recited Act (except such of them as relate only to the said Road, or as are by this Act altered or otherwise provided for, and except the Provisoes in the said recited Act contained for postponing the levying of Rates and Dues until the Completion of the said Pier to the Extent therein mentioned, and for limiting the Time within which the Works thereby authorized should be carried into effect,) shall, so far as Circumstances will permit, extend to this Act, and to all the Works and Things hereby authorized to be made or done, and shall be in force in respect to the Objects and Purposes of this Act and of the said recited Act as extended thereby, and to the Money hereby authorized to be raised, and to the Securities to be granted or executed in respect of or for securing the same or any Part thereof, and the Transfer and Discharge of such Securities, and recording the same on Discharge thereof, as effectually as if the same Provisions, Matters, and Things respectively were re-enacted in this Act, and specifically referred to the Objects and Purposes of the same.

Power to construct Works.

II. And be it enacted, That it shall be lawful for the said *Walter Francis* Duke of *Buccleuch* and *Queensberry*, and his Heirs and Successors in the foresaid Lands and Estate of *Granton* or *Caroline Park*, to make, build, and maintain at *Granton* in the Parish of *Cramond* and County of *Edinburgh*, within the Boundaries of *Granton Pier* aforesaid, as the same were fixed by the said recited Act of Parliament, as well upon the aforesaid Lands of *Granton* as upon the Shore thereof, and also in the Sea below Low-water Mark, One or more proper and sufficient Breakwaters on either Side of the said Pier or both Sides thereof, with such Jetties, Landing Places, Approaches, and other Works as to the said Duke and his foresaids shall seem proper and necessary, and from Time to Time to alter and improve the same, and to reclaim or gain Grounds from the Estuary or Seashore of the Frith of *Forth* within the Boundaries of the said Pier, and for these and other necessary Purposes to build and erect Bulwarks or

Embankments against the Sea, and inclosing or retaining Walls, and to appropriate the Ground or Space so reclaimed and inclosed by such Breakwaters, Bulwarks, or Embankments to such Purposes connected with the said Pier and other Works as to the said Duke and his foresaids shall seem proper, and to build and construct on the Ground so reclaimed, or on other convenient Places adjacent to and within the Limits of the said Pier, graving, building, or repairing Docks or Slips, Basins, or Cuts (with proper Entrances to the same), Coal and other Depôts, Wharfs, Quays, Warehouses, Buildings, Offices, and all other necessary and convenient Premises, with Roads and Approaches thereto and to any of the said Works, and also to make such Lighthouse or Lighthouses on any Part of the said Works, and cause the same to be lighted in such Way and Manner, as he or they shall deem necessary for the Convenience and Safety of Persons and Vessels frequenting the said Pier.

Reservation of Rights of Commissioners for Northern Lights.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend to authorize or empower the said Duke or his foresaids to exhibit or alter any Light or Beacon for the Guidance of Ships and Vessels resorting to the said Pier or Works connected therewith, or approaching to or departing from the same, without having from Time to Time first obtained the Sanction in Writing of the Commissioners for Northern Lighthouses, as to the Power and Description of any such Light, or the Character of any such Beacon, and the Mode of exhibiting the same respectively.

Deposited Plans and Books of Reference to be open for Inspection.

IV. And whereas Maps or Plans describing the Situation of the said Breakwaters and other Works, as well as of the Waterworks herein-after mentioned, and also Books of Reference containing the Names of the Owners or reputed Owners, Lessees and Occupiers of the Lands upon which the same are made or intended to be made, have been deposited in the Office of the Clerk of the Justices of the Peace for the County of *Edinburgh* and with the Schoolmaster of the Parish of *Cramond*; be it therefore enacted, That all Persons interested may at all seasonable Times inspect such Plans, Sections, and Books of Reference, and may require to be furnished by the said Clerk or Schoolmaster with Extracts therefrom or Copies thereof; and every such Clerk and Schoolmaster shall give Access to such Documents, and if required furnish Copies thereof or Extracts therefrom, and certify the same to be true Copies or Extracts, and in respect thereof he shall be entitled to One Shilling for every Inspection of such Document, and One Shilling for every Hour such Inspection shall continue beyond the First Hour, and Sixpence for every One hundred Words copied or extracted therefrom; and if any such Clerk or Schoolmaster shall fail to comply with any of the Provisions aforesaid, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Respecting the Ground to be reclaimed from the Sea.

