



ANNO QUINQUAGESIMO PRIMO

# GEORGI II. REGIS.

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## Cap. 35.

An Act for widening, paving, improving, and keeping in Repair the Streets, Lanes, and other Passages in the Royal Burgh of *Kirkcaldy*, in the County of *Fife*, for the better supplying the Inhabitants thereof with Water, and for other Purposes of Utility to the said Burgh. [6th May 1811.]

**W**HEREAS the great Publick Road from the City of *Edinburgh* Eastward, by the North Coast of the *Firth of Forth* to the Northern Parts of *Scotland*, passes through the main Street of the Royal Burgh of *Kirkcaldy*, and the same is in many Places very narrow and irregular, and moreover incommodious and even dangerous by reason of Obstructions and Encroachments: And whereas it would greatly tend to the Safety and Accommodation of the Publick, as well as to the Comfort and Convenience of the Inhabitants of the said Burgh, if proper Regulations were established for widening the said main Street, and for paving, lighting, cleansing, and otherwise improving and keeping the same in Repair, and also the other Streets, Lanes and Passages, made or to be made in the said Burgh, which further requires a better Supply of Water for the Use of the Inhabitants, and the Shipping resorting to the Port thereof; but which several Objects cannot be accomplished without the Aid and Authority of Parliament: May it therefore please Your Majesty, That it may be enacted, and be it enacted by the King's Most Excel.

[*Loc. & Per.*]

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Trustees appointed for paving and lighting the Streets, &c.

lent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the Magistrates of *Kirkcaldy*, consisting of the Provost, Bailies, Dean of Guild and Treasurer, with the Convener of the Seven incorporated Trades in *Kirkcaldy*, all for the Time being, and the following Sixteen Inhabitants of the said Burgh, *videlicet*, *John Malcolm Senior*, *James Landale*, *David Dougall*, *David Johnston Malcolm*, *George Beveridge*, *Archibald Cook*, *James Balfour*, *James Bisset*, *George Aitken*, *James Cooper*, *Robert Philp*, *Thomas Willis*, *William Stark*, *William Swan*, *James Brown*, and *John Baxter*, and their Successors, to be appointed in Manner hereinafter mentioned, shall be and they are hereby declared to be Trustees for widening, paving, lighting, cleansing, and otherwise improving and keeping in Repair the Streets, Lanes and Passages of the said Royal Burgh of *Kirkcaldy*, made or to be made, and for bringing Water into the same, and putting this Act into Execution.

Appointment of new Trustees.

II. And be it enacted, That on the first *Tuesday* of *February* after the Expiration of Four complete Years from the passing of this Act, Eight of the said Sixteen Trustees, *videlicet*, *John Malcolm Senior*, *James Landale*, *George Beveridge*, *Archibald Cook*, *George Aitken*, *James Cooper*, *William Stark*, and *William Swan*, shall go out and be succeeded in their said Trust by Eight other Trustees to be elected in Manner hereinafter appointed; and on the First *Tuesday* of *February* after the Expiration of Six Years from the passing of this Act, the Eight Trustees who have been Six Years in Office shall go out and be succeeded by Eight other Trustees to be elected as aforesaid; and so on the First *Tuesday* of *February* in every Two succeeding Years, Eight Trustees shall go out, and be succeeded by other Eight Trustees elected in the Manner herein directed:

Appointment of new Trustees in room of those who die or refuse to act, or remove from the Burgh.

III. And be it further enacted, That as often as any of the Trustees hereby nominated, or who shall be elected as aforesaid, shall die or refuse to act in the Execution of this Act; or shall remove from the Burgh (such Death, Refusal, or Removal being declared at a Meeting of the said Trustees), then, and in every such Case, it shall and may be lawful to and for the surviving or remaining Trustees, or the major Part of them, who shall be present at a Meeting to be appointed within Three Calendar Months next after such Death, Refusal to act, or Removal shall be so declared, to elect One or more fit Person or Persons to be a Trustee or Trustees, in the Place or Stead of him or them so dying, refusing to act, or removing from the Burgh; and all and every Person or Persons who shall be so elected, is and are hereby vested with the same Powers and Authorities for carrying this Act into Execution, as the Person or Persons in whose Place and Stead he or they shall succeed was or were vested with.

Burgh to be divided into Districts.

IV. And be it further enacted, That the said Burgh shall be divided into Four Quarters or Districts, for the Purposes of this Act, *videlicet*: The East District, the Mid-east District, the Mid-west District, and the West District: The East District to extend from the East End of the Royalty to the East Port; the Mid-east District to extend from

from the East Port to *Halket's Clofs* inclusive; the Mid-west District to extend from *Halket's Clofe* to the *George Burn Wynd* on the South, and the *Wasber's Wynd* on the North; and the West District to extend from the *George Burn Wynd* and *Wasber's Wynd* to the West End of the Royalty: And that all Streets, Wynds, and Lanes situated in each District as above described, shall be considered as belonging to such District respectively.

V. And be it further enacted, That the Occupiers and Possessors of Houses, and other heritable Subjects, in the said respective Districts, <sup>to be elected by the Dis-</sup> entitled to vote in the Choice of Trustees, as hereinafter mentioned, <sup>tricts.</sup> are hereby authorized and required to meet in the Town-House of the said Burgh, on the last *Monday* of *January*, after the Expiration of Four complete Years from the passing of this Act: those in the East District at Ten o'Clock Forenoon; those in the Mid-east District at Twelve o'Clock Noon; those in the Mid-west District at Two o'Clock Afternoon; and those in the West District at Four o'Clock Afternoon: And the said Occupiers and Possessors in the said Districts respectively are hereby authorized and appointed, at the said Meetings, to make Choice of, and elect Two Persons [belonging to the respective Districts, qualified to act as Trustees, as hereinafter mentioned, to be Trustees in Place of the Eight Trustees above named, who are to go out on the first *Tuesday* of *February* after the Expiration of Four Years from the passing of this Act; and so thereafter the Eight Trustees, who have been Four Years in Office, to go out, and be succeeded by other Eight Trustees, elected in the Manner hereby directed, on the first *Tuesday* of *February* every Two succeeding Years.

VI. And be it further enacted, That if any Person or Persons nominated, appointed or elected, or to be nominated, appointed or elected a Trustee or Trustees as aforesaid, shall refuse to accept, or accepting, shall refuse to act, it shall and may be lawful for the said Trustees to fine such Person or Persons, in a Sum not exceeding Ten Pounds Sterling, to be applied for the Purposes of this Act; and the Person or Persons paying the same shall be exempted from acting as a Trustee or Trustees for the Two succeeding Years thereafter: <sup>Penalty for refusing to accept or neglecting to act.</sup> Provided always, and be it enacted, That no Person shall be capable <sup>Qualification of Trustees.</sup> of acting as a Trustee in the Execution of this Act, or to vote in the Election of a Trustee in the District to which he belongs, unless he shall be possessed, as Proprietor of Houses, or other heritable Subjects, within the said Burgh, of the yearly Rent or Value of Eight Pounds or upwards: or shall possess, as Tenant, Houses or other Subjects of the yearly Rent of Eight Pounds or upwards; and if any Person not so qualified shall nevertheless presume to act or vote, contrary to the true Intent and Meaning of this Act, every such Person shall, for every such Offence, forfeit the Sum of Ten Pounds Sterling, to be recovered and applied in Manner hereinafter directed; save and except Persons labouring under bodily Infirmary, and Persons above Sixty-five Years of Age.

VII. And be it enacted, That Four quarterly stated Meetings of the said Trustees shall be held every Year, during the Continuance of this Act, within the Town-hall of the said Burgh, or within any other Place <sup>Quarterly Meetings to be held</sup> within

within the said Burgh, which they shall from Time to Time appoint, *videlicet*: Upon the first *Tuesday* of *February*, the first *Tuesday* of *May*, the first *Tuesday* of *August*, and the first *Tuesday* of *November* annually, for putting this Act and the Powers hereby committed to them into execution, beginning the first of these Quarterly Meetings upon the Fourteenth Day after the passing of this Act, and that the Clerk for the Time shall cause the whole Trustees to be summoned to attend the said Quarterly Meetings by written or printed Notices to be given them personally, or left at their Dwelling-houses, at least Forty-eight Hours previous to the Time of the said Meetings, and all Powers and Authorities by this Act granted to or vested in the said Trustees, shall and may from Time to Time be exercised by the major Part of them present at such Quarterly Meetings, or at any other Meeting held in virtue and in pursuance of this Act, the whole Number present at such Meeting not being less than Five, and that the Provost of the said Burgh, and in his Absence the next senior Magistrate, and in absence of all the Magistrates, a Person to be chosen by the Meeting shall preside at all Meetings, and as often as it shall happen that there shall be an equal Number of Votes upon any Question (including the Vote of the Preses of the Meeting) the Preses shall have the decisive or casting Vote, and the said Trustees, or the Majority of them present at such Quarterly or other Meetings, may adjourn the same as they may think proper and necessary for executing the Powers granted by this Act.

