



ANNO QUINQUAGESIMO TERTIO

# GEORGI II. REGIS.

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## *Cap. 77.*

An Act for erecting and maintaining a new Gaol,  
and other Buildings, for the County and City of  
*Edinburgh.* [21st May 1813.]

**W**HEREAS the Prison or Gaol of the City of *Edinburgh* is the common Place of Confinement not only of Debtors and Criminals for the City and County of *Edinburgh*, but the same having been the national Gaol of *Scotland* while that Country formed a separate Kingdom, is still the public Gaol for the whole of that Part of the United Kingdom of *Great Britain* and *Ireland*, to which Criminals are brought from all Parts of *Scotland*, for the Purpose of being tried before the Lords of Justiciary at *Edinburgh*, and to which Criminals convicted before them and sentenced to Imprisonment are committed for such Imprisonment: And whereas this Prison or Gaol, being an ancient Building, is much decayed, insecure, and incommodiously situated; and the same is not sufficiently large, and is in other Respects ill adapted for the Reception and proper Confinement of Prisoners committed to the same; and it has become necessary to erect and maintain a Gaol better adapted for the Purposes aforesaid: And whereas in consequence of the Erection of certain Buildings in *Edinburgh* at the Expence of the Public, for the better Accommodation of the College of Justice and of the superior Courts of Law in *Scotland*, it was found necessary to remove the Building called the Old Justiciary Court House, in which the Courts and Publick Meetings of the said County were in use to be held; in consequence of the Removal  
[*Loc. & Per.*] 15 G of

Commissioners named for building a New Gaol, &c.

of which much Inconvenience to the Publick has been felt, and it has become necessary to provide proper Buildings, containing the necessary Accommodation for such Courts and Meetings as aforesaid; but as these Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty, That it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Trustees named and appointed in and by an Act of the Forty-eighth of His present Majesty, intituled, *An Act for vesting the Stock of the Court of Session in Scotland in Trustees, for the erecting Buildings for the better Accommodation of the College of Justice, and a Publick Gaol, in the City of Edinburgh, and for other Purposes therein mentioned,* together with the eldest Baillie, the Dean of Guild, and the Convener of the Trades of the City of *Edinburgh*, the Lord Lieutenant of the County of *Edinburgh*, and his Vice Lieutenant, the Sheriff Depute of the County of *Edinburgh*, and his senior Substitute, all for the Time being, and any Heritor of the said County, who shall have served the Office of Sheriff Depute of the same, shall be and they are hereby nominated and appointed Commissioners for making, building, and erecting a new Prison or Gaol, to serve the Purposes of a public Prison or Gaol for that Part of the United Kingdom of *Great Britain and Ireland* called *Scotland*, and a proper Place of Confinement for public Criminals; and also as a Gaol for the said City and County of *Edinburgh*; and for making and erecting such Buildings for the Courts and Public Meetings of the said County, in such Situation, of such Materials, and according to such Plans as shall be fixed and determined on by the Commissioners hereinbefore named; with proper and convenient Yards, Courts, Out-Offices, Conveniencies, Passages, and Avenues to and from the same, as to them shall seem proper, and with full Power to the said Commissioners to make all necessary Contracts and Agreements for and concerning the said Prison or Gaol, and other Buildings and Premises; and to carry into effect and execute all and every the Purposes and Powers by this Act appointed to be done and committed to them.

Commissioners where first to meet.

May adjourn their Meetings from Time to Time.

II. And be it enacted, That the said Commissioners shall hold their First Meeting within the Council Chamber of the City of *Edinburgh*, on the Third *Monday* after the passing of this Act, or on some convenient Day early thereafter, of which previous Notice shall be given by the Town Clerk of the said City of *Edinburgh* Ten Days at least before the Day of such Meeting, in any Two of the Newspapers published in *Edinburgh*, at Twelve of the Clock Noon, and shall then and there proceed to carry this Act into Execution; and the said Commissioners shall and may at such Meeting, and at any subsequent Meeting to be holden for the Purpose of carrying this Act into Execution, adjourn, and appoint their next Meeting to be holden at such Place, and at such Time as to them shall seem proper; and if it shall so happen that there shall not be present, at any such Meeting, a sufficient Number of Commissioners to act under the Authority of this Act, or only One Commissioner, the Commissioners or Commissioner present, or the Clerk to the said Commissioners, if no Commissioner shall be present, shall, from Time to Time, as often as such Case shall occur, adjourn



journal such Meeting to some other Day within Eight Days from the Day on which such Adjournment shall be made.

III. And be it enacted, That all the Powers and Authorities by this Act granted to the said Commissioners shall and may be exercised, from Time to Time, by the major Part of them who shall attend, at any Meeting to be held in pursuance of this Act, the Number of Commissioners present at any such Meeting not being less than Three, who are hereby declared to be a Quorum.

Majority of the Commissioners to decide.  
Quorum.

IV. And be it enacted, That the said Commissioners may, if they shall think fit, appoint a Committee or Committees of their Number to superintend the Progress of the Buildings to be erected, or to carry into Effect any of the Purposes of this Act, to whom they may delegate such of the Powers hereby granted to the said Commissioners as they shall think fit.

Power to appoint Committees.

V. And be it enacted, That the said Commissioners shall, at their First or at any subsequent Meeting, nominate and appoint a fit Person to hold and exercise the Office of their Clerk and Treasurer, during the Will and Pleasure of the said Commissioners, with such reasonable Allowance for his Trouble as such Commissioners shall think fit; and such Clerk and Treasurer shall find Security for the due Execution of his Office; and also to nominate and appoint such other Officers as may appear to them necessary for carrying this Act into effect, with reasonable Allowances for their Trouble.

Commissioners to nominate Clerk and Treasurer.