V. And be it enacted, That it shall be lawful for the said Duke and his foresaids either to retain in his or their own Occupation the Ground to be reclaimed from the Sea as aforesaid, and the graving Docks, Slips, Depôts, and other Works to be erected thereon and in the

the Vicinity thereof, or to feu, let, and dispose of the same as he or they shall think proper and necessary.

Power to dredge.

VI. And be it enacted, That it shall be lawful for the said Duke and his foresaids from Time to Time to cause the Harbour which shall be formed by the Erection of such Breakwaters as aforesaid, and all or any other Part of the anchoring Ground or Space within the Limits of the said Pier as fixed by the said recited Act, to be dredged, cleansed, deepened, or improved for the Purposes of this and the said recited Act, in such Manner and to such Extent as he or they shall deem expedient.

No Works to be constructed below High-water Mark without Consent of Admiralty.

VII. Provided always, and be it enacted, That it shall not be lawful for the said Duke or his foresaids, or any Person acting under his or their Authority or on his or their Behalf, to make or begin to make, construct, or carry on any Pier, Quay, or other Work below the Line of High-water Mark at ordinary Spring Tides, without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty.

Additional Tonnage Dues for Vessels remaining more than a Month at a Time at the Pier.

VIII. And be it enacted, That if any Vessel, Steam Boat, or other Craft which shall become liable to Tonnage Dues by virtue of the said recited Act or of this Act shall remain for Shelter or otherwise within the Harbour to be formed in pursuance of this Act, or within the Boundaries of the said Pier as fixed by the said recited Act, for more than One Lunar Month at any one Time, then and in every such Case it shall be lawful for the said Duke and his foresaids, or for the Collector or other Person appointed by him or them, to take and levy for and in respect of each such Vessel, Steam Boat, or other Craft, a Sum not exceeding the Amount of the original Tonnage Dues by the said recited Act or this Act already imposed thereon, and that over and above such original Tonnage Dues; and it shall be lawful to exact the said additional Rates and Dues for each successive Lunar Month during which the same Vessel, Steam Boat, or other Craft shall so remain as aforesaid; and all such additional Rates or Dues shall be recoverable by the same Means and in like Manner in all respects as the original Tonnage Dues granted by the said recited Act or this Act.

Lords of the Treasury, &c., may reduce Rates on foreign Vessels.

IX. And be it enacted, That it shall be lawful for Her Majesty by an Order in Council, and for the Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time, by Her or their Order in Writing, to reduce the Rates, Tolls, and Duties by the said recited Act or this Act made payable on all or any Vessels not entitled to the Privileges of *British*-built Vessels, and on all or any of the Goods imported or exported in Vessels not entitled to such Privileges, to the same and like Rates, Tolls, and Duties as shall from Time to Time be payable in respect of *British* Vessels, or the Goods

Goods imported or exported in them, in pursuance of the said recited Act or this Act.

X. And be it enacted, That it shall be lawful for the said Duke and his foresaids from Time to Time to make such Bye Laws as he or they shall think fit for all or any of the following Purposes; (that is to say,) Bye Laws.

For governing or regulating the Use of the Pier, Breakwaters, and other Works by the said recited Act or this Act authorized to be made;

For regulating the placing and removing of Vessels entering in, lying in, or going out of the Limits aforesaid, and for the good Order and Government of all such Vessels;

For regulating the Exercise of the several Powers hereby or by the said recited Act vested in the Harbour or Pier Master to be appointed by the said Duke and his foresaids respectively;

For regulating the shipping, unshipping, landing, warehousing, stowing, depositing, and removing of all Goods, Articles, or Things from, in, or on the Piers, Quays, Wharfs, or Warehouses of the said Duke and his foresaids;

For regulating the Duties and Conduct of all Persons, as well the Servants of the said Duke and his foresaids as others, who shall be employed on the Quays and Premises of the said Duke and his foresaids;