Preses to have a casting Vote.

Trustees may adjourn Meetings.

Clerk to call occasional Meetings.

VIII. And be it further enacted, That the Clerk of the said Trustees shall, upon Requisition being made to him, under the Hands of any Two of them, appoint occasional Meetings, and that it shall also be in the Power of the Clerk to appoint occasional Meetings of the said Trustees when the same shall appear to him necessary and expedient: Provided always, that previous Notice of such Meetings shall be given as before directed, at least Forty-eight Hours before the Time when they are to be held.

No Order of the Trustees to be altered but by a subsequent Meeting called for that Purpose.

IX. Provided always, and be it enacted, That no Order made by the said Trustees shall be revoked or altered unless at some Meeting to be holden for that Purpose, and to be called by the Clerk as before directed, by a written or printed Notice, which shall specify the Object of such Meeting, and unless at least as many Trustees shall attend at such Meeting, to revoke or alter such Order, as were present when the same was made: any Thing contained in this Act to the contrary notwithstanding.

Trustees to appoint Officers.

X. And be it further enacted, That the said Trustees shall and may at their First or any subsequent Meeting, appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, of the Monies to be raised by virtue of this Act, and also such and so many Scavengers, Rakers, Cleansers of the Streets, and other publick Places in the said Burgh, and such and so many Keepers and Lighters of Lamps, and also such and so many Watermen as [they the said Trustees shall think proper, and from Time to Time to remove any such Person or Persons and appoint others as they shall find necessary and proper, and by and out of the Monies to be raised by virtue of this Act, the said Trustees may and are hereby empowered to pay such Salaries and Allowances

Allowances to such Officers and other Persons to be by them employed in the Execution of this Act, as they shall think reasonable, and the said Trustees shall and they are hereby required to take such Security for the due Execution of the respective Offices by such Person or Persons aforesaid as the said Trustees shall think proper.

XI. Provided always, and be it further enacted and declared, That no Person or Persons appointed or to be appointed by this Act, a Trustee or Trustees for the Purposes of bringing Water into, paving, lighting, and cleansing the Streets of the said Burgh, shall have or accept of any Place of Profit arising out of or by reason of any Rates or Duties by this Act laid or granted for the Purposes aforesaid.

Trustees not to hold Places of Profit.

XII. And in order to remove Obstructions which render the main Street of the said Burgh incommodious and dangerous to Travellers and Passengers, be it enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered to widen and improve the same, by pulling down and removing Tenements belonging to the Persons named in the Schedule hereunto annexed for the respective Lengths and Breadths thereof, also specified in such Schedule, which encroach upon the said Street; and to lay the Scites thereof into the said Street; and to treat, contract with and agree with the Owners, Life-renters and Persons entitled to the said several Tenements for the Purchase of so much thereof, and of the Ground whereon the same stands, as shall be sufficient and necessary for the Purposes aforesaid.

Main Streets to be widened.

XIII. Provided always, and be it further enacted, That if any or either of the Premises hereinbefore mentioned, or the Persons to whom they are stated to belong, or by whom they are stated to be occupied, shall happen to be misnamed or improperly described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises shall and may be taken and used for the Purposes of this Act, in such and the same Manner in all Respects as if the same and the Proprietors thereof were properly described and named, in case it shall appear to Two or more Justices of the Peace of the County of *Fife*, and be certified by a Writing under their Hands that such Misnomer or inaccurate Description proceed from Mistake.

Misnomers not to prevent the Execution of this Act.

XIV. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, Minors, Idiots, furious or other Persons, and to and for all and every other Person or Persons whomsoever, who are or shall be seised, possessed of or interested in any Lands, Houses, Tenements or other Heritages required for the Purposes of this Act, to sell and convey to the said Trustees all or any such Lands, Houses, Tenements or other Heritages, or any Part thereof, and all their Right to and Interest in the same for the Purposes aforesaid; and that all Contracts, Agreements, Sales or other Conveyances so made shall be valid to all Intents and Purposes, any Law, Statute, or Usage to the contrary notwithstanding; and that all Trustees, Heirs of Entail, Tutors, or Curators, Corporations, Proprietors, Incumbrancers, and all other Persons are and shall be indemnified for what they shall do by virtue or in pursuance of this Act.

Power to incapacitated Persons to sell and convey.

Empowering  
the Trustees  
to summon a  
Jury, whose  
Verdict shall  
be conclusive  
to all Parties.

XV. Provided always, and be it enacted, That in case no Agreement shall be concluded between the said Trustees and the Heritors, Life-renters or Lessees, or any of them, either by the Heritors and others interested, refusing, or neglecting to treat and agree, or to accept of the Value and Price offered to them by the said Trustees, within Ten Days after being required under the Form of notarial Instrument so to do, or from the said Persons interested being under Incapacity or unknown, then it shall be competent to the Sheriff Depute of the said County or his Substitute, upon Application being made to them by the said Trustees, to summon a Number of discreet and substantial Persons, being Owners of Houses or Lands within the Burgh, not less than Forty-five in Number, to come and appear before such Sheriff, at such Time and Place as by his Warrant and Precept shall be directed; which being notified by the Trustees to the Party concerned, or his or her Agent, at least Ten Days before the Time appointed by such Sheriff; and the Number of Persons then attending shall be reduced to Fifteen, by the Trustees and the Proprietors striking off One alternately, beginning on the Part of the Proprietor; or in case both Parties or either Party shall fail to appear by the Sheriff Depute or his Substitute striking off One until the Number be so reduced, and the remaining Fifteen being duly sworn, the Sheriff Depute or his Substitute shall proceed to examine upon Oath, in their Presence such Witnesses as shall be summoned by either Party, and upon their Deposition and other competent Evidence such Jury shall determine the Damages to be paid by the Trustees, and their Verdict shall be conclusive, final and binding to all Parties, without any Power of Review or Appeal whatsoever; and the Sheriff Depute or his Substitute shall thereupon order Payment to be made of the Sum or Sums awarded by the Jury, and shall ordain the Owners and Occupiers of such Heritages, or their Trustees, Tutors, Curators or Administrators, upon Payment or lawful Tender of such Sum or Sums, quietly to permit and suffer the said Trustees to take Possession of such Heritages.

Verdict as to  
Value of  
Lands, and  
Damages to  
be ascertain-  
ed separately.

XVI. And be it further enacted, That the said Juries respectively shall award all Determinations, Judgments and Verdicts which they shall respectively make and give in the Execution of the Powers hereby vested in them concerning the Value of Lands, Tenements and other Heritages separately and distinctly from the Consideration of any other Damage sustained or to be sustained by any Person or Persons in consequence of the Execution of any of the Powers of this Act, and shall distinguish the Value set upon the Lands, Tenements and other Heritages, and the Money assessed or adjudged for such Damages as aforesaid, separately and apart from each other.

Application  
of Compensation  
Money  
when exceed-  
ing 200l.

XVII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements or Heritages purchased, taken or used by virtue of the Powers of this Act for the Purposes thereof, which are held under Entail or are subject to Life Rents, Annuities or other Incumbrances, or shall belong to any Corporation, married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two Hundred Pounds, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid  
into

into the Bank of *Scotland*, or Royal Bank of *Scotland*, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rent and Profits of the said Lands, Tenements or Heritages, in the Purchase or Redemption of the Land Tax or Discharge of any Debt or Debts or such other Incumbrance or Part thereof as the said Court shall authorize to be paid affecting the same Lands, Tenements or Heritages, or affecting other Lands, Tenements or Heritages standing or settled therewith to the same or the like Uses, Intents and Purposes, or where such Money shall not be so applied the same shall be laid out and invested under the Limitation and Approbation of the said Court in the Purchase of Messuages, Lands, Tenements or Heritages which shall be conveyed and settled to, for and upon such and the same Trusts, Intents and Purposes, and in the same Manner as the Messuages, Lands, Tenements or Heritages which shall be so purchased, taken or used as aforesaid stood settled or limited, 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 mean Time, and until such Purchase shall be made, the Interest and annual Produce of such Money shall from Time to Time be paid by Order of the said Court to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements and Heritages so hereby directed to be purchased in case such Purchase or Settlement were made.

XVIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements or Heritages purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation or to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two Hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Heritages so purchased, taken or used, or of his, her, or their Tutors or Curators, in case of Infancy or Lunacy to be signified in Writing under their respective Hands, under the like Direction and Authority, be paid into either of the said Banks, and be placed to his, her or their Account as aforesaid, in order to be applied in manner hereinbefore directed, or otherwise the same shall be paid at the like Option to Five Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Trustees (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 hereinbefore directed, as far as the Case be applicable.

If under  
200l. and  
above 20l.