VI. And be it enacted, That it shall and may be lawful to the said Commissioners to treat, contract, and agree with the Owners and Occupiers of all Houses, Grounds, or Areas, specified in or belonging to the Persons named in the Schedule hereunto annexed, that may be required for the Purposes of this Act for the Purchase thereof, and to acquire all Rights of Property and Servitude of and connected with the said Prison or Gaol, and other Buildings, and the Scite or Area thereof or Avenues leading to and from the same, not exceeding Six thousand five hundred square Yards, and to take all such Rights and Conveyances in favour of their Clerk and Treasurer for the Time being, and his Successors in Office, which Rights and Conveyances so taken shall be sufficient for vesting the Subjects thereby conveyed in the said Commissioners, who upon the said Gaol and other Buildings and Premises being finished, are hereby authorized and required to direct such Rights and Conveyances to be made over to the Lord Provost, Magistrates, and Council of the said City of *Edinburgh*, in so far as the same are connected with and have Reference to the said new Gaol, its Area, Scite, or Avenues, and to the Sheriff Depute of the said County of *Edinburgh*, in so far as the same are connected with and have Reference to the other Buildings hereby authorized to be made and erected.

Powers to purchase Houses, Grounds, and Areas.

VII. Provided always, and be it enacted, That if any 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

Misnomer not to prevent the Execution of this Act.

same



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 named and described, in case it shall appear to Two or more Justices of the Peace of the City or County of *Edinburgh*, and be certified by a Writing under their Hands, that such Misnomer or inaccurate Description proceeded from Mistake.

Powers to  
Heirs of En-  
tail to treat,  
&c.

VIII. And be it enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, Minors, Ideots, fatuous or furious Persons, and for others, and to and for all and every other Person or Persons whomsoever, under any other Disability or Incapacity, who are or shall be seised, possessed of, interested in, or entitled to any such Houses, Grounds, or Areas, to sell and convey to the said Commissioners, or to their Clerk and Treasurer for the Time being, all or any such Houses, Grounds, or Areas, or any Part thereof, for the Purposes aforesaid; and that all Contracts, Agreements, Sales, or other Conveyances, that shall be so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or other Matter or Thing whatsoever to the contrary notwithstanding; and that such Person or Persons, Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators, or other Persons aforesaid, shall be and they hereby are indemnified for what they may do by virtue and in pursuance of this Act.

Mode of  
Proceeding  
where Pro-  
prietors re-  
fuse to sell.

IX. Provided always, and be it enacted, That if any Person or Persons whatsoever, Bodies Politic, Corporate, or Collegiate, Proprietors or Occupiers of Houses, Grounds, or Areas, or other Property which may be required for the Purposes of this Act, and are specified in the Schedule hereunto annexed, seised or possessed of, interested in, or intitled to the same respectively, shall refuse to treat, contract, or agree to sell the same as aforesaid, it shall and may be lawful to and for the Sheriff Depute of the said County of *Edinburgh*, and his Substitute, and they or either of them are and is hereby authorized and required, upon Application from the said Commissioners, or from their Clerk and Treasurer for the Time being, to summon and return Forty-five substantial and disinterested Persons, Proprietors of Tenements within the City or extended Royalty of *Edinburgh*, valued in the Cess-Books of the said City to the extent of Twenty Pounds or upwards; and the Sheriff Depute or his Substitute shall appoint a Day and Place for proceeding in the said Matter, of which Notice in Writing shall be given to such Proprietors and Occupiers personally, or left at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of such Houses, Grounds, or Areas, or other Property as aforesaid, and at the Time and Place appointed, the Sheriff Clerk of the County of *Edinburgh*, or his Deputy or Substitute, shall, in the Presence of the said Sheriff Depute, or his Substitute, and the Party or Parties interested, if he, she, or they shall attend, put into a Box or Glass the Names of the whole Forty-five Persons so summoned and returned, and shall, out of such Box or Glass, draw out the Names of Fifteen Persons, and the Fifteen Persons whose Names shall be thus drawn, shall form a Jury for the Purposes aforesaid; and in case of the Death of any of the said Fifteen Persons, or of their Inability to attend the said Sheriff Depute or his Substitute, shall direct the Sheriff Clerk



or his Deputy or Substitute, to draw from amongst the remaining Names of the Persons summoned by the said Sheriff-Depute or his Substitute, in the Manner before-mentioned, such an additional Number of Names as may be necessary to make up a complete Jury of Fifteen Persons able to attend; and the said Fifteen Persons are hereby required to come and appear before the said Sheriff Depute or his Substitute, at such Times and Places as in his Warrant or Warrants, Precept or Precepts, shall be directed and appointed to that Effect; and the said Sheriff Depute, or his Substitute is hereby authorized and empowered, by Warrant or Warrants under his Hand, from Time to Time, as Occasion shall require to call before him, such Person or Persons as shall be thought proper or necessary to be examined, as a Witness or Witnesses before him, touching or concerning the Premises; and to send his Precept or Precepts, for all and every such Person or Persons, who is, and are hereby required to appear before the said Sheriff Depute or his Substitute; and to produce such Books, Papers, Deeds, and Writings, as the said Sheriff Depute or his Substitute shall judge necessary for his Information, or for the Information of the Jury, so to be formed as aforesaid, in any Matter or Thing relating to this Act; and the said Sheriff Depute or his Substitute shall and may administer Oaths for the better Discovery of the Truth, in regard to the Enquiry by him to be made to any Person or Persons therein concerned, or to any other Person or Persons whatsoever, and shall and may authorize the said Jury to view the Place or Places and Matters in Question; and the said Jury upon their Oaths, (which Oaths the said Sheriff Depute or his Substitute shall and may administer), shall enquire of and give their Verdict for such Damage or Recompence, Price or Prices, as they shall judge fit, to be awarded to such Owners or Occupiers as aforesaid, or any of them for any such Houses, Grounds, or Areas, or any Part thereof, for their respective Estates, or Interests in the same; and the said Sheriff Depute or his Substitute shall and may give Judgment for the Sum or Sums of Money specified in the Verdict or Verdicts of such Jury or Juries respectively, which said Verdict or Verdicts, and the Judgment, Decree, or Determination thereupon declared and pronounced by the said Sheriff Depute or his Substitute; and the Value or Recompence, Price or Prices so to be awarded and declared shall be binding and conclusive to all Intents and Purposes whatsoever against the said Commissioners, and against such Person or Persons, Bodies Politic, Corporate, or Collegiate, and all and every other Person or Persons whatsoever, having or claiming any Right, Title, Trust, or Interest of, in, to, or out of such Houses, Grounds, or Areas as aforesaid; and the said Verdicts, Judgments, Orders, Sentences, and Decrees, and other Proceedings of the said Sheriff Depute or his Substitute, so to be made, given, and pronounced as aforesaid, shall be fairly written on Paper or Parchment, and signed by the said Sheriff Depute or his Substitute at the Making or Pronouncing of the same, and shall be recorded in the Sheriff Court Books of *Edinburgh*, and the same or Copies thereof shall be deemed and taken as good and effectual Evidence and Proof, in any Court of Law or Equity whatsoever; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn, or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any



Person so summoned to give Evidence shall not appear, or appearing shall refuse to be sworn and examined or give Evidence, every Person so offending, having no reasonable Excuse to be allowed by the Sheriff Depute or his Substitute, shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds for the Benefit of the Jury upon which, or to give Evidence before which, such Person was so summoned.

