

City; for providing an additional Supply of Water; for extending the Royalty of the said City; and for levying an additional Sum of Money for Statute Labour in the Middle District of the County of Edinburgh:

52 G. 3. c. 172. And whereas another Act was passed in the Fifty-second Year of the Reign of His said late Majesty, intituled *An Act for altering and amending an Act of the Forty-fifth Year of His present Majesty, for regulating the Police of the City of Edinburgh and the adjoining Districts, and for other Purposes relating thereto*, by which last-recited Act the said Three first-recited Acts of the Eleventh, Twelfth, and Twenty-fifth Years of His said late Majesty were in part suspended, explained, and altered:

57 G. 3. c. 33. And whereas another Act was passed in the Fifty-seventh Year of the Reign of His said late Majesty, intituled *An Act for altering and amending an Act of the Fifty-second Year of His present Majesty, for regulating the Police of the City of Edinburgh and the adjoining Districts, and for other Purposes relating thereto*: And whereas the Rules and Regulations established by the Two last-recited Acts have been attended in many respects with beneficial Effects, although in others they require Alteration and Amendment: And whereas the said Two Acts being about to expire, it is expedient to re-enact many of the Enactments and Provisions contained in the said Two last-recited Acts and in the said other recited Acts, with Alterations and Amendments: 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 from and after the First *Monday of July* in the present Year

52 and 57
G 3. repealed.

Certain
Powers of
11, 12, and
25 G. 3. sus-
pended.

Contracts
under 52 and
57 G. 3. to
remain effec-
tual.

One thousand eight hundred and twenty-two the Two last-recited Acts of the Fifty-second and Fifty-seventh Years of His said late Majesty shall be and the same are hereby repealed, (excepting always in so far as regards the Abolition of the Town Company commonly called *The City Guard*;) and that the Rules and Regulations herein-after contained shall from that Period commence and be in full Force; and the before-recited Acts of the Eleventh, Twelfth, and Twenty-fifth Years of His said Majesty shall, from and after the foresaid First *Monday of July*, and during the Continuance of this Act, be suspended, in so far as concerns the watching, lighting, and cleansing the Burgh of *Canongate*, the Liberties of *Pleasance* and *Leith Wynd*, and the Eight Districts on the South of the City of *Edinburgh*, and the lighting of the ancient and extended Royalties of the said City, and in so far as concerns the raising and levying Funds to defray the Expences of the same; but saving and reserving the before-recited Acts of the Eleventh, Twelfth, and Twenty-fifth Years of the Reign of His said Majesty, or any of them, in so far as they relate to the other Matters and Things therein mentioned; and declaring that all Debts contracted, and all lawful Contracts entered into by the Commissioners, under the before-recited Acts of the Fifty-second and Fifty-seventh Years of the Reign of His said late Majesty, shall remain valid and binding upon the General Commissioners to be appointed in manner herein-after mentioned for executing this Act, and be chargeable upon the Rates and Assessments herein-after authorized to be levied: Provided always, that the whole Rates assessed and Monies levied in virtue of the before-recited Acts of the Fifty-second and Fifty-seventh Years of the Reign of His said late Majesty, or in virtue of a temporary

Act passed in the Fifty-sixth Year of the Reign of His late Majesty, and all Arrears of the same, shall be and the same are hereby made payable to and vested in the General Commissioners to be appointed for the Purposes of this Act.

II. And be it enacted, That the Powers and Regulations herein-after contained for the Establishment of a General System of Police shall extend over the ancient and extended Royalties of the City of *Edinburgh*, and the whole Grounds and Houses locally situated and comprehended within the following Limits; *videlicet*, within a Line to be drawn from the Toll Bar on the Road leading to the Water of *Leith*, commonly called the *Kirkbraehead* or *Drumsheugh* Toll Bar, to the Toll Bar on the *Corstorphine* Road, and continued from thence to the Toll Bars on the old *Glasgow* Road and the *Slateford* Road, and from the last-mentioned Toll Bar by a Line so as to comprehend *Gilmore Place* and the Buildings thereto adjacent, to *Wright's Houses* Toll Bar; from thence to be continued along the Road leading from the *Wright's Houses* by *Whitehouse* to the *Grange* Toll Bar, and from thence along *Mayfield Loan* to the Road to *Dalkeith*, including the Houses built and to be built on both Sides of the said Roads; and from that Road, in a straight Line Eastward, to that Part of the March Dyke of the King's Park nearest to *Mayfield Loan*; from thence along the said March Dyke to where it joins the Territory of the Burgh of *Canongate*; and from that Point, by the Foot of *Salisbury Craigs*, along the Road called the *Duke's Walk*, to the Place where it joins the *Musselburgh* Road at the Watering Stone; from thence by a straight Line to the Toll Bar on the Easter Road from *Edinburgh* to *Leith*, and continued by the said Easter Road (including the Houses built and to be built on both Sides thereof) to *Leith*; and from thence by the Wester Road, commonly called *Leith Walk*, to the Head of *Pilrig Street*, including all the Grounds and Houses between the said Easter and Wester Roads, and all the Houses built and to be built between *Leith* and *Pilrig Street*, on the West Side of the last-mentioned Road, of which any Part is situated within Five hundred Feet, to be measured from the Curbstone of the Pavement or Footway on the West Side of the same Road; from thence by a Line to the Toll Bar at *Bonnington*, but so as to include the Houses built and to be built on both Sides of *Pilrig Street*; from thence by a Line to be drawn to the Centre of the Bridge over the Water of *Leith* at *Canonmills*; from thence following the Course of the Water upwards to *Saint Bernard's Well*; and from thence by a Line to the *Kirkbraehead* Toll Bar first above mentioned; with Power to the General Commissioners to be appointed in manner herein-after specified, at their Meeting to be held annually as after mentioned, for the Purpose of ascertaining and imposing the Assessment to be made for the general Purposes of this Act, or at any other Meeting to be called and held for the special Purpose, to exempt for a Time, or during the Continuance of this Act, any Place or Places, Grounds and Houses, within the Limits before described, from all or any of the Regulations herein-after established in regard to lighting, cleansing, and watching; declaring always, that any such Grounds, Houses, Place or Places, if so exempted from all of the said Regulations, shall, during the Continuance of such Exemption, be free from Payment of any Part of the Assessment by this Act authorized to be levied; but in the Event of any such Grounds, Houses, Place or Places, being only partially exempted

Boundaries
described.

Power to
grant Ex-
emptions.

exempted from the Regulations as to lighting, cleansing, and watching, or any of them, then such Grounds, Houses, Place or Places so partially exempted shall be liable in Payment of such Part of the Assessment herein-after appointed to be levied as shall be fixed and determined by the said General Commissioners.

Division into
Wards.

III. And be it enacted, That for the more effectual Execution of the Powers hereby granted, the said City and Places within the Limits herein-before described shall be divided into the following Districts or Wards; *videlicet,*

Ward First to be bounded on the West by the *King's Stables* and the *Ven- nel*; on the South, by *Lauriston* and *Tiviot Row*; on the East, by *Bristo Street* and *Candlemakers Row*, and the West Bow as far as *Anderson's Close*; and on the North, by a Line drawn from the Head of the said Close behind the Houses in the *Grassmarket*, so as to include the whole Houses entering from the Closes and Lanes terminating in the *Grass- market*, till it joins the Western Boundary before described, and to comprehend the whole Space within these Limits.

Ward Second to be bounded on the South partly by the Northern Boun- dary of Ward First and partly by the *Cowgate*; on the West, partly by the Eastern Boundary of Ward First and partly by a Line drawn from the Top of the *Castle Wynd* in the *Grassmarket* to the Middle of the *North Loch*; on the North, by a Line drawn through the Middle of the *North Loch* Eastward as far as the Bank of *Scotland*; on the East, by a Line drawn to the Middle of *Bank Street*, but so as to exclude the Bank of *Scotland*, and from thence by *Bank Street* and *Libberton's Wynd* to the *Cowgate*, and to comprehend the whole Space within these Limits.

Ward Third to be bounded on the West by Ward Second, and to include the Bank of *Scotland*; on the North, by a Line drawn Eastward through the Middle of the *North Loch* till it intersects the Line of the Eastern Boundary after mentioned; on the East, by *Borthwick's Close* and *Craig's Close*, and a Continuation of the Line of these Closes to the Middle of the *North Loch*; and on the South by the *Cowgate*, and to comprehend the whole Space within these Limits.

Ward Fourth to be bounded on the West by Ward Third; on the North, by *Canal Street*; on the East, by *Niddry Street*, *Halkerston's Wynd*, and the East Side of the Arches of the *North Bridge*; and on the South by the *Cowgate*, and to comprehend the whole Space within these Limits.