XIX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next 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 or Persons who would for the Time being have been entitled to the Rents and Profits of the Heritages so purchased, taken or used, for the Purposes of this Act, in such Manner

Where under  
20l.

as

as the said Trustees or any Three or more of them shall think fit, or in case of Infancy or Lunacy then to his, her or their Tutors or Curators to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles; or if Persons cannot be found, Purchase Money to be paid into the Bank.

XX. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements or Heritages, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found, or if the Person or Persons entitled to such Lands, Tenements or Heritages be not known or discovered, then and in every such Case, it shall and may be lawful to and for the said Trustees to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of *Scotland* or Royal Bank of *Scotland*, to the Credit of the Parties interested in the said Lands, Tenements or Heritages (describing them) subject to the Order, Controul and Disposition of the Court of Session, which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money or any Part thereof by Petition, shall be and is hereby impowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable, and the Cashier or Cashiers of the Bank of *Scotland* or Royal Bank of *Scotland*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In Cases of questionable Title Possessor to be deemed to have a Title until the contrary shall be shewn.

XXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, under the Direction, and by the Authority of the Court of Session, in pursuance of this Act, for the Purchase of any Lands, Tenements or Heritages, or any Estate, Right or Interest in any Lands, Tenements or Heritages to be purchased with any such Money, or to the Rents or Profits thereof, the Person or Persons who shall have been in Possession of such Lands, Tenements or Heritages, at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements or Heritages, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Rents and Profits of the Lands, Tenements and Heritages to be purchased with such Money; and also the Lands, Tenements and Heritages so purchased, shall be paid, applied and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such



such Lands, Tenements or Heritages, or to some Estate or Interest therein.

XXII. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Lands, Tenements or Heritages to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Banks or either of them, and to be applied in the Purchase of other Lands, Tenements or Heritages, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court 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, to be paid by the said Trustees, who shall, from Time to Time, pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

Expences of Purchase may be allowed by the Court.

XXIII. Provided also, and be it enacted, That upon Payment or legal Tender of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, or as shall have been ascertained and settled by the Verdict of a Jury, for the Purchase of any such Lands, Springs, Tenements or other Heritages, or as a Recompence for the yearly Produce or Profits thereof; or as a Compensation for Damages, as herein mentioned, to the Proprietor or Proprietors of such Lands, Springs, Tenements, or other Heritages, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation respectively, at any Time after the same shall have been so agreed for or offered; or if the Person or Persons so entitled or interested, or any of them, cannot be found, or shall refuse to receive the same, upon Payment of the same into the Bank of *Scotland*, or Royal Bank of *Scotland*, in Manner by this Act directed, then, and in all or any of the said Cases, it shall and may be lawful to and for the said Trustees, and their Agents, Workmen and Servants, immediately to enter upon such Lands, Grounds, Tenements, Waters and other Heritages respectively (or before such Payment or Tender, by Leave of the Owners or Occupiers thereof, signified in Writing, but not otherwise); and then and thereupon such Lands and Grounds, Springs, Tenements and other Heritages, together with the yearly Profits thereof, and all the Estates, Use, Trust and Interest of any Person or Persons therein, shall from thenceforth be veited in, and become the sole Property of the said Trustees, to and for the Purposes of this Act for ever; and which Tender, Payment, Investment or Deposit, shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall or ought to have been made, but also shall extend to, and be deemed and construed to bar the Right, Title, Claim, Interest and Demand of every other Person whatsoever: Provided also, That before such Payment, Security, Tender, Investment or Deposit as aforesaid, it shall not be lawful for the said Trustees, or any Person acting under their Authority, to dig or cut the Lands or Grounds, or to take down, remove, or otherwise affect any Tenement or other Heritage of the Person or Persons entitled to such Payment or Security, for the Purposes of this Act, without the Leave and Consent in Writing, of such Person or Persons respectively.

Power to enter and take Possession of Lands, &c. on Payment or Tender of Purchase Money.

[*Loc. & Per.*]

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XXIV. And

Trustees to  
sell Materials  
and Ground.

XXIV. And be it enacted, That after the Purchase of any such Tenements, Houses, Lands and other Heritages as shall be found necessary for the Execution of this Act, the said Trustees shall be and they are hereby authorized and empowered to sell by publick Auction, for an adequate Price, the Materials of all such Houses and Buildings, and also the remaining Ground, (if any) and apply the Purchase Money to and for the Purposes of this Act and none other; and they are hereby authorized and empowered to pay the Purchase Money or adjudged Value of the said Lands, Tenements and other Heritages of such Sums as shall be raised for the Purposes of this Act.

Notice to be  
given to Tenants to  
move.

XXV. Provided also and be it enacted, That previous Notice shall be given by the said Trustees to the Tenants and Occupiers of all such Lands, Tenements, Houses, Leases and other Heritages as are so to be converted and disposed of for the Purposes aforesaid Three Months at least before the Term of *Martinmas* or *Whitsunday*, at which the said Tenants or Occupiers are to be removed therefrom by affixing a Notice in Writing to that Effect upon the most patent Door of such Houses, Tenements and other Heritages or by delivering such Notice to the principal Occupiers thereof in the same Manner with Warnings to remove within Burgh; Satisfaction being always made in the Manner directed by this Act to any Tenant or Occupier who shall be removed before the Expiration of his Lease and Term.

Outshots and  
Outstairs to  
be removed.

XXVI. And be it enacted, That it shall and may be lawful for and in the Power of the said Trustees or any Two of them, by an Order given under their Hands, (after inspecting the Premises and hearing the Parties concerned,) to order the Proprietors of all Houses and other Buildings fronting any of the Streets of the said Burgh, to remove or cause to be removed or taken away within a reasonable Time, all Outstairs, Outshots, Buildings, Erections and other Things whatsoever, which tend to obstruct free Passage in the said Streets and Foot Pavements; and if within the Time specified in such Order, the said Outstairs, Outshots, Buildings, Erections and other Things be not taken away, the Owner or Proprietor of such House or Building to which the said Obstructions are annexed and belong, shall forfeit and pay any Sum not exceeding Ten Shillings Sterling for every Month after the Date of such Order during which the said Outstairs, Outshots, Buildings or other Things shall remain, the said Fines to be recovered and applied in Manner hereinafter directed: Provided always that in case the foresaid Obstructions shall not be removed within Three Calendar Months after the Order decerning them to be removed, it shall be lawful for and in the Power of the said Trustees or any Two of them to cause the same to be removed.

Expence of  
removing  
Obstructions  
to be paid by  
Trustees.

XXVII. Provided always, and be it enacted, That in Cases where the said Outstairs, Outshots, Buildings and Erections shall be removed under the Authority of this Act, the Expence and Damage arising therefrom shall be paid by the said Trustees from the Funds granted by this Act; and if any Difference shall arise betwixt the Proprietor of such Outstairs or Outshots and the Trustees, the same shall be settled by a Jury as in the Manner herein directed.

XXVIII. And

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, and at all Times when they shall think proper, to order or direct all or any of the Streets, Lanes, Passages and Places within the said Burgh of *Kirkcaldy* or any Part or Parts thereof, to be new paved or repaired, and raised, lowered, widened or altered in such Manner as the said Trustees shall think proper, and also to order and direct the said several Streets, Lanes and Passages and Places to be lighted and cleansed, and all Signs and Sign Posts projecting over the said Streets or Foot Pavements to be taken down or removed, and the same to be placed and fixed flat on the Fronts of the Houses and Shops to which they belong: And the present and future Drains, Sinks, Gutters or Watercourses for conveying the Water out of and from the several Streets, Lanes and Passages, and to Places to be amended, repaired, cleansed, scoured or widened, and new ones to be made in such Manner as the said Trustees shall think proper; and may cause the same to be made through any adjoining Lands or Grounds, (if Occasion shall require) making such Satisfaction for the Damages done thereby as the said Trustees shall think proper; and in case of any Difference between the Trustees and the Parties interested in the Premises respecting the Amount of such Satisfaction, the same shall be settled by a Jury in the Manner herein provided.

Trustees to cause Streets, &c. to be repaired,

and to be lighted and cleansed of Obstructions and Nuisances, &c.

XXIX. And be it enacted, That the Proprietors and Feuars of all Houses and other Buildings fronting any Street or publick or principal Place within the said Burgh, shall at his, her or their Expence cause the Footways, Paths or Pavements before their Property respectively on the Sides of the said Streets and other public and principal Places to be well and sufficiently paved with flat hewn Stones in such Manner and in such Form as the said Trustees, after visiting and inspecting the same, and hearing the Parties concerned, shall from Time to Time direct and appoint; the Breadth of the said Foot Pavement not to exceed Eight Feet.

Proprietors to pave Footways before their Properties.