Expences of  
Juries how to  
be paid,

X. Provided always, and be it enacted, That if such Jury or Juries shall by their Verdict award the Premises to be of greater Value than the said Commissioners shall have offered for the same, then and in that Case the Costs and Charges of every Sort and Kind, attending the obtaining of such Verdict, shall be paid and defrayed by the said Commissioners; and if the said Jury shall not award the said Premises to be of greater Value than the said Commissioners shall have offered for the same, then and in that Case the said Costs and Charges shall be paid and defrayed by the Party or Parties refusing to treat or accept of the Price offered by the said Commissioners: Provided always, That in all Cases where any Person or Persons shall, by reason of Absence, be prevented from treating, such Costs and Charges shall be paid by the said Commissioners.

On Payment,  
&c. of Pur-  
chase Money  
the Commis-  
sioners may  
take Pos-  
session.

XI. And be it enacted, That upon Payment of such Sum or Sums of Money, so to be awarded and adjudged, to the Party or Parties concerned, or legal Tender made to him, her, or them respectively, either personally, or at his, her, or their usual Place or Places of Abode, or upon Payment thereof into the Bank of *Scotland*, or into the Royal Bank of *Scotland*, in Manner by this Act directed, and Notice of such Payment left in Writing at the Dwelling-Place of some Tenant or Occupier of the Premises, it shall then, and not before, or otherwise, be lawful to and for the said Commissioners, and to and for their Agents or Workmen, to remove, pull down, convert, and dispose of such Houses, Grounds, and Areas, for the Purposes of this Act, in such Manner as the said Commissioners shall see fit and expedient; and the said Commissioners shall be indemnified therein, and be quieted in the Possession of the Premises so to be ordered, converted, and disposed of, under the Authority of this Act: Provided, that Notice shall be given to the Tenants or Occupiers of such Houses so to be pulled down, and Grounds and Areas to be converted and disposed of for the Purposes of this Act, Thirty Days at least before the Term of *Martinmas* or *Whitsunday*, at which they are to be removed therefrom, by affixing a Notice in Writing to that effect upon the most patent Door of such House or Houses, or serving the same upon the principal Tenant or Occupier of each of such Houses, Grounds, and Areas, or leaving the same at his or her usual Place of Abode.

In case of  
Want of  
Title, or if  
Persons can-  
not be found,  
Purchase  
Money to be  
paid into the  
Bank or  
Royal Bank  
of *Scotland*.

XII. And be it enacted, That in case any Dispute shall arise between the Parties claiming or entitled to different Interests in the Houses, Grounds, or Areas, to be purchased, pulled down, converted, and disposed of, for the Purposes of this Act; or in case any Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of Houses, Grounds, or Areas, as aforesaid, shall refuse to accept of the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Commissioners; or in case such Person or Persons



to whom such Sum or Sums of Money shall be so awarded and adjudged as aforesaid, cannot be found, or if the Person or Persons entitled to such Houses, Grounds, or Areas, be not known, or discovered, then, and in every such Case, it shall and may be lawful to and for the said Commissioners to order the said Sum or Sums of Money so to be awarded and adjudged 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 Houses, Grounds, and Areas (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 empowered in a summary Way of Proceeding, to order Distribution thereof or Payment of the Dividends or Interest arising therefrom, according to the respective Estates, Title, or Interest of the Person or Persons making Claim thereunto, or to make such other Order in the Premises as to the said Court shall seem just and reasonable, pursuant to the Directions of this Act; 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, specifying for what and for whose Use the same is or are received.

XIII. And be it further enacted, That if any Money shall be agreed or awarded and adjudged to be paid for any Houses, Grounds, or Areas, 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 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 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 Rents and Profits of the said Houses, Grounds, and Areas, in the Discharge of any Debt or Debts, or such other Incumbrance or Parts thereof as the said Court shall authorize to be paid, affecting the same Houses, Grounds, or Areas, or affecting other Houses, Grounds, or Areas settled therewith to the same or the like Uses, Intents, or Purposes, or where such Money shall not be so applied, then the same shall be laid out and invested under the like Direction and Approbation of the said Court, in the Purchase of other Houses, Grounds, or Areas, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Houses, Grounds, or Areas 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 or 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 Houses, Grounds, or

Reinvesting  
Purchase  
Monies if  
amounting to  
200l.

Areas



Areas so hereby directed to be purchased, in case such Purchase or Settlement were made.

f less than  
200l. and  
exceeding  
20l.

XIV. Provided always, and be it further enacted, That if any Money so agreed or awarded and adjudged to be paid for any Houses, Grounds, or Areas purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Persons 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 Houses, Grounds, or Areas 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 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 Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Commissioners (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 therefrom, may be applied in any Manner hereinbefore directed, as far as the Case be applicable.

Under 20l.

XV. Provided also, and be it further enacted, That where such Money, so agreed or awarded and adjudged to be paid as last before mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Houses, Grounds, or Areas so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Commissioners shall think fit; or, in case of Infancy or Lunacy, then to his, her, or their Tutors and Curators, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Where any  
Question shall  
arise touching  
the Right to  
such Money.

XVI. And be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the said Banks, in pursuance of this Act, for the Purchase of any Houses, Grounds, or Areas, or of any Estate, Right, or Interest in any Houses, Grounds, or Areas, to be purchased in pursuance of this Act, the Person or Persons who shall have been in possession thereof at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to be lawfully entitled to such Houses, Grounds, or Areas, according to such Possession, until the contrary can be shewn to the Satisfaction of the said Court of Session; and such Money, and the Interest thereof, 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 Houses, Grounds, or Areas, or to some Estate or Interest therein.