Ward Fifth to be bounded on the West by Ward Fourth; on the North, by a Line drawn from *Canal Street* to the North Back of *Canongate*, on the East by *Leith Wynd* and *St. Mary's Wynd*; and on the South by the *Cowgate*, and to comprehend the whole Space within these Limits.

Ward Sixth to be bounded on the North by the *Cowgate*; on the West, by *Candlemaker Row*; on the South, by the City Wall; and on the East, by *West College Street* and the *Horse Wynd*, and to comprehend the whole Space within these Limits.

Ward Seventh to be bounded on the West by *West College Street* and the *Horse Wynd*; on the North, by the *Canongate*; on the East, by the *Pleasance*; and on the South by *South College Street* and *Drummond Street*, and to comprehend the whole Space within these Limits.

Ward Eighth to be bounded on the East by *Stockbridge Lane*, as far as the
Keystone

Keystone of the Bridge at *Stockbridge*, and by *Castle Street*; and the Line of *Castle Street* to the Base of the *Castle Hill*; on the North-west by the Boundary in that Direction of the Territory over which this Act extends, to the Toll Bar at *Kirkbraehead*, on the South-west and West by *Lynedoch Place*, *Queensferry Street*, and the *Lothian Road*; and on the South by the Road leading from the *Lothian Road* to the West Port, as far as the Wester Gate of the *Princes Street Gardens* and the Base of the *Castle Hill*, and to comprehend the whole Space within these Limits.

Ward Ninth to be bounded on the West by *Castle Street*, on the North by *Queen Street*, on the East by *Frederick Street*, and on the South by the Base of the *Castle Hill*, and to comprehend the whole Space within these Limits.

Ward Tenth to be bounded on the West by *Frederick Street*, on the North by *Queen Street*, on the East by *Hanover Street*, and on the South by the Base of the *Castle Hill* and the Northern Boundary of Ward Second, and to comprehend the whole Space within these Limits.

Ward Eleventh to be bounded on the South by *Queen Street*, on the East by *Dundas Street*, *Pitt Street*, and the Road leading to *Canonmills Bridge*, to the Keystone of the said Bridge; on the North by the Boundary in that Direction of the Territory over which this Act extends, and on the West partly by the Eastern Boundary of Ward Eighth, and partly by the Water of *Leith*, and to comprehend the whole Space within these Limits.

Ward Twelfth to be bounded on the West and North by Ward Eleventh, on the East by the Road from *Canonmills Bridge* to the East End of *Cornwallis Place*, the *Royal Crescent*, *Scotland Street*, East Side of *Drummond Place*, *Dublin Street*, and *Duke Street*, and on the South by *Queen Street*, and to comprehend the whole Space within these Limits.

Ward Thirteenth to be bounded on the West by *Hanover Street*, on the North by *Queen Street*, on the East by the West Side of *Saint Andrew Square*, and by *North* and *South Saint David Street*, and on the South by the Middle of the *North Loch*, and to comprehend the whole Space within these Limits.

Ward Fourteenth to be bounded on the West by the Eastern Boundary of Ward Thirteenth, on the North by *Queen Street* and *York Place*, on the East by *Elder Street*, the Eastern Boundary of the Excise Office Garden, and the Western Boundary of the Property belonging to the Trustees for the General Register House, and on the South by the Northern Boundaries of Wards Third and Fourth, and to comprehend the whole Space within these Limits.

Ward Fifteenth to be bounded on the West by the Eastern Boundary of Ward Fourteenth, on the North by *York Place* and *Picardy Place*, on the East by *Greenside Street*, *Catherine Street*, *Calton Street*, and *Saint Ninians Row*, on the South by the Northern Boundaries of Wards Fourth and Fifth, and to comprehend the Houses in *Waterloo Place* as far as the Arch of the *Regent Bridge*, and the whole other Space within these Limits.

Ward Sixteenth to be bounded on the West by the Eastern Boundary of Ward Twelfth, on the North and North-east by *Cornwallis Place*, *Bellevue Crescent*, and the Drain behind *Gayfield House*, on the East by the West Side of Dr. *Hope's* Property, on the South-east by *Gayfield Place* and *Antigua Street*, and on the South by *Picardy Place* and *York Place*, and to comprehend the whole Space within these Limits.

[Local.]

Ward Seventeenth to be bounded on the West by the Eastern Boundary of Wards Fifteenth and Sixteenth, on the North by the *New London Road*, through the Property of *Alexander Allan* Esquire, on the East by the East Road from *Leith* to the *Watergate*, and on the South by the North Back of *Canongate*, and to comprehend the whole Space within these Limits.

Ward Eighteenth to be bounded on the South-west by Wards Twelfth and Sixteenth, on the South by Ward Seventeenth; and on the North and East by the Boundaries of the Territory over which this Act extends, and to comprehend the whole Space within these Limits.

Ward Nineteenth to be bounded on the West by the Eastern Boundaries of Wards Fifth and Seventh, and by the *Pleasance* as far as the Water Run behind the Houses in *Salisbury Street*, on the South by the said Water Run, on the East by *New Street* and *Saint John Street*, the Line of *Saint John Street* to the Eastern Boundary of the Territory over which this Act extends, and the said Boundary, and on the North by the North Back of *Canongate*, and to comprehend the whole Space within these Limits.

Ward Twentieth to be bounded on the West by the Boundary of Wards Seventeenth and Nineteenth, on the North by the North Back of *Canongate*, on the North-east and South-east by the Boundary of the Territory over which this Act extends, and to comprehend the whole Space within these Limits.

Ward Twenty-first to be bounded on the North by the City Wall, and on the South by *Crichton Street*, comprehending the Streets of *Bristo* and *Potterrow*, and the Buildings on both Sides thereof, and to include *Alison Square*, and all Lanes, Grounds, and Houses lying between the said Streets.

Ward Twenty-second to be bounded on the East by Ward Twenty-first, on the North by the Lane along the Back of the Tenements on the North Side of *George Square*, on the West by the *Middle Meadow Walk*, and on the South by the Back of the Tenements on the South Side of *Buccleuch Place*, and to include *Charles Street*, *Crichton Street*, and all other Streets and Lanes within these Boundaries.

Ward Twenty-third to be bounded on the West by Ward Twenty-first, on the North by *College Street* and *Drummond Street*, on the East by the *Pleasance*, and on the South by the Back of the Buildings on the North Side of the *Crosscauseway*, and to comprehend all Squares, Streets, and Houses lying within these Boundaries.

Ward Twenty-fourth to be bounded on the North by the Southern Boundary of Ward Twenty-third, and the Water Run on the North Back of the Buildings in *Salisbury Street*; on the East by the Boundary of the Territory over which this Act extends; on the South by the North Back of the Tenements in *Beaumont Place*, and the Drain on the North Side of the Houses in *Rankillor Street*, comprehending *Saint Patrick Square* and the Two northernmost Houses in *Clark Street*, the whole of the *Crosscauseway* and the Houses on both Sides thereof, from where *Bristo* and *Potterrow Streets* join each other to the East End of the Street, the *Pleasance* on both Sides as far as *Salisbury Street*, including *Brown Street*, *Carnegie Street*, and all other Streets and Houses adjacent.

Ward Twenty-fifth to be bounded on the North by the Southern Boundary of Ward Twenty-fourth, on the West by the Street leading from

Saint Patrick Square to the *Powburn*, and on the South and East by the Boundary of the Territories over which this Act extends.

Ward Twenty-sixth to be bounded on the East by the Western Boundary of Ward Twenty-fifth, on the North by the Southern Boundary of Wards Twenty-second and Twenty-fourth, on the West by the *Middle Meadow Walk* and the East End of *Burntsfield Links*, and along the Lane therefrom to the *Lovers Lane*, and on the South by the Boundary of the Territories over which this Act extends, comprehending *Buccluch Street* from the Chapel of Ease Southwards, *Hope Park End*, *Gifford Street*, *Sciennes*, *Gray Street*, *Duncan Street*, and all Grounds and Houses on both Sides of the *Grange Loan*.

Ward Twenty-seventh to be bounded on the East partly by Ward Twenty-first and partly by Ward Twenty-second; on the North by the South and West Wall of the Grounds belonging to *Heriot's Hospital*, and a Line drawn from the *Vennel*, by the North Back of the Houses in *Keir Street*, to the *Main Point*, and from thence along the Back of the Houses on the South Side of *Cowfeeder Row* to *Toll Cross*; on the South by the Meadow and the Drain running therefrom to *Lochrin Distillery*, comprehending *Tiviot Row*, *Park Street* and *Place*, *Lawriston*, *Graham Street*, *Keir Street*, *Portland Place*, and all the Lanes and Houses connected with these Streets and Places.

Ward Twenty-eighth to be bounded on the East by Wards Twenty-sixth and Twenty-seventh, on the North by the *Main Point* and the Back of the Buildings on the North Side of the *Cowfeeder Row*, and the Water Run from *Lochrin Distillery* to the *Union Canal*, and the Line of the said Canal Westward, and on the South and West by the Boundaries over which this Act extends, to comprehend *Cowfeeder Row*, *Toll Cross*, *Gilmore Place*, and all other Houses and Grounds adjoining.