XXX. And be it enacted, That in case any Proprietor or Feuar shall refuse or neglect to cause such Footways, Paths or Pavements so to be paved in the Manner directed by the said Trustees, within Sixty Days after being required so to do, it shall be lawful for the said Trustees to cause the Foot Pavements to be made in such a Manner as they shall direct, the Breadth of the said Foot Pavements not to exceed the Breadth before specified, at the Expence of such Proprietor or Feuar; and in case any such Proprietor or Feuar shall refuse or neglect to pay such Expence when required, it shall be lawful for the said Trustees to recover the same by a summary Application to any Two or more of His Majesty's Justices of the Peace for the County of *Fife*.

And if they refuse or neglect, Trustees may order the same to be done at their Expence.

XXXI. And be it enacted, That all and every Person or Persons who shall possess the Floor on a Level with or immediately above the Street, whether the same shall be occupied as a Dwelling House or Shop adjoining to or fronting the Foot Pavements within the said Burgh, shall cause the same along the Front of such Floor occupied by such Person or Persons to be swept, scraped and cleansed once every Day, (*Sunday* excepted) between the Hours of Six and Nine in the Morning; and if

Inhabitants to sweep Foot Pavements opposite their Houses.

any

any such Person or Persons fail so to do, it shall be lawful for any One or more of His Majesty's Justices of the Peace for the said County to order, in a summary Manner, such Possessors and Proprietors to pay a Sum not exceeding One Shilling for each Offence; and in case any Dispute shall arise among the Possessors of the Property adjoining the said Foot Pavements relative to the scraping, cleansing and sweeping the same, it shall be lawful for the said Justice or Justices to enquire into the Matter, and determine the same finally, without being subject to Review or Challenge in any Manner or Way whatsoever.

Dung to be removed from Streets.

XXXII. And be it enacted, That all and every Person or Persons who shall lay or place Dung, or cause to be laid or placed on any Part of the said Streets or other Public Ways of the said Burgh, for the Purpose of transporting it, shall remove and take away the same before Twelve of the Clock of the Day on which it shall be so laid, in the Months of *November, December, January, February, and March*, and before Ten of the Clock Forenoon in the Months of *April, May, June, July, August, September and October*; and if any Ashes or Dung of any Kind, shall be so laid and remain upon any Part of the said Streets or Public Ways, after the Hours before specified, it shall and may be lawful for the Justice of the Peace of the County of *Fife*, or any One of them, upon a Complaint made by the said Trustees, to decern the Person or Persons so offending, to pay any Sum not exceeding Ten Shillings Sterling for each Offence.

Wheelers of Dung to clean Foot Pavements.

XXXIII. And be it enacted, That the Person or Persons employed in carrying or wheeling such Dung into the Streets shall be obliged to scrape, sweep and cleanse the Foot Pavements over which the said Dung shall have been carried or wheeled, immediately after they shall cease to wheel out the same, under a Penalty not exceeding One Shilling Sterling for each Offence.

Streets to be swept and cleansed.

XXXIV. And be it enacted, That the Streets, Lanes and Passages of the said Burgh shall be swept and cleansed by the Order of the said Trustees, at such Times and in such Manner as they shall direct, and all Soil, Dirt, Ashes and Filth, to be collected thereon, shall and may be sold by the said Trustees to any Person or Persons who shall be willing to purchase the same, either by Private or Publick Sale, at such Price or Prices as can be got for the same, which shall be applied for the Purposes of this Act.

Timber to be carried on long Carriages.

XXXV. And be it further enacted, That all Timber and every Log of Wood and Bar of Iron conveyed through the Highways, Streets, or Lanes of the said Burgh, whether going into or coming from the Country or otherwise, shall be conveyed and carried upon long Carts or Carriages, or in such other Way or Manner as that such Timber, Wood or Iron shall not trail upon the said Streets, or project or extend over the Sides of the Carriage conveying the same, so as to obstruct or incommode the Passage of any Person or Carriage, and that every Person or Persons who shall convey or carry any Timber or any Log of Wood, or any Bar of Iron through the said Highways, Streets or Lanes of the said Burgh, in any other Manner than as before directed, shall forfeit and pay a Sum

not exceeding Five Shillings Sterling for each Offence, to be recovered in like Manner as any Penalty is by this Act authorized and directed to be recovered.

XXXVI. And be it enacted, That in case any Hole or Opening shall be made in any of the Streets, Lanes, Passages or Publick Places of the said Burgh, for the Purpose of digging Foundations or building or digging Wells, Drains, or any other Purposes, that the Person or Persons making or causing to be made the said Holes or Openings, and the Persons employed and concerned therein, shall at his, her or their own Expence, cause a sufficient Rail or Fence of Ropes or other Materials, to be put round the said Holes or Openings, and shall also cause a Lamp or Light to be fixed at or near the same, to be kept burning every Night that such Holes and Openings shall remain unfilled up, from Sun-setting to Sun-rising; and in case any of the said Person or Persons shall refuse or neglect to affix and keep burning the said Lamps or Lights in manner foresaid, the Person or Persons so offending shall forfeit and pay a Sum not exceeding Five Shillings Sterling for each Offence.

Holes made in Streets to be fenced and lighted.

XXXVII. And be it enacted, That when it shall be necessary to take down and unroof any House or Tenements fronting the Streets of the said Burgh for the Purpose of rebuilding or repairing them, or for any other Purposes, or when it becomes necessary to perform any other Work upon Stone or Brick Houses or Tenements whereby Risk shall arise of Stones, Bricks, Slates, Timber or any other Materials falling upon the said Foot Pavements on the Sides of the Streets, then and in every such Case the Person or Persons carrying on or causing to be carried on such Works shall, at his, her, or their Expence, fence round, or cause to be fenced round, with a sufficient Rail of Rope or other Fence, those Parts of the said Foot Pavements which are opposite to the said Houses or Tenements; and shall uphold and keep in proper Repair and Condition the said Rail, Ropes or other Fences during the whole Time the said Works are carrying on, so as to prevent Passengers from passing along those Parts of the Pavements; and that it shall be lawful for and in the Power of the said Justices of Peace or any one of them, to fine the Person or Persons refusing or neglecting so to fence round the said Pavements in a Sum not exceeding Five Shillings Sterling for each Day's Failure; and also to order the said Pavements to be fenced in at the Expence of the Person or Persons carrying on the said Works or Repairs.

Foot Pavements to be railed in when Houses shall be taken down or repaired.

XXXVIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered from Time to Time to cause Lamp Irons or Lamp Posts to be put up and affixed to the Walls, or in, upon or against the Ground adjoining to the Walls of any House and Tenements already built, or hereafter to be built within the said Burgh of *Kirkcaldy*, as they the said Trustees shall from Time to Time think proper and convenient; and also to cause such Number of Lamps of such Size and Sorts to be provided, and fixed and put upon such Lamp Irons and Lamp Posts, and to cause the same when so provided and fixed to be altered, taken down or removed as they shall from Time to Time think proper for well and effectively lighting the said Burgh; and also to cause such Lamps to be lighted at such Time or

Power to provide Lamps.

[*Loc. & Per.*]

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Times

Times, and to be kept lighted during the whole or such Part of the Night as they the said Trustees shall think proper.

Power to lay  
Pipes.

XXXIX. And be it further enacted, That it shall be lawful for the said Trustees to collect and conduct the Water from which the Burgh is at present supplied, in Pipes or other Ways, to a Reservoir or Reservoirs, to be made and built at or near a certain Place situated in a Garden belonging to *James Thomson, Weaver in Kirkcaldy*, as specified in the Schedule hereunto annexed, and from thence to conduct the same through the different Streets of the said Burgh for the Supply of the Inhabitants of the said Burgh, and the Shipping resorting to the Port thereof; and for these Purposes to bore, dig, cut, trench, fough, get, remove, take, carry away and lay Earth, Clay, Stones, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got in collecting and conducting such Water, or in making a Reservoir or Reservoirs as aforesaid, and in laying any Pipe or Pipes, or in making or constructing such Works as shall be necessary for conveying such Water, or which may hinder, obstruct or prevent the making or constructing the same, or the using, completing and maintaining the same; and to use, exercise, and employ all necessary Ways and Means for conveying and bringing a sufficient Supply of Water from the said Place to the said Burgh for the Use of the Inhabitants thereof, and the Shipping resorting thereto; and from Time to Time to repair, maintain, support and continue the same according to the Tenor and Effect, and true Intent and Meaning hereof; and also to make, maintain, repair and alter any Fences, Passages, Bridges or Arches which may be necessary for the Purposes aforesaid or any of them, and from Time to Time to make, construct and erect, and to repair and maintain any Wells or Cisterns in any of the Streets, Lanes, or Places in the said Burgh for the common Supply of the Inhabitants thereof; and any Basons, Main Pipes, Rider Pipes, Hand Pipes, Stand Pipes, Service Pipes, Branches of Lead, and other Metal, Cocks, Chamber Cocks, Cocks in common, Stop Cocks, Valves, Fire Plugs, Air Plugs, Fire Cocks, Bores, Mains, Ferriers, Feeders, Drains, Pumps, Sluices, and other Works and Devices as they shall think proper, and for all or any of the Purposes of this Act, to break up and remove the Soil, Posts, Kirbs, Bulk Heads, Bars, Sewers, Drains, Pavements and gravelled and other Ways of any of the present and future Roads, Streets, Lanes, Passages, Alleys, public Courts, Footways, publick Quays, Closes and publick Places, and to enter into any private Lands or Grounds within the said Burgh and Parts adjacent; and to dig and sink Trenches, and lay Pipes, and put Stop Cocks, Chamber Cocks, Fire Cocks, Fire Plugs and Branches from such Pipes in such Places for the laying and fixing such Pipes, and all such other Matters and Things in such Places, and in such Manner as the said Trustees shall judge necessary for distributing and conveying such Water to the said Wells or Cisterns, or the respective Houses, Offices and other Tenements of the said Inhabitants of the said Burgh; and for that Purpose to erect standard or upright Pipes on the Sides or Gavels of any Tenement or Building to supply any Inhabitant of any of the Stories or Floors thereof with Water, and to build up or surround the same with a Covering of Timber, Stone, or Brickwork or other Building for preserving the same: Provided the said Trustees do not stop up any Window or Light of any Proprietor or Occupier without  
his