XVII. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Houses, Grounds, or Areas to be purchased, taken, or used under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Banks, and to be applied in the Purchase of other Houses, Grounds, or Areas 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, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time pay such Sums for such Purposes as the said Court shall direct.

The Court may order reasonable Expences of Purchases to be paid.

XVIII. And, towards carrying the Purposes of this Act into Execution, be it enacted, That the Lord Provost, Magistrates, and Council of the said City of *Edinburgh* shall be and they are hereby authorized and required to advance and pay out of the proper Funds and Revenues of the said City, to the Commissioners hereinbefore appointed, the Sum of Eight thousand Pounds, by Three equal annual Instalments, at the Term of *Martinmas* in each of the Years One thousand eight hundred and thirteen, One thousand eight hundred and fourteen, and One thousand eight hundred and fifteen, which Sum of Eight thousand Pounds shall and may be recoverable by the said Commissioners, in such and the like Manner as Debts due by Royal Burghs, in that Part of *Great Britain* called *Scotland*, are recoverable, and shall be applied towards the Erection of the said Prison or Gaol, and the Purchase of the Area or Scite thereof, or of the Avenues leading to and from the same; and with which Sum, when paid, the said Lord Provost, Magistrates, and Council shall direct the Property and Funds of the said City of *Edinburgh* to be charged as a Debt affecting the same: Provided always, that it shall not be lawful to, nor in the Power of the said Lord Provost, Magistrates, and Council to levy the Whole or any Part of the said Sum of Eight thousand Pounds so directed to be paid out of the Funds and Revenues of the said City, by any Assessment or Assessments upon the Inhabitants residing within the same.

Sum to be paid out of the Funds of the City of Edinburgh.

XIX. And be it further enacted, That the said Lord Provost, Magistrates, and Council of the said City, shall also be and they are hereby authorized and required, within Three Calendar Months after the passing of this Act, to assess the Sum of Three thousand two hundred and fifty Pounds, upon the Heritors, within the City and Royalty of *Edinburgh*, *South Leith*, *Saint Anthony* and *Yardheads*, *Canongate* and *Pleasance*, *North Leith* and *Coal Hill*, liable to and now in use to pay the Land Tax for the City, and that in respect of their Properties, and according to the same Proportions by which the said Land Tax is assessed upon the said Heritors; and also to assess the like Sum of Three thousand two hundred and fifty Pounds, upon the Householders and Inhabitants within the said City and Royalty, and Places before mentioned, now liable in the Payment of the House Tax to His Majesty, his Heirs and Successors, and that proportionably, according to the respective Rents for which the aforesaid

City Assessment.

Heritors, 3250l.

Householders, 3250l.



Householders and Inhabitants are charged for Payment of the aforesaid House Tax; and for enabling the said Lord Provost, Magistrates, and Council, to impose such Assessment, the Collector of the Cess and the Collectors of the said House Tax, or other Officers whom it may concern, are hereby authorized and required, upon receiving Payment of such reasonable Gratuity, as shall be fixed by the said Lord Provost, Magistrates, and Council, to furnish certified Copies of the Lists or Rent Rolls; according to which the said respective Taxes are levied; and which several Sums of Money to be assessed in Manner aforesaid, upon the Heritors, Householders, and Inhabitants respectively shall be payable, One Third Part at the Term of *Martinmas*, in the present Year One thousand eight hundred and thirteen; One Third Part at the Term of *Martinmas*, in the Year One thousand eight hundred and fourteen; and the remaining One Third Part at the Term of *Martinmas*, in the Year One thousand eight hundred and fifteen, and besides the several Sums before mentioned, there shall be assessed upon the Persons severally liable as aforesaid, the necessary Expences of imposing and collecting such Assessment.

Assessments to be paid over to the Commissioners.

XX. And be it enacted, That the Sums of Money so to be assessed as aforesaid, shall be and are hereby appointed to be paid, in so far as regards the said Heritors, to the Collectors of the Land Tax; and in so far as regards the said Householders and Inhabitants, to the Collectors of the said House Tax, who are hereby respectively required to receive and collect the same, and who shall respectively have all such legal Remedies for the Recovery of the same, as are competent to them for the Recovery of the said Land Tax and House Tax respectively, and the same, when paid to or recovered by the said Collectors, shall be by them paid over to the Commissioners hereinbefore appointed, or to any Person duly appointed by them to receive the same, within Six Calendar Months after the respective Terms, at which such Assessment shall become payable; and the said Collectors of the Land Tax and of the House Tax respectively, shall be obliged to account for and pay over the said Assessments to the said Commissioners, or to the Person appointed by them to receive the same, in the same Manner, and under the same Conditions and Penalties, as the said Collectors of the Land Tax and of the House Tax respectively, are or shall be obliged to account for and pay over such Land Tax or House Tax to the Receiver General thereof, or Person appointed to receive the same on Behalf of His Majesty, his Heirs and Successors; and the said Commissioners shall lay out the said Sums so appointed to be assessed, levied, and recovered, in the Erection of the said Gaol or Prison, and the Purchase of the Area or Scite thereof, and of the Avenues leading to and from the same, and in carrying into Effect the other Purposes of this Act, in regard to the same, as shall appear expedient, and to no other Use or Purpose whatsoever.

Additional Assessments may be made for the City.