Ward Twenty-ninth to be bounded on the East by Wards First and Twenty-eighth, on the North by the Base of the *Castle Hill*, Ward Eighth, *The Charity Workhouse Lane*, *Jamaica Street*, and the Road to *Corstorphine* as far as the *Whitehouse Toll*, on the West by the Boundary of the Territory over which this Act extends, and on the South partly by the Southern Boundary of the Territory over which this Act extends, and partly by Ward Twenty-eighth, and to comprehend the whole Space within these Limits.

Ward Thirtieth to be bounded on the East and North-east by Ward Eighth, on the South and South-east by Ward Twenty-ninth, and on the North-west by the Boundary of the Territory over which this Act extends, and to comprehend the whole Space within these Limits.

IV. And be it further enacted, That the Boundaries of the Wards shall run along the Centre of the Streets, Roads, Lanes, and Closes by which they are declared to be bounded, except where the contrary is particularly mentioned; and as to the Streets, Grounds, Houses, and Places within the Bounds of this Act, not embraced in the special Description of any of the several Wards before mentioned, the same shall be held as belonging to that Ward to which such Streets, Grounds, Houses, and Places are severally next adjacent; and in case of any Dispute the same shall be decided at a Meeting of the said General Commissioners, whose Determination shall be final.

Boundaries
to run along
Centre of
Streets, &c.

V. And

General
Commissioners for carry-
ing this Act
into execu-
tion.

V. And be it enacted, That the Lord Provost, Four Bailies, Dean of Guild, and Treasurer of the City of *Edinburgh*, the Deacon Convener of the Trades of the said City, the Sheriff Depute of the County of *Edinburgh*, and One of his Substitutes, the senior Resident Bailie of *Canongate*, the Dean of the Faculty of Advocates, the Deputy Keeper of His Majesty's Signet, the Preses of the Incorporated Society of Solicitors before the Supreme Courts in *Scotland*, the Master of the Company of Merchants, and the Convener of the Southern Districts, all for the Time being, and One General Commissioner for each Ward, qualified and elected in manner herein-after directed, shall be and are hereby appointed General Commissioners for the Purposes of this Act, as herein-after specified.

Resident
Commissioners of Wards.

VI. And be it enacted, That there shall be Two Commissioners for each of the Wards residing within each Ward, or occupying Shops, Warehouses, or other Buildings therein, who shall be elected in manner after mentioned, and shall be termed Resident Commissioners of their respective Wards; and such Resident Commissioners, as well as each General Commissioner, elected in manner after specified, shall, in virtue of their Election, have, exercise, and possess all the Powers which by the Law of *Scotland* belong to the Office of Constable, under the Authority of the Magistrates of the said City and County respectively, within the Limits of this Act; shall be Head Constable within their respective Wards; shall have a general Superintendence of their respective Wards, and of the Measures necessary for promoting the Peace, Order, and Security of the Inhabitants thereof; and shall attend to the Enforcement of the Regulations of this Act, and the Regulations made under Authority of the same; and the said Resident Commissioners shall report from Time to Time to the General Commissioners, or to their Clerk, or to the Superintendent or Inspector, according to the Nature of the Case, any Neglect or Infringement of the said Regulations.

Time of
electing Ge-
neral Com-
missioners.

VII. And be it further enacted, That the General Commissioner and the Two Resident Commissioners for each of the said Wards shall be elected during the Week commencing on the last *Monday* of *June* in the present Year, and shall come into Office on the first *Monday* of *July* in the present Year, and shall remain in Office till the first *Monday* of *July* in the Year One thousand eight hundred and twenty-three; when they shall go out of Office, and their Places shall be supplied by One General and Two Resident Commissioners for each Ward, qualified and elected in manner herein-after mentioned; and that at the same Time, in the Year One thousand eight hundred and twenty-four, and annually thereafter, there shall be an Election of One General Commissioner and of Two Resident Commissioners for each Ward, in the Manner appointed by this Act.

Qualification
of Electors
and of Per-
sons who
may be
elected Com-
missioners.

VIII. And be it enacted, That the General Commissioner and the Two Resident Commissioners for each Ward, for the Year commencing on the first *Monday* of *July*, shall be elected on the last *Monday* of *June* annually by a Majority of the Votes of the Occupiers of Dwelling Houses, Shops, Warehouses, and other Buildings within the respective Wards, valued in manner herein-after directed at Ten Pounds Sterling
and

and upwards of yearly Rent; and that every such General or Resident Commissioner shall be elected and chosen out of the Number of Electors within the Ward whose Dwelling Houses, Shops, Warehouses, or other Buildings occupied by them, respectively shall be valued in manner hereinafter directed at the yearly Rents after specified; *videlicet*, in Wards Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Eighteenth, and Thirtieth, the General and Resident Commissioners for each Ward shall be chosen from among the Electors whose Dwelling Houses, Shops, Warehouses, and other Buildings within the Ward shall be valued at Thirty Pounds Sterling, or upwards, of yearly Rent; and in the whole remaining Wards before described the General and Resident Commissioners for each Ward shall be chosen from among the Electors whose Dwelling Houses, Shops, Warehouses, and other Buildings within the Ward shall be valued at Twenty Pounds Sterling, or upwards, of yearly Rent: Provided always, that no Person shall have more than One Vote on his total Valuation in any One Ward, without prejudice to his voting in any other Ward or Wards in which he shall possess a Dwelling House, Warehouse, Shop, or other Building, valued at Ten Pounds Sterling, or upwards, of yearly Rent; and provided also, that Persons going out of Office in manner by this Act directed, either as General or Resident Commissioners, may be re-elected.

No Person to have more than One Vote in any Ward.

Commissioners may be re-elected.

IX. Provided always, and be it enacted, That Companies or Copartnerships possessing Shops, Warehouses, or other Places of Business entitling the Occupier to a Vote in the Election of General or Resident Commissioners, shall for such Shop, Warehouse, or Place of Business be entitled to grant Authority in Writing to any One, and no more, of the Partners of such Companies or Copartnerships, possessed of no other Qualification within the Ward, to vote at the Election of General or Resident Commissioners for the Ward in which such Shops, Warehouses, or other Places of Business are situated; and any Partner of a Company or Copartnership possessing a Shop, Warehouse, or other Place of Business in Wards Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Eighteenth, and Thirtieth, valued at Thirty Pounds Sterling of yearly Rent, or upwards, or in any of the remaining Wards before described, valued at Twenty Pounds Sterling of yearly Rent, or upwards, may be elected a General or Resident Commissioner.

Qualifications of Members of Copartnerships to vote or be elected.

X. Provided also, and be it enacted, That no Person shall be eligible as a Commissioner, or entitled to vote in the Election of General or Resident Commissioners, who shall have been relieved from the Assessment made on him for the Purposes of this Act for the Year immediately preceding, on the Ground of Inability to pay the Assessment, or who shall be at the Time of the Election in arrear for any Part of the said or any previous Year's Assessment, whether such Arrear shall be due by himself or by any Company or Copartnership by which he is authorized to vote; and a Certificate under the Hand of the Collector shall be deemed and taken to be sufficient Evidence of such Relief or Arrear.

No Person in arrear of Assessment to be entitled to vote or be elected.

XI. Provided also, and be it enacted, That the Resident Magistrates of *Canongate* (excepting the Senior Baillie, who is herein-before appointed
[Local.]

Magistrates of *Canongate* and Ports-

burgh may
act without
Qualification.

pointed a General Commissioner,) and *Easter* and *Wester Portsburgh* shall be eligible as General or Resident Commissioners for their respective Wards, without regard to the Amount of the Rent of the Dwelling Houses, Shops, or Warehouses which they may occupy respectively.

Manner of
electing
Commission-
ers for the
first Year of
this Act.

XII. And be it enacted, That the Elections of the General and Resident Commissioners for the Year commencing on the first *Monday* of *July* in the present Year shall be made as follows; *videlicet*, the Clerk to the General Commissioners under the before-recited Acts of the Fifty-second and Fifty-seventh Years of the Reign of His late Majesty shall prepare a Book for each of the said Thirty Wards, in the Form annexed hereto (Schedule A.), or in some similar Form, and shall direct a Clerk, or some other fit Person, to attend at some convenient Place in each of the said Wards on the last *Monday* of *June* in the present Year and on the Three following Days between Ten o'Clock in the Forenoon and Five o'Clock in the Afternoon on each Day; and the Electors in each Ward intending to vote in the Election of General and Resident Commissioners shall appear personally at the said Places, and inscribe in the said Books their own Names, Designations, and Places of Residence, and likewise the Names and Designations of the Persons for whom they vote as General and Resident Commissioners respectively; and at the Expiration of the above Period fixed for the said Elections the Clerks or other Persons appointed to attend the said Elections in manner aforesaid shall deliver the said Books to the Clerk of the General Commissioners, who shall make up and enter in each of the said Books a State of the Votes in the Ward, and shall affix on the Door of the Police Office, on the first *Monday* of *July*, the Names of the Persons who have the Majority of Votes, who shall be held to be elected as General and Resident Commissioners; and the said Books in which the Names and Votes are inserted in manner above directed shall remain open and patent for the Inspection of all concerned at the Police Office until the *Saturday* thereafter at Twelve o'Clock Noon.