For regulating the Use of Fires, Candles, and Lamps within any Vessel being within One hundred Yards of the Piers, Quays, or Works of the said Duke and his foresaids;

For preventing Damage or Injury to any Vessel, Goods, Articles, or Things in or on the Premises belonging to the said Duke and his foresaids;

For regulating the Police of the said Pier and the Times and Manner in which the Police Officers shall perform their Duties;

For regulating the Use of the Cranes, Weighing Machines, Weights, and Measures belonging to the said Duke and his foresaids, and the Duties and Conduct of all Weighers and Meters appointed by him or them;

For regulating the Duties and Conduct of the Carriers and Porters employed on the Premises of the said Duke and his foresaids, and fixing the Rates to be paid to them for carrying any Goods, Articles, or Things from or to the same;

For the regulating the Duties and Conduct of the Drivers or other Persons in charge of Carriages and other Vehicles plying to and from the said Pier for the Conveyance of Passengers and their Luggage to and from the same, and for the Prevention of all such Drivers or other Persons, and their Carriages and Vehicles, from passing within the said Pier and other Works, or the Gates or Walls thereof, other than and except such as the said Duke and his foresaids shall think proper to admit:

And it shall be lawful for the said Duke and his foresaids, from Time to Time as they shall think fit, to repeal, alter, or amend any such Bye Laws, provided the same be not repugnant to the Laws of *Scotland* or the Provisions of the said recited Act and this Act, and be

reduced into Writing, and be signed by the said Duke and his foresaids, and, if affecting other Persons than the Officers or Servants of the said Duke and his foresaids, be printed and published as herein provided.

For enforcing Bye Laws.

XI. And be it enacted, That it shall be lawful for the said Duke and his foresaids, by the Bye Laws so to be made by them, to impose such reasonable Penalties as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws be so framed as to allow the Justices, before whom any Penalty imposed thereby is sought to be recovered, to order the Whole or Part only of such Penalty to be paid.

Bye Laws to be confirmed.

XII. And be it enacted, That no Bye Law which shall be made by the said Duke and his foresaids under the Authority of this Act, except such as may relate solely to his or their Officers or Servants, shall be valid or binding unless the same shall be allowed by the Sheriff of the County of *Edinburgh*, and it shall be incumbent on the said Sheriff, on a summary Application at the instance of the said Duke and his foresaids, to inquire into any Bye Laws which may be tendered to him for that Purpose, and to allow or disallow the same as he shall think 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 *Edinburgh* One Month at least before the Hearing of such Application; and any Person aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the said Duke and his foresaids Ten Days before the Hearing of such Application, may by himself, or his Attorney or Agent, be heard thereon, but not so as to allow more than One Party to be heard on the same Matter of Objection.

A Copy of proposed Bye Laws to be open to Inspection for One Month previous to Application for Confirmation.

XIII. Provided always, and be it enacted, That for One Month at least previous to any such Application a Copy of such proposed Bye Laws shall be kept at the principal Office at the said Pier of the said Duke and his foresaids; and it shall be lawful for all Persons at all seasonable Times to inspect such Copy without Fee or Reward, and to be furnished by the said Duke and his foresaids with a Copy thereof, or of any Part thereof, on Payment of Sixpence for every One hundred Words.

Publication of Bye Laws.

XIV. And be it enacted, That such Bye Laws, when confirmed, shall be painted on Boards, and hung up, affixed, and continued on the Front or some conspicuous Part of the said principal Office of the said Duke and his foresaids, and also on some conspicuous Part of the Works of the said Pier, and such Boards shall be from Time to Time renewed as often as the same or any Part thereof may be obliterated or destroyed.

Bye Laws to be binding on all Parties.

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

XVI. And

Evidence of Bye Laws.

XVI. And be it enacted, That the Production of a written or printed Copy of the Bye Laws of the said Duke and his foresaids, authenticated by the Signatures of the said Duke and his foresaids, shall be Evidence of the Existence and of the due making of such Bye Laws in all Prosecutions under the same; and with respect to the Proof of the Publication thereof, it shall be sufficient that painted Boards containing a Copy thereof were affixed or continued in the Manner by this Act directed; and in case of any of such Boards being afterwards destroyed or obliterated it shall be sufficient to prove 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 Boards did not contain a Copy of the Bye Law under which he shall be prosecuted, or that Boards were not affixed or continued to be affixed as required by this Act.