his Consent, by the said upright Pipes or Buildings for preserving the same; and from Time to Time as Occasion may require to alter the Position of, and to repair, relay and maintain such Pipes, Stop Cocks, and Air Plugs and Machinery, and to do all other Acts, Matters and Things which shall from Time to Time be necessary or proper for completing and amending, repairing and improving, and for using the Works authorized by this Act to be done in relation to the supplying the said Burgh and Shipping resorting to the said Harbour with Water, and provided for the Purposes and according to the true Intent and Meaning hereof; they the said Trustees, their Deputies, Agents, Servants and Workmen doing as little Damage as may be in the Execution of the several Powers to them hereby granted, making Satisfaction in the Manner herein directed to the Owners and Proprietors of and all Persons interested in the Lands, Tenements and Heritages respectively which shall be used for the Purposes aforesaid, or injured in Value by Means of the Powers hereby granted, or which shall be by them sustained by reason of all or any of the Powers of this Act.

XL. And whereas a Map or Plan, describing the Places from whence and the Manner in which Water is to be conveyed into the said Burgh, hath been deposited with the Clerk of the Peace of the County of *Fife*: Be it enacted, That such Map or Plan shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and all Persons interested therein shall, at all reasonable Times, have Liberty to inspect and peruse the same, and take a Copy thereof, or any Part thereof, paying the Sum of One Shilling to the Clerk of the Peace, or his Deputy, for every such Inspection; and that the said Trustees shall not make any Reservoir or Reservoirs but the Reservoir or Reservoirs specified in such Plan, in making such Reservoir or Reservoirs, and bringing Water into the said Burgh as aforesaid, the said Trustees shall not deviate more than Twenty Yards, of Three Feet each, from the Scite of the said Springs, or the Course in which the Water is to be conveyed therefrom into the said Burgh as aforesaid, as described in the said Map or Plan, without the Consent and Approbation in Writing of the Person or Persons, Body Politick or Corporate, through whose Lands or Grounds such Deviation shall be made.

Plan deposited with the Clerk of the Peace.

XLI. Provided always, and be it enacted, That nothing herein contained shall authorize or empower the said Trustees, or any Person or Persons acting by and under their Authority in conveying such Water into the said Burgh, to take, use, injure or damage any House or other Building, which was erected or built on or before the passing of this Act, or any Land or Ground, which on or before the passing of this Act was set apart and used as or for a Yard, Paddock, Garden, planted Walk, or Avenue to a House, without the Consent of the Owner or Owners thereof for the Time being: Provided nevertheless, That the said Trustees shall not be restrained from erecting standard or upright Pipes on the Sides or Gavels of any Tenement or Building, to supply any Inhabitant of any Story or Floor thereof with Water, in the manner herein directed.

Houses already erected and Garden Ground not to be injured.

XLII. And be it further enacted, That such of the Inhabitants of the said Burgh of *Kirkcaldy*, as shall be desirous of having the Water laid into

Inhabitants may lay private Pipes.

their Houses or Offices, may and are hereby authorized and empowered, at their own Expence (having first obtained the Consent of the said Trustees in Writing), to open the Ground between the Main Pipes and the respective Houses or Offices, and to lay leaden or other Pipes, the Bore whereof shall be fixed by the said Trustees, to communicate with the said Main Pipes, in any of the Highways, Streets or Lanes, or Place or Places within the said Burgh of *Kirkcaldy*, such respective Inhabitants making Satisfaction in the Manner directed by this Act, to the Owners and Occupiers of and Persons interested in any Lands, Grounds, Tenements or Heritages, which shall be injured by such Inhabitant; and also paying the said Trustees yearly, quarterly, or monthly, such Sum or Sums of Money for such Water as shall be mutually agreed upon between them; and in case of Default in Payment of any such Sum or Sums of Money so to be agreed upon as aforesaid, it shall be lawful for the said Trustees to cause the Pipe or Pipes belonging to the Person or Persons making such Default, and communicating with any Main Pipe or Pipes, to be separated from the Pipe or Pipes with which the same shall so communicate, and to cause the Water to be stopped from issuing or running into the Houses or Offices of any Person making such Default; and that the Sum and Sums of Money which shall be due and in arrear from such Person or Persons to the said Trustees, shall and may be recovered by summary Action, before any One or more of His Majesty's Justices of the Peace for the said County, who are hereby required to hear and determine the same in a summary Manner; and if any Person shall lay or cause to be laid any leaden or other Pipe, to communicate with any Main Pipe, or other Pipe, without such Consent being obtained as aforesaid, every such Person shall forfeit and pay to the said Trustees the Sum of Ten Shillings Sterling for every Day such Pipe shall so remain: Provided always, That such Inhabitants, as shall have laid Pipes as aforesaid, shall be at Liberty to remove and take away the same, and the Cocks to the said Pipes belonging; providing also that such of the Inhabitants as may lay or remove such private Pipes, shall be obliged to forthwith remove the Rubbish thereby occasioned, and forthwith to repair and make good the Pavement, and shall also amend and repair such Pipe or Pipes at their own Expence.

Proprietor of private Pipes not to supply any other Person therefrom.

XLIII. Provided always, and be it further enacted, That if any Inhabitant of the said Burgh of *Kirkcaldy*, or any other Person or Persons whomsoever supplied with Water by such private Pipes, shall supply any other Inhabitant thereof, or any other Person whomsoever with any Part of such Water, that in every such Case every Person so offending, shall for every such Offence, forfeit and pay to the said Trustees any Sum not exceeding Five Pounds Sterling, to be recovered in like Manner as any Penalty or Forfeiture can or may, by virtue of this Act, be recovered; and it shall also be lawful for the said Trustees, if they shall so think fit, also to take off the Water from the Houses or Offices of any Person so offending for every such Offence.

Ball Cocks to be provided in Cisterns.

XLIV. And be it enacted, That every Person or Persons contracting with the said Trustees for the Supply of Water, shall in every Water Butt, Cistern or Receptacle for Water to be provided by the said Parties so contracting with the said Trustees, attach and fix a Ball Cock or other  
 self-



self-acting Cock to the Pipe conveying Water, from the Pipes laid by the said Trustees into such Butt, Cistern or other Receptacle, and to repair and renew the same as often as shall be necessary, in order to prevent the Water running to waste when such Butt, Cistern or other Receptacle shall be full; and such Person or Persons neglecting to attach and fix or repair and renew such Ball or self-acting Cock shall forfeit to the said Trustees a Sum not exceeding Five Pounds Sterling for every Offence, and the authorized Servant or Servants of the said Trustees shall have free Access (at all seasonable Times) to the Premises so to be supplied as aforesaid to see that such Ball Cocks are kept in proper and sufficient Repair and Condition.

XLV. And be it further enacted, That if any Inhabitant of the said Burgh supplied with Water by such private Pipes as aforesaid, shall through Carelessness or otherwise leave open the Outer Cock, Spicket of any such Butt, Cistern or Receptacle, or otherways allow the Water to run to waste, the Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings Sterling, to be recovered in Manner hereinafter directed, and upon a Third Offence the Trustees, if they shall think fit, may also take off the Water from the House or Offices of the Person so offending.

Cocks not to be left open.

XLVI. And be it further enacted, That for the more expeditious extinguishing Fires that may happen in the said Burgh of *Kirkcaldy*, any Person or Persons shall and may take up or break any of the Pavements within the said Burgh, or any Water Pipe or Water Pipes laid or to be laid therein, and the said Trustees shall and may from Time to Time order and appoint such and so many Plugs called Fire Plugs to be put or placed into the Main or other Pipes to be laid along any Part or Parts of the said Streets, Lanes and other Places in the said Burgh, for the better obtaining Water for extinguishing of such Fires, but for no other Use or Purpose whatsoever, and that such Pavements so to be taken up, and such Pipes so to be broken, shall be repaired and made good by the said Trustees out of the Rates and Monies to be raised in virtue of this Act.