Manner of
electing Com-
missioners for
remaining
Years.

XIII. And be it enacted, That the Elections of General and Resident Commissioners for the Year commencing on the first *Monday* of *July* One thousand eight hundred and twenty-three, and for each Year thereafter during the Continuance of this Act, shall be made as follows; *videlicet*, the Clerk to the General Commissioners to be appointed under this Act shall, in each Year during the Continuance of this Act, prepare a Book for each of the said Thirty Wards in the Form before mentioned, and shall direct a Clerk or some other fit Person to attend at some convenient Place within each of the said Wards on the last *Monday* of *June* in the Year One thousand eight hundred and twenty-three, and on the last *Monday* of *June* in each succeeding Year, during the Continuance of this Act, and on the Three following Days in each Year, between Ten o'Clock in the Forenoon and Five o'Clock in the Afternoon on each Day; and the Electors in each Ward intending to vote in the Election of General and Resident Commissioners shall attend personally, and inscribe in the said Books their own Names, Designations, and Places of Residence, and likewise the Names and Designations of the Persons for whom they vote as General and Resident Commissioners respectively; and the said Elections shall be conducted and brought to a Conclusion in the same Manner in all other respects as is before provided with regard to the Elec-

Elections for General and Resident Commissioners for the Year commencing on the first *Monday* of *July* after the passing of this Act.

XIV. Provided always, That if at the End of One Hour from the Time of opening such Books in each Ward respectively for the Purpose of such Elections, whether for the Year commencing on the First Day of *July* after the passing of this Act, or for any succeeding Year, it shall appear to the Clerk or other Person attending by Direction of the Clerk to the General Commissioners with any such Book in any Ward, that the Name and Designation of only One Person has been inscribed in the said Book to be a General Commissioner, or of only Two Persons to be Resident Commissioners, then and in such Case such Clerk or other Person attending shall close the Book as for that Election of such General or Resident Commissioners respectively; and the Persons whose Names and Designations have been so inscribed in such Book as voted for to be a General Commissioner or to be Resident Commissioners respectively shall be held to be elected a General Commissioner or Resident Commissioners for that Ward, as the Case may be.

In certain Cases Books to close in One Hour.

XV. And be it enacted, That it shall be competent to any Person who considers that he ought to have been returned as a General or Resident Commissioner in any Year to complain against the Clerk's Return, provided the Complaint be made by Petition to the General Commissioners, to be lodged with their Clerk, signed by the Party complaining or some Person in his Behalf, on or before the second *Monday* of *July*; and on such Petition being presented the said General Commissioners shall remit to a Committee of Five of their Number to examine the said Books, and to report to a subsequent Meeting of the said Commissioners the Merits of such disputed Election, and the Determination of the said General Commissioners on the said Report shall be final and conclusive; and in case there shall be an Equality of Votes at any of the said Elections this shall be entered by the Clerk in his State of the Votes appointed to be made up on the first *Monday* of *July* as aforesaid, and reported by him to the General Commissioners at their Meeting herein-before appointed to be held on the second *Monday* of *July* annually; and if no Scrutiny is demanded, or if, upon a Scrutiny, the said Committee shall still report an Equality of Votes, and such Report shall be approved of by the said General Commissioners, they shall determine which of the Candidates shall be preferred; and if, after any Scrutiny whatever, the said General Commissioners shall find such Equality, they are hereby vested with the same Powers of determining which of the Candidates shall be preferred.

Persons who consider that they ought to have been elected may demand a Scrutiny.

XVI. Provided always, and be it enacted, That not less than Six nor more than Ten Days before the last *Monday* of *June* in the present Year, the Clerk to the General Commissioners under the before-recited Acts of the Fifty-second and Fifty-seventh Years of the Reign of His late Majesty shall cause Intimation to be made by Advertisement in at least Three of the Newspapers published in *Edinburgh*, and in such other Manner as the General Commissioners under the said recited Acts shall deem proper, of the Days and Places of Election; and that not less than Six nor more than Ten Days before the last *Monday* of *June* in each succeeding Year during the Continuance of this Act the Clerk to the General Commissioners under this Act shall cause a similar Intimation to be

Day of Election, &c. to be advertised.

be

be made by Advertisement, and in such other Manner as the Commissioners under this Act shall deem proper, of the Days and Places of Election.

Penalty for obstructing Voters, and on unqualified Persons voting.

XVII. And be it enacted, That in case any Person shall at any Time obstruct, hinder, or molest any Elector qualified to vote in manner above directed in giving such Vote, or inscribing his Name in the Book in manner above provided, every Person so offending shall forfeit the Sum of Twenty Shillings for each Offence; and in case any Person or Persons not qualified to vote as herein-before provided shall nevertheless vote at the said Elections, every Person so offending shall be liable in a Penalty not exceeding Five Pounds Sterling for each Offence, *toties quoties*, both of which Penalties may be sued for by a summary Application before the Sheriff Depute of the County of *Edinburgh*, or One of his Substitutes, at the Instance of the Clerk to the Commissioners, and when recovered shall be applied for the Purposes of this Act.

Commissioners refusing to act.

XVIII. And be it enacted, That in case any Person who shall be elected General or Resident Commissioner in manner foresaid shall refuse to act, he shall forfeit a Sum of Five Pounds, to be recovered, levied, and applied in manner herein-after directed: Provided always, that the said Forfeiture shall not be incurred by the Refusal of any Person to act who shall previously have held the Office of General or Resident Commissioner for not less than One Year, and that any Person who shall have incurred such Forfeiture shall not be liable to be compelled to accept of the Office of General or Resident Commissioner for Seven Years thereafter.

Any Person elected for more than One Ward to choose the Ward in which he is to act.

XIX. Provided always, and be it enacted, That in the Event of any Person being elected a Commissioner for more than One Ward he shall act for One Ward only, but he shall be entitled to make Choice of the Ward in which he shall act by signifying such Choice to the Clerk to the General Commissioners within Eight Days after his being so elected; and failing of his doing so, the General Commissioners shall declare the Ward for which such Person shall act; and in case he shall refuse to act for such Ward he shall forfeit the Sum of Five Pounds Sterling, to be recovered, levied, and applied in manner herein-before directed.

Mode of supplying Vacancies among Commissioners.

XX. And be it enacted, That when the Place of any of the General or Resident Commissioners of any of the said Wards shall become vacant by Death or Resignation, or by any elected Commissioner becoming an *ex officio* Commissioner, or in any other Way, the Clerk to the said General Commissioners shall, at the first Meeting held after such Vacancy shall happen or become known to him, report such Vacancy, that a Day may be fixed for the Election of a new Commissioner to supply the said Vacancy; and the said Clerk shall intimate by Advertisement in manner before mentioned, and in such other Manner as shall at any Time be ordered by the General Commissioners, the Day and Place of Election, in order that an Election may be made to supply such Vacancy in manner before appointed, and which Intimation shall be inserted in Three several Newspapers published in *Edinburgh* at least Six and not more than Ten Days before the Day of Election; and on the *Monday* following next after such Election the Clerk shall affix on the Door of the Police Office the
Name

Day of Election to be advertised.

Name of the Person elected ; and the Book in which the Names and Votes are inserted shall remain at the Police Office open to the Inspection of all concerned until the *Saturday* thereafter at Twelve o'Clock Noon.

XXI. And be it enacted, That in case the Electors of any of the said Wards shall refuse or neglect to elect Commissioners for the same, either upon the said last *Monday of June* in the present Year, or upon any other Day appointed by the Authority of this Act for electing Commissioners, then and in such Cases it shall be lawful for the said General Commissioners to nominate and appoint Commissioners qualified in manner before directed for the said Wards for which Elections shall not have been made, and these Persons when so nominated and appointed shall have and enjoy the same Powers and Privileges, and shall remain the same Time in Office, as if they had been elected by the Possessors of Houses, Shops, Warehouses, and other Buildings in their respective Wards in manner herein-before directed.

Electors refusing or neglecting to elect.

XXII. Provided always, and be it enacted, That none of the Commissioners for the Purposes of this Act shall be capable of acting as such during the Term he shall enjoy any Office of Profit to be created or established by virtue of this Act, or while he has any Share or Interest in any Contract relating to the Execution thereof.