XXI. And be it enacted, That the said Lord Provost, Magistrates, and Council may, with the Concurrence of the Commissioners hereinbefore named, signified by a Writing under their Hands, and they are hereby authorized to assess the said Heritors, Householders, and Inhabitants, in the said City and Royalty of *Edinburgh, South Leith, St. Anthony and Yarbheads, Canongate and Pleasance, North Leith and Coalhill*, in any further



further Sum, not exceeding One Third more of the several Sums hereinbefore authorized to be assessed and levied from the said Heritors, Householders, and Inhabitants respectively; and which further Sums, if assessed, shall not be levied until the other Assessments hereinbefore authorized shall have been applied in Terms of this Act; and such additional Assessment shall be payable at such Time or Times as shall be directed by the said Lord Provost, Magistrates, and Council, and shall be paid to, and levied, and received by such Persons and in such and the same Manner as is hereinbefore directed with regard to the other Assessments hereinbefore mentioned, and the same shall, under such Conditions and Penalties as aforesaid, be paid over to the said Commissioners, and shall be by them applied in the Erection of the said Prison or Goal, and in the Purchase of the Area or Scite thereof, and of the Avenues leading to and from the same, and in carrying into Effect the other Purposes of this Act in regard to the same, and to no other Use or Purpose whatsoever:

XXII. And be it further enacted, That the Commissioners of Supply of the said County of *Edinburgh* shall be and they are hereby authorized and required, within Three Months after the passing of this Act, to assess the Sum of Eight thousand four hundred and sixty-nine Pounds Four Shillings, by an Assessment upon all Heritors within the County of *Edinburgh* (exclusive of the City and Royalty of *Edinburgh*, *South Leith*, *St. Anthony* and *Yardheads*, *Canongate* and *Pleasance*, *North Leith* and *Coalhill*) in respect of their Properties, and that proportionally as the same stand valued in the Cess Books of the said County; and also to assess the Sum of Four thousand and fourteen Pounds Twelve Shillings, by an Assessment upon the Householders and Inhabitants within the said County, liable in Payment of the House Tax payable to His Majesty, his Heirs and Successors, (exclusive of the City and Royalty of *Edinburgh*, and the other Places hereinbefore especially excepted); and that proportionally according to the respective Rates for which the aforesaid Householders and Inhabitants are charged for Payment of the aforesaid House Tax; and for such Purpose the Collectors of the Land Tax of the said County, and of the said House Tax respectively, or other Officers whom it may concern, are hereby authorized and required, upon receiving Payment of such reasonable Gratuity as shall be fixed by the said Commissioners of Supply, to furnish certified Extracts of the Valuation Books of the said County, and certified Copies of the Rent Rolls, according to which the said House Tax is levied: And further, the said Commissioners of Supply are hereby authorized and required to assess the Sum of One thousand four hundred and seventy Pounds by an equal Assessment upon the Ploughgates of Land within the said County, as the same are rated for the Statute Labour thereof, to be paid by the Tenants, where the Lands are possessed by Tenants, and by the Proprietors where the Lands are possessed by themselves; and which several Sums of Money to be assessed in Manner aforesaid upon the Heritors, Householders, Inhabitants, and Ploughgates of Land within the said County respectively shall be payable, One Fourth Part at the Term of *Martinmas* in this present Year, One thousand eight hundred and thirteen; One Fourth Part at the Term of *Martinmas*, in the Year One thousand eight hundred and fourteen; One Fourth Part at the Term of *Martinmas* in the Year One

County  
Assessment.Heritors,  
8469l. 4s.Household-  
ders, &c.  
4014l. 12s.Ploughgates,  
1470l.



One thousand eight hundred and fifteen; and the remaining One Fourth Part at the Term of *Martinmas* in the Year One thousand eight hundred and sixteen; and besides the several Sums before mentioned there shall be assessed upon the Persons severally liable as aforesaid, the necessary Expences of collecting and paying over the same, and the Sums of Money hereinbefore directed to be assessed in respect of the valued Rent, and of the Ploughgates of Land, shall be paid to the Collectors of the Land Tax, and the Sums to be assessed in respect of the House Tax shall be paid to the Collectors thereof; who are hereby respectively required to receive and collect the same, and who shall respectively have all such legal Remedies for the Recovery of the same, as are competent to them for the Recovery of the said Land Tax and House Tax respectively; and which several Sums of Money are hereby appointed to be paid by the said Collectors of the Land Tax and of the House Tax respectively, to the Commissioners hereinbefore appointed; or any Person to be duly appointed by them, to receive the same within Six Calendar Months after the respective Terms above specified, in the same Manner and under the same Conditions and Penalties as are hereinbefore specified, in regard to the Assessments to be levied within the said City of *Edinburgh*, and other Places hereinbefore mentioned; and the said Commissioners shall lay out the Sum of Five thousand Pounds, and no more, of the aforesaid respective Sums so appointed to be assessed, raised, levied, collected, and paid from and by the Heritors, Householders, and Ploughgates of Land in the said County, in the Erection of the said Prison or Gaol, and in the Purchase of the Area or Scite thereof, and of the Avenues leading to and from the same, and the other Purposes of this Act in relation thereto, and shall apply the Remainder of the said Sums in erecting the Buildings hereinbefore appointed to be erected, for the Accommodation of the Courts and Publick Meetings of the said County; and in the Purchase of the Area or Scite of the same, and Avenues leading to and from the same, and in carrying into Effect the other Purposes of this Act in relation thereto, and to no other Use or Purpose whatsoever.

Additional  
Assessment  
may be made  
for the  
County.

XXIII. And be it further enacted, That the said Commissioners of Supply at their annual General Spring Meeting in any Year may, if the Majority present at any such Meeting shall approve thereof, assess the said Heritors, Inhabitants, and Householders, and the said Ploughgates of Land in the said County, in any further Sum not exceeding the Amount of One Year's Land Tax upon the said Heritors, and One Half of that Amount upon the said Inhabitants, Householders, and Ploughgates, such Half to be assessed and levied, Three Fourths upon the said Inhabitants and Householders, and One Fourth upon the said Ploughgates of Land, and which further Sums, if assessed, shall not be levied until the other Assessments hereinbefore authorized, shall have been applied in Terms of this Act; and such additional Assessment shall be payable to such Persons, under such Powers of Recovery, and shall be accounted for and paid over under the same Conditions and Penalties as are hereinbefore in similar Cases enacted; and the same shall be applied towards the Erection of the said Buildings for the Accommodation of the Courts and Publick Meetings of the said County, and in the Purchase of the Scite thereof, and Avenues leading



leading to and from the same, and to carrying into Effect the other Purposes of this Act in relation thereto, and to no other Use or Purpose whatsoever.