Fire Plugs to be provided.

XLVII. And be it further enacted, That the said Trustees shall, and they are hereby required, upon the carrying into and laying down any main Pipe in any Street, Passage or Place for the supplying the same with Water, to fix and place, or cause to be fixed and placed at the Time of laying down such main Pipe, One or more proper and sufficient Fire Plug or Fire Plugs in each Street, Passage and Place supplied with Water from such Main or Mains for the Supply of Water for the extinguishing of Fires, and when and so soon as any such Fire Plugs shall be finished, the said Trustees shall immediately deliver a Key or Keys of such Fire Plug or Fire Plugs at each and every House or Place in the Parish in which such Fire Plug shall be, wherein any Engine shall be kept for the extinguishing of Fires.

Requiring the Trustees to make Fire Plugs in every Street.

XLVIII. And for the Supply of Water to the Shipping resorting to the Port of *Kirkcaldy*, Be it enacted, That it shall and may be lawful for the said Trustees to convey Water to the Shore near the Harbour of *Kirkcaldy* from any Main Pipe or Pipes which shall be laid in any of the

Supplying Ships with Water.

[Loc. & Per.]

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Streets

Streets of the said Burgh, nearest to the said Harbour, and to make Wells and erect upright Pipes at such Places near or adjoining to the said Harbour as they shall think proper, and as may be most convenient for supplying the Ships and Vessels resorting to the said Harbour with Water.

Penalty for  
injuring the  
Water.

XLIX. And in order to preserve the Water to be conveyed into the said Burgh pure and wholesome; Be it enacted, That no Person shall bathe in any of the said Reservoirs or Wells, or wash any Dogs or other Animals therein, or cast, throw or put any Dog or Cat or other Filth, Dirt, or any noisome or offensive Thing, or wash or clean any Cloth, or any Wool, Cotton, Linen, Leather, or any noisome or offensive Thing in any of the said Reservoirs or Wells, or suffer the Water of any Sink, Sewer or Drain to run or be conveyed into the same, or into any of the said Pipes, or cause any other Annoyance to be done to the said Water thereof, upon Pain of forfeiting to the said Trustees for every such Offence any Sum not exceeding Forty Shillings.

Trustees may  
contract for  
laying Pipes  
and paving  
Streets.

L. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered to contract with any Person or Persons for laying Pipes for carrying and distributing the said Water, erecting Reservoirs, Wells, upright Pipes, Fountains and Cisterns, and also for paving, lighting and cleansing the said Highways, Streets and Lanes within the said Burgh, and that such Contract or Contracts shall be signed by the Preles and Clerk in the Name of the Meeting at which the said Agreement or Contract shall be made, and shall be binding and conclusive upon all Parties.

Contracts to  
be defrayed  
out of the  
Monies to be  
levied.

LI. And be it enacted, That the said Trustees shall be and they are hereby authorized and empowered to order such Sum or Sums of Money as they shall contract for on account of the aforesaid Works to be paid out of the Monies to be raised in virtue of this Act.

Property in  
the Lamps,  
&c. vested in  
the Trustees.

LII. And be it further enacted, That the Property in the Lamps, Lamp Posts, Lamp Irons and Materials which shall be fixed by Authority of this Act, and in the Pipes, Reservoirs, Wells, Cisterns and other Works and Erections for conveying and distributing the Water as aforesaid, which shall be provided or got in virtue of this Act, shall be and the same are hereby vested in the said Trustees, and they are hereby authorized and empowered to dispose thereof and to renew the same, as they shall think proper for the Purposes of this Act.

Penalty on  
Persons  
breaking  
Lamps or  
destroying  
Pipes.

LIII. And be it further enacted, That if any Person or Persons shall wilfully or maliciously obstruct, hinder or molest any Officer, Servant, or other Persons or Persons employed in the Execution of any of the Powers committed by this Act to the said Trustees, or shall wilfully or maliciously break, throw down, take away or extinguish, damage or spoil any Lamp or Lamps, to be set up for lighting any of the said Highways, Streets or Lanes, or damage the Posts, Irons or other Furniture thereof, or the Pipes or Reservoirs, Wells, Fountains and Cisterns, for conveying and distributing the Water as aforesaid, it shall and may be lawful for any Person or Persons whatsoever who shall see such Offence committed, to seize, as also to any other Person or Persons

to

to assist in seizing, the Offender or Offenders, and by Authority of this Act, without any other Warrant, to convey him, her or them into the Custody of a Constable or other Peace Officer, in order to be carried before a Justice of the Peace, or other Judge Ordinary, who shall proceed to examine upon Oath, any One or more Witness or Witnesses who shall appear to give Information touching such Offence, and if the Party or Parties accused shall be convicted of such Offence, either by his, her or their Confession, or by the Oath of any One or more credible Witness or Witnesses, upon such Information as aforesaid, he, she or they being so convicted as aforesaid, shall forfeit and pay any Sum not exceeding Forty Shillings Sterling for the first Offence, and any Sum not exceeding Three Pounds Sterling for the second, and every subsequent Offence, and moreover shall be obliged to make full Satisfaction for the Damage so done by him, her or them as aforesaid, and in case such Offender or Offenders shall not upon Conviction pay the Forfeiture and make the Satisfaction as before directed, the Justices of the Peace or other Judges, are hereby required to commit him, her or them, to the Common Gaol of the said Burgh of *Kirkcaldy*, for any Time not exceeding Two Calendar Months, and such Offender or Offenders shall not be discharged therefrom before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

LIV. And be it hereby further enacted, That in case any Person or Persons shall carelessly or accidentally break, throw down and damage any of the said Lamps, or the Posts, Irons or other Furniture thereof, or the Reservoirs, Wells, Fountains, Cisterns, Pipes, and other Conductors for conveying and distributing the Water as aforesaid, and shall not immediately on Demand, make Satisfaction for the Damage done thereto, then and in every such Case it shall and may be lawful for any One or more of His Majesty's Justices of the Peace of the said County, upon Complaint being made to him or them, to cause to be summoned before him or them the Party or Parties so complained of, for doing such Damage, and upon Proof of the Complaint by the Oath of One or more Witness or Witnesses, or the Confession of the Party or Parties so complained of and summoned, to award such Sum and Sums of Money by way of Satisfaction for the Damage as the said Justice or Justices shall think reasonable, and in case of Neglect or Refusal of the said Party or Parties to pay such Sum or Sums of Money so awarded within Three Days next after Demand thereof, to cause the same to be levied by Distress and Sale of the Goods and Effects of the said Party or Parties, and the Surplus, after Payment of the Damage and Expence (if any be) arising from such Sale to be paid to him, her or them when demanded.

Persons carelessly breaking Lamps or destroying Pipes to make good the same.

LV. And in order to raise a proper and sufficient Fund for answering the Purposes of this Act to be carried into Execution by the said Trustees: Be it enacted, That the said Trustees shall have Power, and they are hereby authorized and required, at their Meeting to be held on the first *Tuesday* of *February* annually, to fix and ascertain certain Rates and Assessments, to be raised and levied from the whole Occupiers and Possessors, whether Heritors or Tenants, of all Houses, Gardens, Shops, Cellars, Warehouses, and other heritable Subjects within the said Burgh, actually occupied and possessed, and that by an equal

Levying Rates.

equal Pound Rate or Assessment, to be laid and proportioned upon the real yearly Rent of such Houses and other Heritages, according as the same may be stented or assessed by the Stent-roll, annually made up by the Stent Masters of said Burgh, according to which the Cess or Land Tax is levied and collected, but so as the said Pound Rate or Assessment shall not exceed One Shilling Sterling in the Pound *per Annum* of the said respective yearly Rent or Value, and that the same shall be charged upon the Occupiers (whether Heritors or Tenants); and all such Occupiers are hereby made liable for and obliged to pay the said Rate or Assessment so directed to be raised and levied as aforesaid, according to the real annual Rent or Value of their said respective Houses and other Subjects before-mentioned, lying and being within the said Burgh, and which annual Assessment shall be calculated for the current Year, from *Martinmas* to *Martinmas* annually.

Tenants not paying a fair Rent maybe assessed by the Stent Masters.

LVI. Provided always, and be it enacted, That in any Case where Houses are occupied by Persons who are Servants, or who work for or are employed by the Proprietors of Houses, or such Houses as are occupied by the Relatives or Connections of the Proprietors; and in all Cases where there is Ground for supposing that less than a fair or adequate Rent is exacted and paid, it shall and may be lawful for the said Stent Masters, and they are hereby required to assess the said House in a fair and adequate Rent, corresponding to that paid for similar Houses within the Burgh.