Commissioners not to hold Places of Profit.

XXIII. And be it further enacted, That it shall be the Duty of the said General Commissioners, and they are hereby authorized and empowered, to estimate, assess, levy, and apply the Sums of Money herein-after authorized to be raised for the Purposes of this Act ; to appoint Collectors, Clerks, Surveyors, and all other Persons employed in the Execution of this Act, as to whom the Power of Appointment is not vested elsewhere, and to remove them at Pleasure ; to fix the Number of Lieutenants, Serjeants, Watchmen, Scavengers, and other inferior Officers to be employed, and the Wages to be paid to them, and to increase or diminish their Numbers from Time to Time as they shall see Cause ; to make Orders and Regulations relative to the lighting, cleansing, guarding, watching, and patrolling the Streets, and in regard to calling of Auctions or Sales at Shop Doors, or in the public Streets, and the exposing of Goods at Shop Doors ; and to enact Penalties for enforcing the same not exceeding in any Case the Sum of Twenty Shillings Sterling, to be recovered by Complaint at the Instance of the Superintendant or Inspector of Police herein-after authorized to be appointed, and to execute the whole other Matters specified in this Act and committed to their Charge : Provided always, that the Rules and Regulations so to be made shall not be contrary to the Law of *Scotland* or to any thing in this Act contained, and before being put in force shall be published once at least in Three several Newspapers printed in the City of *Edinburgh*, and shall be hung up in some conspicuous Place in the Police Office.

Powers and Duties of Commissioners.

XXIV. And be it enacted, That the whole General Commissioners shall be cited to attend all Meetings, both Special and Statutory, such Citation being given personally, or at their Dwelling Houses or Shops, by written or printed Summonses issued by their Clerk at least Twenty-four Hours before the Time of Meeting ; and that the Lord Provost, and in his Absence the Sheriff Depute of the County, or in the Event of both being

General Commissioners to be summoned to attend Meetings.

[*Local.*]

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absent,

Quorum.

absent, then such One of the said Commissioners as shall be chosen by the Meeting, shall preside in all Meetings of the said General Commissioners, and shall have both a deliberative and, in case of Equality, a casting Vote in all Matters and Questions which shall come before them: Provided always, that Twelve of the said General Commissioners must be present at all Meetings to constitute a Quorum.

Statutory Meetings of General Commissioners.

XXV. And be it enacted, That the said General Commissioners under this Act shall hold their First General Meeting on the Second *Monday* of *July* in the present Year, at which First General Meeting they shall nominate and appoint a Person to be One of Five Persons who shall in certain Circumstances have Power in manner herein-after mentioned to dismiss the Superintendant of Police by this Act authorized to be appointed, and thereafter other General Meetings of the said General Commissioners shall be held upon the Second *Monday* of the Month of *August*, next on the Second *Monday* of the Month of *October* next, and on the First *Tuesday* of the Month of *November* next, and afterwards that Six Meetings of the said General Commissioners shall be held on the Second *Monday* of the Months of *January*, *March*, *July*, *August*, and *October*, and on the First *Tuesday* of *November* in each Year, at Twelve of the Clock Noon, for putting this Act and the Powers hereby committed to the said General Commissioners in execution; which Meetings of the said General Commissioners shall, with the Permission of the Lord Provost and Magistrates of the City of *Edinburgh*, be held within the Council Chamber of the City of *Edinburgh* (or at such other Place as the said General Commissioners shall appoint), until suitable Accommodations are acquired for the Purposes of Police in manner herein-after mentioned.

Special Meetings may be called on Requisition, or by the Authority of the Lord Provost or Sheriff.

XXVI. And be it enacted, That the Lord Provost of the said City or the Sheriff Depute of the County, or in Absence of the said Lord Provost and Sheriff Depute the Clerk to the said General Commissioners, on Requisition being made, stating the Object of the intended Meeting, under the Hands of any Four of the said General Commissioners, shall appoint Special Meetings of the said General Commissioners to be called within Forty-eight Hours, and held within Four Days after such Requisition, and cause the whole General Commissioners to be summoned to attend such Meetings in manner aforesaid by printed or written Summonses containing a Copy of such Requisition, declaring that it shall be in the Power of the said Lord Provost or Sheriff Depute of the County to appoint Special Meetings of the said General Commissioners to be held at such Times and Places within the said City as may to them or either of them seem necessary and expedient for the Purposes of this Act.

Rules made at Special Meetings not to annul those made at Statutory Meetings.

XXVII. Provided always, and be it enacted, That no Rules or Regulations shall be adopted or carried into execution by any Special Meeting which shall tend to alter or annul any Rules or Regulations which may have been made and framed at any of the Six Meetings hereby appointed to be held annually.

Meetings may be adjourned.

XXVIII. And be it enacted, That the said General Commissioners, or Majority of them present at any of the said Meetings, may adjourn the same to any other Day, Hour, and Place within the Bounds before described.

XXIX. And

XXIX. And be it enacted, That at all and each of the Meetings to be held in virtue of this Act the Commissioners present shall defray their own Expences.

Commissioners to defray their own Expences.

XXX. And be it further enacted, That the said General Commissioners may sue or be sued for any thing done or ordered by them in virtue of this Act, and for Recovery of the Penalties or Forfeitures before mentioned, in the Name of their Clerk 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 by virtue of this Act shall cease or abate by the Death or Removal of any such Clerk, but that the Clerk to the said Commissioners for the Time being shall be deemed to be the Pursuer or Defender, as the Case may be, in every such Action.

To sue or be sued in Name of their Clerk,

XXXI. And be it enacted, That the said General Commissioners at their Meeting to be held on the Second *Monday* of *August* annually, or at a Meeting to be held for the special Purpose as soon thereafter as may be, shall estimate and fix, and they are hereby authorized and required to estimate and fix, the Sums of Money necessary to be levied for the then current Year for the Purposes of this Act under the several Heads of Lighting, Cleansing, Watching, Surveyors, Collectors, and Clerks Salaries, and Incidental Expences.

Expences to be estimated.

XXXII. And be it enacted, That on or before the First *Tuesday* in *November* in each Year the said General Commissioners (being summoned in manner herein-before directed by written or printed Summonses, which shall state that the Meeting is for the Purpose of laying on the Assessment,) shall assess, and are hereby authorized and required to assess, all Tenants, Occupiers, and Possessors of Dwelling Houses, Cellars, Vaults, Shops, Warehouses, Breweries, Manufactories, and other Buildings and Pertinents thereof within the foresaid Bounds, in any Sum not exceeding One Shilling and Three-pence in the Pound of the real yearly Rent, without Deduction, as the said Rent shall be ascertained in manner after mentioned; which Assessment shall be calculated from *Whitsunday* to *Whitsunday* yearly, and shall be payable immediately after it shall be imposed, and shall commence at the Term of *Whitsunday* One thousand eight hundred and twenty-two for the Year following: Provided always, that it shall not be lawful to the said General Commissioners assembled at the First Meeting appointed for the Purpose to impose the said Assessment unless Two Thirds of the whole General Commissioners shall be present, but if Two Thirds shall not be present, the Commissioners present, or a Majority of them, shall adjourn to another Day at the Distance of not less than One Week nor more than Two Weeks; of which adjourned Meeting, and the Purpose for which it is to be held, special Notice shall be given by written or printed Summonses, and also by Advertisement inserted in at least Three several Newspapers published as aforesaid, not less than Four Days before the Day of Meeting; and the General Commissioners assembled at such adjourned Meeting, or a Majority of them, shall be entitled to impose the Assessment for the Year, provided a Quorum shall be present; but if a Quorum shall not be present at such adjourned Meeting, the Commissioners present or Majority of them may adjourn to another Day, and may continue such Adjournment until a Quorum shall be present, the written or printed Summons calling all such adjourned Meetings

Assessment for defraying Expences.

Meetings bearing expressly that the Meeting is for the Purpose of laying on the Assessment.

Sums assessed under Heads of Surveyors, Collectors, and Clerks Salaries, to be divided among Three Heads of Lighting, Cleansing, and Watching.

XXXIII. And be it enacted, That at the Meeting to be held for imposing the said Assessment as aforesaid the Amount of the Sums to be assessed under the several Heads of Surveyors, Collectors, and Clerks Salaries, and Incidental Expences, shall be divided in such Proportions as to the General Commissioners shall seem proper among the Three Heads of Lighting, Cleansing, and Watching; and the said Commissioners shall cause the Receipts to be granted for the Assessment distinctly to show how much shall be thus levied on account of each of the said Three Heads: Provided always, that in the Application of the Sums so to be levied, if any Deficiency be found to exist under one of the said Heads, it may be supplied from the Excess arising on any of the others.

Assessment may be made to supply Deficiency of former Funds.