XXIV. And be it enacted, That in case the said Lord Provost, Magistrates, and Council, or the said Commissioners of Supply, shall refuse or neglect to assess the said several Sums of Money, hereinbefore appointed to be assessed, raised, and levied; then, and in every such Case, it shall and may be lawful to the said Commissioners by Warrant or Warrants under their Hands, to make the said Assessments themselves; and thereupon the said several Sums hereinbefore authorized to be raised, levied, and collected, with the lawful Interest thereof from the Time at which the same should have been received from the Persons liable in the Payment thereof, shall be payable, and be paid to the said Collectors of the Land Tax and of the House Tax respectively, who are hereby respectively required to receive and collect the same; and that according to the Proportions, and under the Powers and Authorities respectively before specified, together with the Charges of collecting the same, and shall be paid to the said Commissioners, or Person authorized by them to receive the same, in the same Manner, and under the same Conditions and Penalties, as are hereinbefore in similar Cases enacted; and the Sums of Money shall be applied in such and the same Manner, as if the same had been paid under the Authority of the Assessments of the said Lord Provost, Magistrates, and Council, or of the said Commissioners of Supply respectively.

Power to Commissioners to make Assessments themselves in case of the Magistrates of Edinburgh or Commissioners of Supply neglecting or refusing.

XXV. And be it enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to borrow and take up at Interest on the Security of the aforesaid Obligation imposed upon the Magistrates and Council of the said City of *Edinburgh*, and of the Assessments hereinbefore authorized to be made as aforesaid, any Sum or Sums of Money not exceeding the Sum of Twenty thousand Pounds; and it shall be lawful for the said Commissioners, and they are hereby empowered to assign and make over the Whole or any Part of the aforesaid Obligation and of the Assessments hereby authorized to be imposed and levied, to any Person or Persons from whom the Money or any Part thereof shall be borrowed as a Security for Payment thereof and Interest arising thereon, at a Rate not exceeding Five *per Cent.*; and such Assignments in Security for Money to be borrowed as aforesaid, shall be entered in a Book or Books to be kept by the said Commissioners, or their Clerk and Treasurer, for that Purpose, which Book or Books may be seen and perused by any Person or Persons interested, at all seasonable Times, without Fee or Reward; and the Assignments in Security of the Sums of Money to be borrowed as aforesaid, shall be made and executed by the Clerk and Treasurer of the said Commissioners, in their Name and on their Behalf, he being specially authorized so to do by a General Meeting of Commissioners: Provided always, that the said Commissioners, or their Clerk and Treasurer, shall not be personally subject or liable to pay the same by reason of their authorizing the Signature of or signing such Assignments as before mentioned; and such Assignments shall be transferable by Indorsement subscribed by the Party transferring in the Presence of Two or more subscribing Witnesses.

Power to borrow Money.



11,000l. to be paid at the Receipt of Exchequer for the Purposes of this Act.

XXVI. And be it enacted, That out of any Monies granted to His Majesty, by Parliament, for the Supply of the present Year, there shall be issued and paid at the Receipt of His Majesty's Exchequer at *Westminster*, in Manner hereinafter mentioned, to the Commissioners hereinbefore nominated and appointed, the Sum of Eleven thousand Pounds, without any Deduction whatever; Ten thousand Pounds of which Sum shall be applied by the said Commissioners towards making, building, and erecting the said new Prison or Gaol; and the remaining One thousand Pounds for making and erecting the said Buildings for the Courts and Publick Meetings of the said County of *Edinburgh*.

The Money to be issued under Warrants of the Lords of the Treasury.

XXVII. And be it further enacted, That it shall and may be lawful for the Lords Commissioners of His Majesty's Treasury, and they are hereby required, from Time to Time, as often as it shall be certified to them under the Hands of a Quorum of the said Commissioners hereby nominated and appointed, that any Part of the said several Sums of Money hereinbefore authorized to be advanced, paid, assessed, raised, levied, or borrowed, for the Purposes of making, building, and erecting the said Gaol, or for making and erecting the said Buildings for the Courts and Publick Meetings of the said County respectively, is paid to or placed at the Disposal of the said Commissioners for the Purposes of this Act, to issue their Warrant or Warrants for the Issue and Payment to the said Commissioners, or to any Person or Persons duly authorized by them to receive the same, of a Sum of Money which shall be equal in Amount to the Sum of Money so certified by the said Commissioners to have been paid to or placed at their Disposal, not exceeding in the whole the Sum of Eleven thousand Pounds.

Trustees under 48 G. 3. to make over Buildings and Surplus Funds to Commissioners under this Act.

XXVIII. And be it enacted, That the Trustees named and appointed in and by the before recited Act of the Forty-eighth Year of His present Majesty, shall, immediately after the passing of this Act, convey and make over to the Commissioners hereinbefore appointed, such of the Houses and Areas acquired by them in virtue of the Powers in the said recited Act contained, not already used for the Purposes of the said Act, and remaining vested in them, as may be necessary for the Scite of the said Gaol, and other Buildings, and of the Avenues leading to and from the same; and shall also pay over to the Commissioners hereinbefore appointed, the whole Surplus of the Monies remaining in their Hands, which, by the said recited Act, is made applicable to the Erection of a Publick Gaol in the said City of *Edinburgh*, retaining only such a Sum in their Hands as shall be then certified by their Architect to be requisite for completing the Buildings by the said Act directed to be made and erected; and the said Commissioners shall apply such Surplus when so paid over to them towards the Erection of the said Gaol or Prison, and the other Purposes hereinbefore mentioned therewith connected.

Right to Materials of the present Gaol vested in the Commis.

XXIX. And be it enacted, That as soon as the said new Gaol shall have been completed, and the Prisoners removed thereto in Manner hereinafter mentioned, it shall be lawful to the said Commissioners, and they are hereby empowered to remove the present Gaol in the said City of



*Edinburgh*, and to level, form, and make the Street on the Scite thereof and Places adjacent, so as to form a commodious Access to the new Gaol and other Buildings; and, for the better defraying thereof, the Right to the Materials of the present Gaol in the said City of *Edinburgh*, and of the Shops and Booths therewith connected, belonging to the said City, shall be, and is hereby vested in the said Commissioners hereinbefore named, with full Power and Authority to dispose of the same in such Manner as to them shall seem most expedient; and to apply the Monies arising from the Sale thereof towards defraying the Expences of removing the said old Gaol, and levelling, and forming and making the said Street: Provided always, that the said Lord Provost, Magistrates, and Council, shall not be required to provide any Part of the Sum that may be requisite for these Purposes, in Addition to the Price of the Materials of the said old Gaol, and of the said Shops and Booths hereby vested in the said Commissioners.