Penalty on pulling down Boards exhibiting Bye Laws.

XVII. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board on the Premises of the said Duke and his foresaids, on which any Bye Law to be made or any Rate to be taken under this Act shall be painted, shall for every such Offence forfeit a Sum not exceeding Ten Pounds.

Power to maintain the Reservoir and Works connected therewith.

XVIII. And be it enacted, That it shall be lawful for the said Duke and his foresaids to maintain the Reservoir or Aqueduct and Filter Bed already made on the said Lands of *Granton* as delineated on the said Map or Plan deposited as aforesaid, or to make and maintain such other Reservoirs, Aqueducts, or Filter Beds, and other similar Works, on the said Lands as he or they may deem necessary, and to divert into the same all Brooks, Streams, or Runs of Water which may be found in the said Lands, and to maintain and repair the Pipes now or hereafter to be laid down in the present or any other Line for conveying the said Water, so as at all Times hereafter to supply with Fresh Water the said Pier and other Works made and to be made by virtue of the said recited Act and this Act, and all or any of the Houses or Buildings already or hereafter to be erected at or within the Limits of the same, or in the Vicinity thereof.

Streams not to be diverted.

XIX. And be it enacted, That it shall not be lawful for any Person or Persons to alter or divert the Course of the Streams or Brooks at present running into or through the said Lands of *Granton*, so as to cut off or diminish, nor in any other Manner to cut off or diminish, the Supply of Water therefrom.

Power to break up Streets, &c.

XX. And be it enacted, That it shall be lawful for the said Duke and his foresaids to form, lay down, alter, repair, or remove, in or under any Street or Highway within the said Lands of *Granton*, any Aqueducts, Conduits, Pumps, Pipes, Tunnels, and other Works, for the Purpose of supplying the said Pier and other Works and the Inhabitants within the same Lands with Water, and for that Purpose to break up or open the Pavement or Soil of any such Street or Highway, and any public Sewer or Drain therein, they the said Duke and his foresaids doing as little Damage as may be in the Execution of the

the said Powers, and making Compensation for any Damage caused thereby in manner herein mentioned.

Notice to be served before breaking up Streets.

XXI. And be it enacted, That before any Street, Highway, public Sewer, or Drain shall be opened or broken up by the said Duke and his foresaids, they shall give to the Persons under whose Control or Management such Street, Highway, Sewer, or Drain may be, Notice in Writing of their Intention to open or break up the same Seven Days before the Commencement of such Operation.

Streets to be broken up under Superintendence.

XXII. And be it enacted, That any such Street, Highway, Sewer, or Drain shall be opened or broken up under the Superintendence of the Persons having the Control or Management of the same, or their Officer, and according to such Plan as shall be agreed upon between such Persons or their Officer and the said Duke or his foresaids, or in case of any Difference respecting such Plan, then according to such Plan as shall be determined by a Justice of the Peace of the County of *Edinburgh;* and such Justice is hereby required, on the Application of the said Duke and his foresaids, to determine the Plan according to which such Street, Highway, Sewer, or Drain shall be opened or broken up, provided that Three Days Notice of the Time and Place at which such Determination is to be made shall be proved to have been served on the Person having the Control or Management of the Street, Highway, Sewer, or Drain proposed to be broken up: Provided always, that if the Person having such Control or Management as aforesaid shall neglect or refuse to superintend the opening of any such Street, Highway, Sewer, or Drain, after having had Notice of the said Duke and his foresaids' Intention to open the same as aforesaid, or shall not propose any Plans for breaking up or opening the same, the said Duke and his foresaids may perform the Work specified in such Notice without the Superintendence of such Person.

Streets broken up to be reinstated without Delay.