XXXIV. Provided always, and be it enacted, That if the Commissioners acting under the before-recited Acts of the Fifty-second, Fifty-sixth, and Fifty-seventh Years of His said late Majesty shall have incurred Debts in the Execution of the said Acts which their Funds in possession or in arrear shall be insufficient to discharge, then it shall and may be lawful to the General Commissioners acting under Authority of this Act to assess all and every Person herein-before authorized to be assessed in any further Sum not exceeding One Penny in the Pound in any One Year of the yearly Rent of the different Subjects particularly before specified; such Assessments to be ascertained and to be recovered and made effectual along with and in the same Manner as is provided with regard to the Rates and Assessments hereby authorized to be levied: Provided always, that a separate and distinct Account shall be kept of such additional Assessment and of the Application thereof, and that the same shall continue only until such Debt is paid and discharged, and no longer.

Rents of Houses, &c. to be ascertained.

XXXV. And be it further enacted, That in order to ascertain the yearly Rents of all Dwelling Houses, Shops, Warehouses, Cellars, Vaults, Breweries, Manufactories, or other Buildings hereby ordered to be assessed, the said General Commissioners may either appoint a Surveyor or Surveyors, with Power to survey and report upon the yearly Rents or yearly Value of all such Premises as aforesaid, or to call on the Tenants, Occupiers, and Possessors of such Dwelling Houses and other Subjects liable to be assessed to make Returns of the yearly Rents or yearly Value thereof according to such Schedule, or other Mode, as the Commissioners shall prescribe, and in default of such Returns being made to survey and report upon the yearly Rents or yearly Value of all such Premises as aforesaid; or the said General Commissioners may require the Surveyors or Assessors appointed or to be appointed to make Surveys or Assessments for the Purpose of collecting any of the Taxes payable to His Majesty or His Successors to furnish certified Copies of the Rent Rolls or Valuations made by them of all Dwelling Houses, Shops, Warehouses, Cellars, Vaults, Breweries, Manufactories, and other Buildings within the Bounds herein-before described; and the said Surveyors and Assessors are hereby authorized and required, upon receiving Payment for the same at the Rate of Sixpence for every Seventy-two Words, to furnish such certified Copies; from which Returns to be made to, and

and the Surveys and Reports to be made by their own Surveyors, or the said certified Copies of the Rent Rolls or Valuations made by the Surveyors for Public Taxes, they shall annually cause a Rent Roll of the yearly Value of the whole Dwelling Houses, Shops, Warehouses, Cellars, Vaults, and other Buildings within the Bounds foresaid liable to be assessed to be made up, according to which the said Assessment shall be made and levied: Provided always, that when any other Mode of ascertaining the yearly Value of Dwelling Houses, and other Subjects liable to be assessed, shall be used than the Copies of Rent Rolls made for the Purpose of assessing and collecting Taxes payable to His Majesty or His Successors, the yearly Value of all Dwelling Houses and other Subjects liable to be assessed in any Ward shall be ascertained in one and the same Manner.

XXXVI. Provided always, and be it enacted, That within Fourteen Days after the said Rent Roll shall be made up a printed Notice shall be left at the Dwelling House or other Premises of every Person to be assessed for the Purposes of this Act, specifying the Amount of the Rent upon which such Assessment is to be made; and if any Person or Persons shall think himself, herself, or themselves aggrieved by such Assessment, it shall be competent to him, her, or them, within Twenty-one Days next after such Notice shall have been left, to apply for Redress to the General Commissioners, and, in case of being dissatisfied with their Determination, to appeal therefrom, within Eight Days after such Decision, to the Commissioners of Supply of the said City if the Premises are within the Royalty or extended Royalty thereof, or to the Commissioners of Supply of the County of *Edinburgh* if the Premises are beyond the Limits of the Royalty of the said City; Notice in Writing being always given to the Collector of the Assessment before lodging such Appeal; and such Commissioners of Supply are hereby authorized and required to take cognizance thereof, and to hear and determine the Matter of such Appeal, and their Determination in regard thereto shall be final and conclusive.

Notice of
Assessment
to be given.

Appeal may
be made.

XXXVII. Provided always, and be it enacted, That the said Assessment shall be levied from the actual Possessors of all Premises (whether Proprietors or Tenants); but in the Case of Houses, Shops, or other Buildings let for a less Period than a whole Year, the Person by whom the Assessment shall be paid shall be entitled to deduct the same from the Rent payable to the Person by whom the said House, Shop, or other Building shall be so let, who shall be liable for such Assessment, and from whom the same may be levied in case of the Removal or Default of the actual Possessor of any such House, Shop, or other Building; and that Deduction shall be given of the Assessment for each entire Period of Six Months, from *Whitsunday* to *Martinmas* or from *Martinmas* to *Whitsunday*, during which any unfurnished House, Shop, or other Building shall be unoccupied or not possessed.

Possessors
and Tenants
to pay As-
sessments.

XXXVIII. And be it enacted, That if any Person or Persons who shall be so rated and assessed as aforesaid shall refuse or neglect to pay the Rates or Assessments charged upon him, her, or them for the Space of Twenty-one Days next after such Rates or Assessments shall be due and demanded by the Collector entitled to receive the same, (such Demand being made by a written or printed Notice to be left at his, her, or their respective

Recovery of
Rates.

Dwelling Houses, Places of Abode, Shops, or other Places of Business, in the Form hereunto annexed, Schedule B.,) it shall be lawful for the said Collector to apply to any of the Magistrates of the said City, or to the Sheriff Depute of the County or his Substitutes, if the Person or Persons deficient in Payment shall live within the City or Liberties, and to the Sheriff Depute of the County or his Substitutes if such Person or Persons shall live without the Limits of the City or Liberties, for a Warrant to any of their respective Officers to enter the Houses or Shops, and to seize and take possession of the Goods and Effects of the Person or Persons so refusing or neglecting as aforesaid; and it shall be competent to the said Magistrates, or Sheriff Depute or Substitutes, and they are respectively hereby authorized and required, to grant such Warrant, upon a Certificate signed by the Collector or Person who made the Demand, of such Demand having been made, and of such Person or Persons being in arrear to the Amount stated in the Certificate; and if such Rates or Assessments shall not be paid, together with the Costs or Charges incurred in obtaining such Warrant, (as the same shall be fixed by the Judge and stated in the Warrant,) upon Presentment of the said Warrant to the Party or Parties, or at his, her, or their Dwelling House or Shop, then the Collector is hereby authorized to cause an Officer or Officers to seize and take possession of so much of the Goods and Effects of the Person or Persons refusing or neglecting to pay as aforesaid as shall appear sufficient for satisfying, by the Sale thereof, the Assessments due by him, her, or them respectively, with the Costs fixed as aforesaid, and the further Costs or Charges incurred or to be incurred in carrying the Warrant into execution; and if such Rate or Assessment shall not be paid within Ten Days next after such Seizure is made, together with the Costs and Charges, then the Collector is hereby authorized to sell the said Goods and Effects so seized by public Roup at the Market Cross of *Edinburgh*, returning the Surplus of the Price, if any be, after Payment of the said Assessment and Costs, to the Owner or Owners of the said Goods and Effects; and the Collector shall be bound to preserve the Warrants of such Seizures and Sales, and enter in a Book to be kept for the Purpose the Names of the Parties proceeded against, the Assessment due, the Expence of the Proceedings, and the true Proceeds of each Sale; which Book shall be open to the Inspection (without any Fee) of all Parties interested for One Year after the Date of each Sale respectively; and at any Time within that Year it shall be competent to any Party considering himself aggrieved to complain to the Judicature from whence the Warrant shall have proceeded of any thing done unjustly or oppressively in regard to such Seizure or Sale, such Complaints being made in the Form of Petitions (subscribed by the Complainer or Complainers), One Petition only being allowed in each Case; and the Decision of the Judge to whom the Petition is presented shall be final, and not subject to Review in any Court or by any Form whatever; and failing the Recovery in manner before directed the Collector may sue for and otherwise recover the said Rates and Assessments according to Law.

Exemptions
from Assess-
ments.

XXXIX. And be it enacted, That the said General Commissioners shall not assess any House, Shop, Warehouse, Cellar, Vault, or other Building, the aggregate Rent of which, and of any other Buildings within the Bounds
I before

before described occupied by the same Person or Company, shall be under Five Pounds Sterling *per Annum*, unless Spirituous Liquors be sold therein; nor any Gardens or Grounds lying within the aforesaid Bounds; nor any House, Shop, Warehouse, Cellar, Vault, or other Building which shall be unoccupied and unfurnished for the whole Year, from one Term of *Whitsunday* to another Term of *Whitsunday*, for which any Assessment shall be made; nor any Place of Public Worship; nor any Buildings which are solely occupied for the Purposes of Public Charity, or of Science or Education; nor any House or Houses occupied by the Trustees of the Fund for the Widows of Ministers of the Church, and of the Professors in the Universities of *Scotland*; nor the Royal Palace of *Holyroodhouse*; nor Houses or Buildings in the Castle of *Edinburgh*; nor *Queensberry House*, *Canongate*, when occupied as an Hospital or as a Barrack for His Majesty's Troops: And provided always, that the said General Commissioners, on Application made to them, shall have the Power of granting a total or partial Relief from the said Assessment to any Person on the Ground of Poverty or Inability.