XXX. And whereas the said Commissioners may be possessed of some Pieces or Parcels of Grounds and Houses, over and above what may be necessary for the Purposes hereinbefore mentioned, be it therefore enacted, That it shall and may be lawful for them, and they are hereby authorized, from Time to Time, to sell, or dispose of such Pieces of Ground or Houses, either together or in Parcels, as they shall think best, and that either by Public Roup or Private Bargain, as may seem to them proper; and also to sell and dispose of the Materials of any House or Houses which they shall purchase, and cause to be demolished for the Purposes of this Act: Provided always, that the said Commissioners, before they shall sell or dispose of any such Piece or Pieces of Ground, or Houses, or such Materials, shall first offer to resell the same to the Person or Persons from whom they shall have purchased such Ground, Houses, or Materials; and in case such Person or Persons respectively shall not then and thereupon agree, or shall refuse to purchase or repurchase the same respectively, an Affidavit or Deposition, to be made and sworn before One of His Majesty's Justices of the Peace for the City or County of *Edinburgh*, by some Person or Persons not interested in such Ground, Houses, or Materials, stating that such Offer was made by or on the Behalf of the said Commissioners, and that such Offer was not then and thereupon agreed to, or was refused by the Person or Persons to whom the same was so offered, shall, in all Courts whatever, be sufficient Evidence and Proof that such Offer was made, and was not agreed to, or was refused by the Person or Persons to whom such Offer was made (as the Case may be); and in case such Person or Persons shall be desirous of purchasing or repurchasing the same, and he, she, or they and the said Commissioners shall differ and not agree with respect to the Price or Prices thereof, in such Case the Price or Prices thereof shall be ascertained by a Jury, in Manner hereinbefore directed with respect to the disputed Value of Premises to be purchased by the said Commissioners in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as hereinbefore directed, with respect to such Purchases to be made by the said Commissioners, *mutatis mutandis*; and the said Commissioners shall apply the Price or Prices of such Surplus Ground or Houses, and the Price or Prices of such Materials, towards the Purposes of this Act, in such Manner as to the said Commissioners shall seem proper; and

Commissioners under this Act.

Power to dispose of Surplus Ground &c.

First Offer to be given to Persons from whom Ground, &c. were purchased.

further



further, the said Commissioners shall be, and they are hereby authorized, finally to fix and determine the respective Proportions of the Monies to be expended in making the necessary Purchases of Houses, Grounds, and Areas, for the Purposes of this Act, which shall be applicable to; and charged in Part of the Expence of the said Gaol, the Scite thereof, and Avenues leading to and from the same; and in Part of the Expence of the other Buildings hereinbefore authorized to be erected, the Scite thereof, and Avenues leading to and from the same respectively.

Commissioners may provide Accommodation for the Sheriff Clerk, upon his paying for the same.

XXXI. And be it enacted, That it shall and may be lawful to the said Commissioners to contract and agree with the Sheriff Clerk of the said County of *Edinburgh* for the Time being, to provide suitable Accommodation for him and his Successors in Office, in the Buildings hereinbefore authorized to be erected for the Courts and Public Meetings of the said County, upon receiving Payment from the said Sheriff Clerk of such Sum of Money as shall be agreed upon by and between the said Commissioners and him as the Value of such Accommodation, and which Sum, when paid by the Person then holding the said Office of Sheriff Clerk, shall be, and is hereby declared to be a Burden upon the said Office, and shall be repaid by every Person succeeding in future thereto to his Predecessor in the said Office, or his Heirs and Representatives.

When Gaol is finished Intimation to be made to the Magistrates who shall remove Prisoners to the same.

XXXII. And be it enacted, That when the said new Gaol, or any of the Compartments thereof, One or more, shall be made fit for the Reception of Prisoners, the said Commissioners, or any Two or more of them, shall cause Notice thereof, in Writing, to be given to the Lord Provost, Magistrates, and Council of the said City of *Edinburgh*, and to the Keeper or Keepers of the present Gaol thereof, who shall remove to such new Gaol or Compartments thereof, One or more, from Time to Time, as the same shall be finished, the Whole or such Number as they shall think fit of the Debtors, Felons, and other Prisoners who shall be at the Time in Custody; and such Removal or Removals, at whatever Time or Times the same shall be made, shall not be deemed or taken to be an Escape or Escapes.

Accounts how to be kept.

XXXIII. And be it enacted, That separate Accounts shall be kept of the Monies expended upon the said Prison or Gaol and other Buildings, and in the Purchase of the Scite or Area of the same, and Avenues leading to and from the same respectively; and as soon as the Erection of the said Gaol and other Buildings, and all the other Purposes of this Act shall be completed, the said Commissioners shall be and they are hereby required to balance the Accounts applicable thereto respectively, and to pay over the Surplus Money (if any) of the Monies remaining in their Hands applicable to the said Prison or Gaol, to the Lord Provost, Magistrates, and Council of the said City, and the Surplus (if any) of the Monies applicable to the other Buildings herein authorized to be erected to the Sheriff Depute of the County of *Edinburgh*, such Surplus to be respectively secured, as to the said Commissioners shall seem expedient, and the same shall be applied towards the future Maintenance of the said Gaol and other Buildings respectively; and upon the Accounts being so balanced, and the Surplus Money (if any) paid in Manner above directed, it shall and may be lawful to the said Commissioners to declare the Trust hereby created at an End; and which Declaration, so made and subscribed by a Majority of the said Commissioners, and registered in



in the Books of Council and Session, shall be taken and held to be a complete and sufficient Exoneration and Acquittal of the said Trust, to the said Commissioners and their Heirs and Representatives.

XXXIV. And be it further enacted, That when the said Gaol shall be finished, the same shall be taken to be and made use of as a Public Gaol for that Part of the United Kingdom of *Great Britain* and *Ireland* called *Scotland*; and as a Gaol for Criminals, Debtors, and Vagrants for the City and County of *Edinburgh*; and the Magistrates and Town Council of the said City, and the Gaoler or Keeper, Gaolers or Keepers of the said Gaol, shall remain answerable, to all Intents and Purposes, and in the same Manner as heretofore, for the safe Custody of all such Persons as may be committed to their or his Custody in the said new Gaol; and the Lord Provost, Magistrates, and Council of the said City shall have the like Power over the said new Gaol, and be liable in keeping up the necessary Establishment of the same, and other necessary Charges connected therewith, in the same Manner, and to the same Extent, as they are liable with regard to the present Gaol, and as the Magistrates of Royal Burghs in *Scotland* are liable with regard to the Gaols within their Burghs.