Persons exempted.

LVII. Provided also, and be it further enacted, That no Person shall be rated, or pay the Rates or Assessments which shall be made in virtue or in pursuance of this Act, who, by reason of his or her Poverty, receive Supply from the Parish Funds, or who to the said Trustees shall appear to be in poor and indigent Circumstances.

Travelling Merchants to pay Assessments.

LVIII. And be it enacted, That all travelling Merchants, Auctioneers, and others who shall occupy a Shop, Warehouse, or other Place for disposing of Merchandize, Goods, and other Effects within the said Burgh, shall pay the Assessments before mentioned, corresponding to the Possession occupied by them for the current Year, for which they shall be charged with such Assessment, whether they continue to occupy such Shop, Warehouse, or other Place for a whole Year or for a less Period; and they shall also be liable in like Manner in Payment of the Assessment for the Maintenance of the Poor, of Trades, Stent, or Cess, and such other public and parochial Taxations as the Burgeses and Inhabitants of the said Burgh are liable to pay, the said Persons during their Residence in the said Burgh being entitled to the Protection afforded by this present Act, in the same Manner as the other Inhabitants.

Tenants and Possessors to make Oath as to Extent of Rent.

LIX. And for determining the real Rent of each House or other Heritages liable to the Payment of the said Assessment, it is hereby further enacted, That the Proprietor and also the Tenant or Possessor shall, if required, be obliged to make a Return of the Amount thereof, and in case any such Proprietor, Tenant or Possessor shall refuse so to make such a Return when required, or shall make a false Return, the said Stent-Masters may assess him or her at such Amount as they shall think proper.

LX. And

LX. And be it further enacted, That the said Trustees may and they are hereby empowered from Time to Time, at their Quarterly Meeting on the First *Tuesday* of *November*, to lessen and reduce the aforesaid Rates and Assessments granted by this Act, and again to raise the same, but so as never to exceed in any One Year the before mentioned Rate of One Shilling Sterling in the Pound of the real Yearly Rent or Value of the Houses and other Heritages herein before mentioned.

Trustees may lessen the Rates, and again raise the same.

LXI. And be it hereby further enacted, That the aforesaid Rate and Assessment shall be leviable and levied on the Twenty-fifth Day of *March* yearly, beginning the First Year's Payment thereof on the Twenty-fifth Day of *March* One thousand eight hundred and eleven, being the Assessment for the Year from *Martinmas* One thousand eight hundred and ten to *Martinmas* One thousand eight hundred and eleven; and that if any Person or Persons who shall be rated or assessed by virtue of this Act, shall refuse or neglect to pay the said Rate or Assessment charged upon him, her or them for the Space of Fourteen Days next after the same shall be due and demanded by the Person or Persons authorized and empowered to collect and receive the same, such Demand being made to the respective Persons so charged by written or printed Notices, either delivered personally or left at his, her or their respective House or Houses, Place or Places of Abode, then and in every such Case it shall and may be lawful for such Collector or Collectors, having a Warrant under the Hands of any One or more of His Majesty's Justices of the Peace for the said County, which Warrant the Justices are hereby required and authorized to grant upon the Application of the said Trustees or their Collector or Collectors, and with the Assistance of a Burgh Officer, Constable or other Peace Officer to enter the House or Houses, Apartment or Apartments of the Person or Persons so deficient in Payment of the said Assessment, and there to seize and keep Possession of his, her or their readiest moveable Goods and Effects; and if the said Rate or Assessment shall not be paid within Eight Days next after such Seizure shall have been made, together with the Acts and Charges thereof, to sell by public Auction at the Market-Cross of *Kirkcaldy* so much and such Part of the said Goods and Effects as shall be sufficient to pay the said Rate or Assessment, with the Costs and Charges attending such Seizure and Sale according as the same shall be settled and allowed by the Justice or Justices, who shall have granted such Warrant, returning the Overplus (if any be) to the Owner or Owners of such Goods and Effects.

Rates to be levied, and the Term of Payment.

LXII. And be it further enacted, That it shall and may be lawful for the said Trustees, and they are hereby authorized and empowered to let to farm the said Rates and Assessments, or any Part or Parts thereof unto any Person or Persons for any Time or Term they shall think proper, not exceeding Three Years from the Commencement of any Lease, and every such Lease shall be valid and effectual; and the Lessee or Lessees thereof, and also such Person or Persons as such Lessee or Lessees shall appoint to collect and receive the Rates and Assessments so let, shall during the Continuance of every such Lease, be deemed Collectors of the Rates and Assessments so let, and shall have the same Power and Authority for collecting and recovering the

Trustees empowered to lease the Rates.

same, as if they had been appointed for that Purpose by the said Trustees; provided public Notice of the Intention to let the said Rates and Assessments, or any Part thereof, be given by the said Trustees, by Notice affixed at the Townhall of the said Burgh, and also upon the Door of the Parish Church thereof, at least Thirty Days prior to the Time at which the said Rates and Assessments or any Part thereof are proposed to be let as aforesaid.

Application  
of Rates and  
Penalties.

LXIII. And be it further enacted, That all the Monies to be raised and levied by virtue of this Act, which by this Act are placed under the Management of the said Trustees, and all pecuniary Penalties and Forfeitures to be recovered and levied in virtue of this Act, shall be paid to the Trustees or to such Person or Persons as they shall appoint to collect and receive the same, to be applied in the first Place to and for detraying the Charges and Expences of passing this present Act, and in the next Place to pay off and discharge all such Sum and Sums of Money as shall be borrowed, laid out, and employed by the said Trustees in supplying the said Burgh with Water, and in paving, lighting, cleansing and improving the Streets of the said Burgh of *Kirkcaldy*, and for the Uses and Purposes herein mentioned, and to no other Use, Intent or Purpose whatsoever.

Trustees may  
borrow  
Money.

LXIV. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered to borrow any Sum or Sums of Money not exceeding Three thousand Pounds Sterling, at an Interest not exceeding Five Pounds Sterling *per Centum per Annum*, which shall be applied towards bringing Water into, and paving, lighting, cleansing, and improving the Streets of the said Burgh of *Kirkcaldy*; and when the said Sum so borrowed shall be paid off, the said Trustees are hereby empowered to borrow another Sum of Money equal to that by them so paid off as aforesaid; and the said Trustees, for the Sum so to be borrowed, are hereby empowered to assign the Rates and Assessments to be raised and levied by virtue of this Act, as well as the Rent or Tack Duty received for the Fulzie or Dung of the said Streets, or Produce of the Sales thereof, as a Security for the Sum or Sums of Money that shall be so borrowed, and that Copies of such Assignments or Abstracts thereof shall be entered in Books to be kept for that Purpose by the said Trustees, and which Assignments shall be transferable by Indorsement: Provided always, That no Money shall be borrowed by the said Trustees on the Credit of the Monies to be levied by virtue and in pursuance of this Act, excepting at the Quarterly Meetings before mentioned.

Subscriptions  
advanced to  
be a Lien  
upon the  
Rates and  
Duties.

LXV. And be it further enacted, That any Sum or Sums that any Person or Persons has or have, or may hereafter subscribe and pay towards the Purposes of this Act, shall be repaid out of the Monies to be raised and levied by virtue of this Act, and until Repayment, the Money advanced by the Subscribers shall be a Lien and preferable Charge upon the same.

Trustees ac-  
countable for  
Money mis-  
applied.

LXVI. And be it also enacted, That in case the said Trustees shall misapply any Part of the said Monies and Funds committed to their Management by this Act, they may be prosecuted and made accountable there-  
fore

fore before any Court of Law competent, at the Instance of any Two or more Proprietors of Houses, or Tenants qualified to act as Trustees under this Act: Provided always, That such Actions and Prosecutions shall be commenced within Six Calendar Months after the Trustees alleged to have so misapplied the Money shall have come out of Office for the Time.

LXVII. And be it enacted, That it shall be lawful to the said Trustees, and they are hereby authorized, if they shall judge it expedient, to appropriate and set apart such a Sum of Money Yearly from the Monies to be levied as aforesaid for the Purposes of this Act for forming a Sinking Fund, to liquidate and pay off the Principal Sum or Sums to be borrowed by the said Trustees for the Purposes of this Act as aforesaid. Money may be set apart for a Sinking Fund.

LXVIII. And be it further enacted, That fair and regular Entries shall be made in a Book or Books to be provided for that Purpose, of all the Acts, Orders and Proceedings of the said Trustees relative to the Execution of this Act, and of the Names of the Trustees who shall be present at the respective Meetings, and the same shall be subscribed by the Preses at each respective Meeting, and all such Entries being so signed shall be deemed Originals, and shall be allowed to be read in all Courts whatsoever, in all Cases, Suits and Actions touching any Thing done in pursuance of this Act; and further, that the Book or Books containing the Entry of all Monies received and disbursed under this Act, shall be regularly balanced yearly, on or before the first *Tuesday* of *January* for the Year ending at the *Martinmas* preceding, and that those Books, together with the Stent Books of the Year for which the Accounts are balanced, shall be lodged in the Town Clerk's Office in the said Burgh of *Kirkcaldy*, where they shall remain for Four Weeks, during which Time they shall be open to the Inspection of every Burgess and other Person contributing to the Assessment levied by virtue of this Act, without Fee or Reward. Books to be kept.