XL. And whereas the Purposes of this Act cannot be completely accomplished unless the Members of the College of Justice, and all other Persons resident within the Bounds of the Police, are assessed in common; and the said Members of the College of Justice, notwithstanding the Right which they have by Law to be exempted from the Payment of the Rates and Assessments hereby granted, have either consented or do not object to their being subjected to the Payment of the same in the present Instance; be it enacted, That the Rates and Assessments hereby granted shall and may be levied from all the Members of the College of Justice within the Bounds before described in the same Manner as they are levied from the other Inhabitants, and that the Members of the College of Justice shall be subjected to the same Mode of Proceeding as the other Inhabitants in regard to all Matters and Things in this Act contained, and that no Person, of whatever Description, resident within the Limits of this Act, shall be entitled to plead any Privilege of Exemption from the Assessments herein authorized to be levied upon any Ground or Pretext whatever, any Law or Practice to the contrary notwithstanding: Provided always, that the Privileges of the College of Justice as by Law established shall be and they are hereby saved and reserved in all other respects, and nothing in this Act contained shall be held as infringing upon or altering the Privileges of the College of Justice in the Matters aforesaid after the Expiration of this Act.

Privileges of
College of
Justice, &c.
waived.

XLI. And be it enacted, That it shall be competent to the said General Commissioners and they are hereby required to make Payment to the Treasurer of the Burgh of *Canongate* for Behoof of the Burgh of the Sum of Sixty Pounds annually in lieu and place of One Fourth Part of the Monies arising from the Sale of the Dung or *Fuilzie* of the Streets of *Canongate* and *Pleasance*, allocated to the said Burgh by the before-recited Act of the Twelfth Year of the Reign of His said late Majesty; and it shall be competent to the said General Commissioners also to make such pecuniary Allowances to the Resident Magistrates of *Easter* and *Wester Portsburgh*, for defraying the Expence of their Offices annually, from such Funds and in such Manner as is provided by the before-recited Acts or any of them.

Allowance to
be granted to
Magistrates
of Canon-
gate, &c.

XLII. And

Collector
to lodge all
Monies re-
ceived by him
in Bank.

XLII. And be it further enacted; That the Collector appointed by the said General Commissioners shall find sufficient Security to the said General Commissioners for his Intrusions with the Funds which he shall be empowered to levy and collect, and the said Collector shall be obliged to lodge all Money received by him in such Banks, or with such Banking Companies, as a Majority of the Commissioners present at their Meetings on the Second *Monday of July* in each Year shall direct, upon an Account to be opened in the Name of the General Commissioners, and to be operated upon by the said Collector for the Time, and shall never retain in his own Hands above Fifty Pounds Sterling; and if any such Collector shall act in the contrary he shall be liable for Twenty *per Centum per Annum* on whatever exceeds the Sum of Fifty Pounds remaining in his Hands in the Name of Interest and Damages, and the said Collector shall make no Drafts on the said Account for any private Purpose on any Pretence whatever, nor for any other Purpose than the Payments which shall from Time to Time be authorized by the said General Commissioners or their Committees for the Objects of this Act, as the same shall be certified to the said Collector by the Clerk to the said Commissioners.

On Insol-
vency of
Collectors,
Deficiency
may be
assessed.

XLIII. And be it enacted, That in case any Collector appointed by the said General Commissioners shall become insolvent, and the Sum or Sums chargeable against such Collector shall not immediately be paid by his or their Sureties, then and in every such Case the Sum deficient shall be assessed upon all the Wards in the Manner before prescribed, and shall be payable at such Time as the said General Commissioners shall appoint; and in case of Failure in Payment the same Proceedings shall be competent as are hereby directed in case of Failure in Payment of the annual Assessment.

Books of
Proceedings
to be kept.

XLIV. And be it further enacted, That the said General Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Amount of the Salaries and Emoluments paid or ordered to be paid to the Superintendent or Inspector of Police herein-after authorized to be appointed, and also to the Clerks, Collectors, Surveyors, Watchmen, Scavengers, and other Persons employed for the Purposes herein expressed, and of the Names of all such Commissioners as shall be present at their several Meetings; and all Entries in such Book or Books, being signed by the Preses of such Meeting, shall be deemed Originals, and shall be allowed to be read as Evidence in all Causes, Suits, Actions, Prosecutions, and Proceedings touching or concerning any thing done in pursuance of this Act; and that such Book or Books shall at all reasonable Times be open and liable to the Inspection of all and every the said Commissioners, and of all Persons rated or assessed for the Purposes of this Act, and of the Creditors on the Assessments hereby granted and made payable; and that any of the said Commissioners and Creditors shall and may have and take Copies thereof, paying for every Copy not exceeding Seventy-two Words the Sum of Sixpence, and so in proportion for any greater Number of Words.

Accounts to
be kept.

XLV. And be it further enacted, That the said General Commissioners shall and they are hereby required from Time to Time, and at all Times during
the

the Continuance of this Act, to order and direct Books to be provided and kept by their Collector or Clerk for the Time being, in which Books such Collector or Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of the Purposes of this Act, and of the several Articles, Matters, and Things for which Sums of Money shall have been disbursed, laid out, and paid; which Books, with the whole Documents or Vouchers of Charge and Discharge, shall at all reasonable Times be open to the Inspection of the said Commissioners and any Creditor or Creditors on the Assessments hereby granted and made payable, without Fee or Reward; and the said Commissioners and Creditors, or any of them, shall and may take Copies of or Extracts from the said Books, or any Part thereof, without paying any thing for the same; and in case the said Collector or Clerk shall refuse to permit or shall not permit the said Commissioners or such Creditors, or any of them, to inspect the same, or to take such Copies or Extracts as aforesaid, such Collector or Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds Sterling, to be levied and recovered in manner herein-after mentioned.

XLVI. And be it further enacted, That all such Books shall be regularly fitted and balanced yearly, as on the Fifteenth Day of *May*, and a Balance Sheet for the preceding Year shall be laid before the Annual Meeting of the General Commissioners on the Second *Monday* of *July*, from which a Statement of the Payments and Disbursements for the preceding Year shall be made out and printed on or before the Second *Monday* of *August* annually, and a Copy thereof shall be delivered to each of the General and Resident Commissioners, to each of the Incorporations within the City, and to the Convener of the Incorporated Trades of *Canongate* and *Portsburgh*, and shall be lodged in the Council Chamber of the said City, in the Sheriff Clerks Office, and in the Offices of the Clerk and Collector of Police, where it shall remain for Six Weeks, open to the Inspection of every Person liable to pay any Part of the Assessments by this Act granted and made payable, without Fee or Reward.

Accounts to be balanced yearly.

XLVII. And be it further enacted, That all Collectors, Clerks, and other Officers and Persons to be chosen and appointed as aforesaid shall from Time to Time, when thereunto required by the said Commissioners, deliver to such Commissioners, or to such Person or Persons as they shall for that Purpose appoint, true, exact, and perfect Accounts in Writing under their respective Hands, of all Monies which they and every of them respectively shall have received to that Time by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their or any of their Hands to the said Commissioners, or to such Person or Persons as they shall appoint to receive the same, and not otherwise; and if any such Officer or Person shall refuse or neglect to produce or deliver up such Accounts, and the Vouchers relating to the same, or shall refuse or neglect to pay the Money due on such Accounts in manner aforesaid, or if any such Officer or Person shall refuse or neglect to deliver up to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, all the Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act,

Collectors, &c. to deliver Accounts.

[Local.]