New Gaol to be held and made Use of as a Public Gaol for *Scotland*, and Gaol for the City and County of *Edinburgh*. Magistrates and Gaoler to be answerable as heretofore for the Custody of Prisoners.

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

Commissioners may sue and be sued in Name of their Clerk.

XXXVI. And be it enacted, That the Expences of applying for, obtaining, and passing this Act, shall be assessed, One Half upon the Heritors, Householders, and Inhabitants within the City and Royalty of *Edinburgh*, and other Places hereinbefore specified, and the other Half upon the Heritors, Householders, and Inhabitants, and Ploughgates of Land within the said County; and shall be raised, levied, and collected at the Term of *Martinmas* next, along with that Part of the Assessment for the Purposes of this Act hereinbefore authorized to be levied and collected at the said Term of *Martinmas*; and that according to the Proportions and in the Manner by which the said Assessment is hereinbefore directed to be raised, levied, and collected from the Heritors, Householders, and Inhabitants, and Ploughgates of Land in the said City and County respectively.

Expences of Act to be levied by Assessment.

XXXVII. And be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance or by virtue of this Act, after Six Calendar Months next after the Fact committed, or Cause of Action occurred, for which such Suit or Action shall be so brought.

Limitation of Actions.

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

Public Act.



## SCHEDULE to which this Act refers.

Owners' Names.	Occupiers' Names.	Description of Property.
Alexander Laurie and Co.	Alexander Laurie and Co.	Printing House
James M'Donald	J. Allan	House
Mrs. Hume	Alexander Kinnear	Ditto
Mrs. Clydesdale	Mrs. Clydesdale	Ditto
Mrs. Lizars	Mrs. Brotherstones	Ditto
George Caw	George Caw	Printing House
Mrs. Salton	J. Allan	House
Mrs. Chrystie	J. Allan	Ditto
James Robertson	— Melville	Ditto
William Auld	Ditto	Ditto
Robert Nimmo	William Lothian	Ditto
Mrs. Fechnie	Ditto	Ditto
Mrs. Logan	J. Tarbet	Ditto
Mrs. Symington	Frederick Arthur	Ditto
James Weatherston	John Rofs	Ditto
John Walker	Frederick Arthur	Ditto
John Greig	Ditto	Ditto
Mrs. Shand	— Melville	Ditto
Mrs. Paterfon	George Hunter	Ditto
Mrs. Robertson	Ditto	Ditto
Walter Campbell	Ditto	Ditto
John Colquhoun	Ditto	Ditto
Mrs. Cameron	— Fife	Ditto
Ditto	Robert Hall	Ditto
Thomas Kerr	John Bonnar	Ditto
Mrs. Hill	Misses Gilliland	Ditto
Mrs. Baird	Mrs. Nairne	Ditto
James Allan	Corporation of Weavers	Ditto and Shop
Mrs. Finlayson	Mrs. Nairne	House
Mrs. Paterfon	A. Kinnear	Ditto
Abraham Rutherford	A. Kinnear	Ditto
John Bain	John Bonnar	Ditto
Mrs. Robertson	Mrs. Meldrum	Ditto
John Mann	John Keyden	Ditto
William Crawford	John Bonnar	Ditto
Mrs. Steadman, &c.	— Garrets	Ditto
John Ramage	Daniel Stewart	Shop
James Yule	Ditto	Ditto
John Mann	J. Aitchison	Ditto
Thomas Herriot	A. Boswell	Ditto
Mrs. Rofs	Robert Cumming	Ditto
Joseph Thomson	Allan Grant	Ditto
Harry M'Farlane	Reverend Mr. Wright	Ditto
Hugh Campbell	Ditto	Ditto
Joseph Bell	— Wilfon	Ditto
William Lawfon	William Lawfon	House
George Bruce	Thomas Ferguson	Ditto



SCHEDULE—*continued.*

Owners' Names.	Occupiers' Names.	Description of Property.
Mrs. Gilray	Mrs. Nairne	House
Mrs. Ferguson	John Granger	Ditto
John Hardie	John Hardie	Ditto
Mrs. Logan	Mrs. Logan	Ditto
Mrs. Paterfon	Robert Thomson	Ditto
Mrs. Hodgkinson	James Mack	Ditto
John M'Vicar	J. Rofs and W. Cook	Ditto
H. M'Farlane	George Hunter	Ditto
Mrs. Hay, &c.	Patrick Niel	Ditto
Mrs. Tait, &c.	Ditto	Ditto
Mrs. Campbell, &c.	Ditto	Ditto
Mrs. Pittandrich, &c.	Ditto	Ditto
Robert Dick	Ditto	Shop
Alexander Rofs	Ditto	House
Thomas Stewart	Thomas Stewart	Ditto
Thomas Ker	— M'Allum	Ditto
James M'Donald	Robert Paul	Ditto
John Turnbull	Miss Greenlees	Ditto
Eliz. Steadman	Robert Paul	Ditto
C. Calder	— Newton	Ditto
William Colhoun	Ditto	Ditto
— Scott	— Scott	Ditto
James Welsh	Robert Hall	Ditto
Robert Mitchell	Robert Hall	Ditto
James Kettle	Mrs. Donald	Ditto
Mrs. Cormack	William Dymocke	Ditto
Mrs. Buchan	Mrs. Buchan	Ditto
Mrs. Gardner	William Gibson	Ditto
James Hardie	Mrs. Buchan	Ditto
Collier and Lowden	Mrs. Urquhart	Shop
William Gardner	George Carphin	Ditto
Robert Finlay	Miss Hardie	Ditto
John Reid	{ George Carphin	{ Ditto
Miss Ireland	{ Miss Greenlees	{ Ditto
Robert Chalmer	{ Society of Hair-dressers	{ Ditto
John Ramage	{ Society for Christian Know- ledge	{ Ditto
	— Williamfon	Ditto