LXIX. Provided also, and be it enacted, That it shall and may be lawful for the Court of Session, or the Court of Exchequer in *Scotland*, upon the Application of any Three of the Inhabitants of the said Burgh, to enquire into and ascertain the Amount of the Monies received from the Rates and Assessments hereby authorized to be levied by the said Trustees, and the Application thereof, and whether the Amount of the Sums so received are more than sufficient for the Purposes to which they are hereby directed to be applied; and it shall be lawful for the said Court of Session, or the said Court of Exchequer to make such Order as they shall think proper for the due Application of the Money received from such Rates and Assessments, in the Manner hereby directed; and if it shall appear that the Sums levied shall be more than sufficient for such Purposes, it shall and may be lawful for the said Court of Session, or the said Court of Exchequer to lower the same to such Sum as shall appear sufficient, and it shall not be lawful for the said Trustees to levy higher Rates and Assessments than shall be so ordered, but it shall and may be lawful for the said Court of Session or the said Court of Exchequer, upon the Application of the said Trustees at any future Period, again to enquire into and ascertain the Amount of the Receipts and the Rates, &c. may be lowered.  
Manner

Manner of the Application of such Rates and Assessments, and to make an Order authorizing the said Trustees to raise the same to such Amount as such Court to whom such Application shall have been made shall think proper, not exceeding the Amount hereby granted, which may be afterwards raised and lowered as often as there shall be Occasion in the Manner hereby directed: Provided always, That before making such Application to the said Court of Session or to the said Court of Exchequer, such Inhabitants shall previously require the said Trustees, in Writing, to lower the said Rates and Assessments to such Amount as they shall represent to be proper, and to correct any Error or Abuse in the Application thereof of which they shall complain, and if upon such Enquiry it shall appear to such Court to whom any such Application shall have been made, that there was no sufficient Ground for such Application it shall and may be lawful for such Court, and such Court is hereby directed to decern and ordain the whole Amount of the Costs to which the said Trustees shall be put in and by such Application to be paid to them by the Parties making the same.

Quorum of Trustees.

LXX. And be it enacted, That any Five of the said Trustees shall be a Quorum for transacting ordinary Business, and that no Money shall be assessed or voted for; and that neither the Clerks, Servants, or other Persons necessary shall be appointed, nor Salaries fixed, except at Meetings where there shall be present a Majority of the Trustees who shall have accepted their said Offices.

Magistrates and Trustees may make Bye Laws.

LXXI. And be it enacted, That it shall and may be lawful for the said Magistrates and other Trustees, at a Meeting to be held for that Purpose, at any Time or Times after the passing of this Act, to make, ordain and establish, Orders, Rules and Bye Laws for the better executing this Act; and also from Time to Time, as Occasion may require, to repeal, add to, and amend or alter such Rules, Orders, and Bye Laws as to them shall seem necessary and expedient, and to enforce the same by pecuniary Penalties, not exceeding in any One Case the Sum of Twenty Shillings Sterling, to be levied in Manner herebefore directed: Provided always, That none of such Regulations shall become valid or take effect until they shall be printed and put up in the most conspicuous Places of the said Burgh; and also that no such Regulations shall be repugnant to the Laws of that Part of the United Kingdom called *Scotland*, or to any Thing in this Act contained.

Mode of recovering Penalties.

LXXII. And be it enacted, That it shall and may be lawful for the said Trustees to prosecute for and recover the several Fines, Penalties, Forfeitures, and Damages hereby imposed (the Manner of levying and recovering whereof is not hereby otherways particularly directed,) by Action, Bill, Complaint, or Information exhibited within Six Calendar Months after such Offence is committed, before any One or more of His Majesty's Justices of the Peace of the said County, or any other Judge competent, within whose Jurisdiction the Offender or Offenders shall reside or be apprehended; and that the Justices of Peace or other Judges aforesaid shall, and they are hereby empowered and required to proceed to the Trial of such Offences in a summary Way, and upon Conviction of the Offender or Offenders, by their own  
Con-



Confession, or by the Oath of one or more credible Witnesses or Witnesses, to award and give such Orders, Judgments, and Decrees as to them shall seem most agreeable to the true Intent and Meaning of this Act; and that in Default of Payment of the said several Fines, Penalties, and Forfeitures which shall be so awarded, the Person or Persons who shall be convicted of any of the Offences before described, shall and may be sent to the common Prison of *Kirkcaldy* and there be kept in Confinement for such Time as such Judge shall direct, not exceeding Three Calendar Months, unless the Sum so awarded against them shall be sooner paid and discharged.

LXXIII. And be it enacted, That if any Person or Persons shall think himself or themselves injured or aggrieved by any Act or Order of the said Trustees, or by any Order, Rule, or Bye-Law made in pursuance thereof, or by any Thing done in consequence of such Act, Order, Rule, or Bye-Law, by any Person or Persons acting under their Authority, or by any Matter or Thing done in the Execution of this Act, it shall and may be lawful for the Person or Persons who think themselves so injured or aggrieved, to complain to the Sheriff Depute of the said County, or his Substitute, or to any Two or more of His Majesty's Justices of the Peace for the said County, and they are hereby authorized and required to hear and determine such Complaints after calling and hearing the Parties.

Persons aggrieved may complain to the Sheriff or to the Justice.

LXXIV. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, or of any Order of the said Trustees, until Eight Days' Notice shall be thereof given to the Clerk or Clerks to the said Trustees, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Three Calendar Months after the Fact committed; and the Defender or Defenders in every such Action or Suit shall or may plead that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Eight Days' Notice shall be thereof given, or after a sufficient Satisfaction thereof made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, then the Defender or Defenders shall be assolized; and upon such Judgment, or if the Pursuer or Pursuers shall discontinue his, her or their Action or Suit after the Defender or Defenders shall have appeared, or if the Action or Suit shall be found irrelevant, then the Defender or Defenders shall be found entitled to Expences and have such Remedy for the same as any Defender or Defenders hath or have in other Cases of Law.

Limitation of Actions.

LXXV. Provided always, and be it hereby enacted and declared, That nothing in this Act contained shall extend, or be construed to extend, to take away, abridge or diminish any Rights, Privileges, Jurisdictions and Powers which now belong to and are enjoyed by the Magistrates and Town Council of the said Burgh, or by the said Magistrates or any One of them by virtue of former Acts of Parliament, or Royal Charters granted in their Favour, or of immemorial Usage.

Saving Jurisdiction to Magistrates.

Expences of  
this Act how  
to be paid. LXXVI. And be it further enacted, That the Expence of passing this  
Act shall be paid out of the Monies to be borrowed or levied by the said  
Trustees by virtue of this present Act.

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

SCHEDULE to which this Act refers, specifying the Persons to whom Tenements in the Burgh of Kirkcaldy belong, and the Lengths and Breadths thereof, which encroach upon the Public Street.

Owners.	Occupiers.	Length.	Main Breadth.
1. Robert Black -	George Oliphant	12ft. 6.	by 4ft. 6
2. David Dougall -	George Watson	6 0	— 4 6
3. David Forbes -	Katherine Wright	10 6	— 4 0
4. David Anderson -	David Anderson	12 0	— 3 6
5. Henry Oliphant -	Mrs. Miller	11 6	— 4 0
6. Michael Beveridge	Richard Oswald	12 0	— 4 0
7. Mrs. Henderson -	Mrs. Henderson	11 0	— 3 3
8. Mrs. E. Anderson's Heirs	William Mackie	24 0	— 4 6
9. William Keith -	Andrew Crambie	7 0	— 4 6
10. John Anderson -	John Anderson	12 0	— 4 0
11. Robert Heugh -	Andrew Nicol	11 6	— 3 6
12. Mrs. Hutchison	Mrs. Hutchison	12 0	— 3 6
13. Mrs. E. Anderson's Heirs	Andrew Chalmers	12 0	— 4 6
14. Edward Pateron	Edward Pateron	12 0	— 4 0
15. John Westwater -	John Westwater	4 0	— 3 0
16. David Forbes -	David Forbes	34 0	— 15 0
17. George Dowie -	George Dowie	43 0	— 18 0

Dimensions of the Piece of Ground in the Garden of James Thomson, Weaver, in Kirkcaldy, on which the Reservoir is to be made and built.

Owner.	Occupier.	Length.	Main Breadth.
James Thomson -	James Thomson	40 ft.	by 20ft.

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