XXIII. And be it enacted, That when the Pavement or Soil of any Street or Highway, or when any Sewer or Drain, shall be opened or broken up by the said Duke and his foresaids, they shall with all convenient Speed complete the Work on account of which the same shall be broken up, and fill in the Ground and make good the Pavement or Soil, Sewer or Drain, so opened or broken up, and carry away the Rubbish occasioned thereby, and shall in the meantime cause the Place where such Pavement or Soil shall be so opened or broken up to be fenced and guarded, and shall set up and maintain upon or against the Part of the said Pavement or Soil so broken up or opened a sufficient Light during every Night that such Pavement or Soil shall be continued open or broken up.

Penalty for Delay in reinstating Streets.

XXIV. And be it enacted, That if the said Duke or his foresaids shall open or break up any Street, Highway, Sewer, or Drain without giving such Notice as aforesaid, or shall break up any Street, Highway, Sewer, or Drain in any other Manner than such as shall be agreed upon or determined as aforesaid, except in the Cases in which they are authorized to perform such Works without any Superin-

tendence or Notice, or if they shall make any Delay in completing any such Work, or in filling in the Ground, or making good the Pavement or Surface so opened or broken up, or in carrying away the Rubbish so occasioned as aforesaid, or in causing to be fenced, guarded, or lighted the Place where such Pavement or Surface shall have been broken up, they shall forfeit a Sum not exceeding Five Pounds for every such Offence, and they shall forfeit an additional Sum of Forty Shillings for every Day that any such Delay as aforesaid shall continue after the Expiration of Twenty-four Hours from the Time that such Delay shall have commenced.

In case of Delay, other Parties may reinstate and recover the Expences.

XXV. And be it enacted, That if any such Delay as aforesaid shall take place, it shall be lawful for the Persons having the Control or Management of the Street, Highway, Sewer, or Drain in respect of which such Delay shall take place, to cause the Matter or Thing so delayed to be done; and the Expences of doing the same, together with the Costs of recovering such Expence, shall be recovered from the said Duke and his foresaids before the Sheriff of the said County of *Edinburgh* in a summary Way; and the Money so recovered shall be applied by the Persons having the Control or Management of the Street or Highway for the Purposes of the same.

Penalties for fouling the Water.

XXVI. And be it enacted, That every Person who shall commit any of the following Offences shall, for every Offence, forfeit a Sum not exceeding Five Pounds; (that is to say,)

1. Every Person who shall cause any Dog or other Animal to go into any Reservoir or Water belonging to the said Duke and his foresaids, or shall bathe or wash any such Dog or Animal therein;
2. Every Person who shall throw any Gravel, Stone, Rubbish, Filth, or other offensive Thing into, or wash or cleanse any Cloth, Wool, Leather, or Skin of any Animal, or any Wearing Apparel or other Thing, in any such Reservoir or Water as aforesaid;
3. Every Person who shall cause or permit the Water of any Sink, Sewer, or Drain, or other filthy Water belonging to him or under his Control, to run or be conveyed into any of the Water belonging to the said Duke and his foresaids, or into any Spring, Drain, or Watercourse communicating therewith, or shall commit or cause any Act whereby the Water of the said Duke and his foresaids shall be fouled or corrupted:

Which said Penalties shall be recovered in a summary Way in the Manner directed by the said recited Act with respect to Penalties or Forfeitures thereby authorized to be levied and recovered.

Power to borrow Money.

XXVII. Provided always, and be it enacted, That it shall be lawful for the said Duke and his foresaids from Time to Time to take up at Interest, on the Credit of the Rates, Tolls, and Duties to be collected under or by virtue of the said recited Act and this Act, or either of them, any Sum or Sums of Money which he or they shall deem necessary for effectuating the Purposes of this Act, not exceeding the Sum of Seventy thousand Pounds in the whole, and that over and above the Sum of Eighty thousand Pounds which he and they

they are empowered to borrow in and by the said recited Act, and in addition to the same.

Interpretation of Act.

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

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

Words importing the Masculine Gender shall include Females:

The Word "Person" shall extend to Corporation, whether Aggregate or Sole:

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word "Justice" shall mean Justice of the Peace for the County or Place where the Matter requiring the Cognizance of any Justice shall arise, and who shall not be interested in the Matter.

Public Act.

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

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