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then and in every or any of the said Cases it shall be lawful for any Two or more Magistrates or Justices of the Peace for the County, Town, or Place wherein such Officer or Person so refusing or neglecting shall be or reside, upon Complaint made to them by Two or more of the said Commissioners, and such Magistrates and Justices are hereby authorized and required, by Warrant or Warrants under their Hands, to cause such Officer or Officers, Person or Persons, to be brought before them, and upon his, her, or their appearing, or not being found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced; and if upon the Confession of the Officer or Officers, Person or Persons, against whom any such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses (which Oath or Oaths such Magistrates and Justices are hereby empowered and required to administer), or upon Inspection of the said Accounts, if produced, it shall appear to such Magistrates or Justices that any of the Monies which shall have been collected or received shall be in the Hands of such Officer or Officers, Person or Persons, such Magistrates or Justices may and they are hereby authorized and required, upon Nonpayment thereof, by Warrant or Warrants under their Hands, to cause such Money to be levied by Pounding and Sale of the Goods and Effects of such Officer or Officers, Person or Persons respectively; and if no Goods or Effects can be found sufficient to answer and satisfy the said Money, and the Charges of pouding and selling the same, or if such Collector, Clerk, Officer, or other Person shall not appear before the said Magistrates or Justices, unless for some sufficient Excuse alleged at the Time and Place by them appointed for that Purpose, or if appearing shall refuse or neglect to give and deliver to such Magistrates or Justices an Account or Accounts of all Receipts and Payments as aforesaid, or to produce and deliver up to the said Magistrates or Justices the several Vouchers and Receipts relating to such Accounts respectively, or the Books, Accounts, Papers, and Writings in his, her, or their Custody or Power relating to the Execution of this Act, then and in any of the Cases aforesaid such Magistrates or Justices may and they are hereby authorized and required, by Warrant or Warrants under their Hands, to commit such Collector, Clerk, Officer, or other Person to the Common Gaol or House of Correction of the County, Town, or Place where such Offender shall be or reside, there to remain until he shall have given and made a true and perfect Account and Payment as aforesaid, or until he shall have compounded and agreed with the said Commissioners and shall have paid such Composition in such Manner as the said Commissioners shall appoint, and which Composition the said Commissioners are hereby empowered to make, or until he shall have delivered up such Books, Papers, and Writings as aforesaid, or made Satisfaction in respect thereof, to the said Commissioners: Provided always, that no Person who shall be so committed for Want of sufficient Effects shall be detained in Prison by virtue of this Act for a longer Space of Time than Six Calendar Months.

Security to
be taken
from Treas-
urer, &c.

XLVIII. And be it further enacted, That the said Commissioners shall be and they are hereby required to take such Security from the Treasurer or Treasurers, Collector or Collectors, to be appointed for the Purposes of this Act, for the due Execution of their Offices, and for their faithfully accounting for all Monies received by them in virtue of their said Offices, as to the said Commissioners shall seem meet, or, failing to take any Security,

curity, the Commissioners making such Appointment shall be individually responsible for the Default of the Persons by them so appointed.

XLIX. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Collector or Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Collector or Treasurer, or the Partner of any such Collector or Treasurer, the Clerk to the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Collector or Treasurer by virtue of this Act, or if any Person being the Partner of any such Clerk shall act as Collector or Treasurer, or being the Partner of any such Collector or Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered by summary Complaint before the Justices of the Peace at their Quarter Sessions of the County where the Offender may reside.

Clerk and Treasurer to be different Persons.

L. And in order to raise what Sum of Money may be necessary before the Assessments herein authorized to be levied are made effectual, be it enacted, That the said General Commissioners shall and may authorize their Collector to borrow any Sum or Sums of Money not exceeding Five thousand Pounds Sterling, with Power to such Collector to grant Bills or Bonds, or obtain Cash Credits for the same; and for further Security of the Person or Persons from whom such Money may be borrowed to assign to such Person or Persons the Assessments authorized to be made as aforesaid, until the Sum or Sums so to be borrowed, with Interest thereof, shall be repaid and discharged.

Money may be borrowed.

LI. Provided always, That no such General Commissioner or Collector shall be held or adjudged to have rendered himself personally liable for the Repayment of any Money so borrowed by reason of his having signed any Authority to borrow any such Money, or by reason of his having signed any Bill, Bond, or other Security for the same; and that all such Bills, Bonds, or other Securities shall be held and considered as granted on the sole Security of the Assessments authorized to be made as aforesaid.

Commissioners and Collector not to be personally liable.

LII. And for the Convenience of the Public, be it further enacted, That there shall be an Office or Offices of Police, either where the present Offices are situated, or in such other Situation or Situations as shall be fixed by the said General Commissioners, with the Approbation of the said Lord Provost and Magistrates and Sheriff Depute of the County, the Situation of which Office or Offices of Police the said General Commissioners shall, with the like Approbation of the said Lord Provost and Magistrates and Sheriff Depute of the County, have Power from Time to Time to alter as Circumstances shall require.

Police Office to be provided.

LIII. And whereas the present Police Office and many of the Police Watch-houses have been found defective and inconvenient for the Purposes of the Establishment, and it is therefore necessary that there should be provided a proper Police Office, to contain a Court Room, and suitable Accommodation

Property may be purchased for a Police Office.

Accommodation for the Meetings of the Commissioners and their Committees, and for the several Officers of the Establishment, with Apartments or Cells for confining Prisoners, as provided for by this Act; and also that proper Watch-houses, in different Situations, should be provided; be it therefore enacted, That it shall and may be lawful to the said General Commissioners, with the Approbation and Concurrence of the said Lord Provost, Magistrates, and Sheriff Depute, and they are hereby authorized and empowered, to contract with Proprietors of Buildings, properly adapted, or which may be capable of being adapted to the foresaid Purposes, for the Purchase of such Buildings; and in case no such Buildings can be found at a suitable Price, then the said General Commissioners, with the Approbation and Concurrence foresaid, are hereby authorized and empowered to purchase or feu such convenient Sites as may have been fixed as aforesaid within the Bounds over which this Act extends, upon which Buildings for the Purposes aforesaid may be erected, and to contract for the Erection thereof, and for fitting up and furnishing the same: Provided always, that the whole Sum to be laid out, either in purchasing and adapting Premises already erected, or in purchasing or feuing Sites and building thereon, and fitting up the same for the Purposes aforesaid, shall not exceed the Sum of Six thousand Pounds Sterling; and it shall and may be lawful to the said General Commissioners to assess the Tenants, Occupiers, and Possessors of all Premises liable to be assessed as aforesaid, for the general Purposes specified in this Act, in any Sum yearly, not exceeding One Penny in the Pound of the yearly Rent of such Premises, ascertained in manner foresaid, over and above the Assessment for the other Purposes of this Act, in order to defray the Expence of such Purchases, or building, and of fitting up and furnishing the same; and such Assessment shall continue till the said Expence, with Interest thereon, shall be fully paid.

Quorum for resolving to purchase a Police Office, &c.

LIV. Provided always, and be it further enacted, That it shall not be lawful or competent for the said General Commissioners to enter into any Contract respecting the Purchase or building a Police Office, nor to borrow Money, nor to assess the Inhabitants for the Expence of such Purchase or Buildings, unless the same shall be resolved on by the Majority of a Meeting called for the Purpose, and consisting of not less than Two Thirds of the whole General Commissioners.

Money may be borrowed on Security of Assessment.

LV. And be it further enacted, That it shall and may be lawful to the said General Commissioners to borrow any Sum or Sums of Money, not exceeding in all the foresaid Sum of Six thousand Pounds Sterling, on the Credit of the Assessment last mentioned, and to authorize the Collector or Collectors to be appointed by them to grant Bonds or other Obligations for such Sums as shall be so borrowed, binding the said General Commissioners and their Successors in Office, and to assign the said Assessment in Security of such Sums, with Interest thereon: Provided always, that no such General Commissioner or Collector shall be held or adjudged to have rendered himself personally liable for the Repayment of any Money so borrowed by reason of his having signed any Authority to borrow any such Money, or by reason of his having signed any Bond or other Obligation or Security for the same; and that all such Bonds, Obligations, or other Securities shall be held
and

and considered as granted on the sole Security of the last-mentioned Assessment authorized to be made as aforesaid.

LVI. And be it enacted, That the whole Heritable Property of every Description belonging to the Commissioners under the before-recited Acts shall be conveyed to, and the Rights of all such Property to be acquired in the Execution of this Act shall be taken in favour of, the Clerk of the Commissioners for the Time, and his Successors in Office; and which Conveyances and Rights so to be made and taken shall be sufficient for vesting the Subjects in the General Commissioners under this Act; and all the moveable Property of every Description belonging to the Commissioners under the before-recited Acts, or to be acquired in the Execution of this Act, shall be vested in the said General Commissioners; and the Monies to be raised by virtue hereof shall be applied and laid out in defraying the Expences of the Police Establishment in its various Branches, according to the Annual Estimates required, as before specified, and for the other Purposes contained in this Act, and for no other Purpose whatever.

Monies and Property vested in Commissioners, and how to be applied.

LVII. And be it enacted, That in case of any Misapplication of the Money received or levied by virtue of this Act, all Persons who shall so misapply the same, or by whose Authority the same shall be misapplied, shall forfeit and pay Double the Sum so misapplied, together with the Expences of Process, to be recovered at the Instance of any Three or more of the General Commissioners, who are hereby authorized to sue for and recover the same by summary Complaint before the Court of Session, without abiding the Course of the Roll; the Money thus recovered to be applied for the Purposes of this Act.

Penalty for misapplying any of the Monies.

LVIII. And be it enacted, That if any Sums of Money or Surplus of the foresaid Assessment for the general Purposes of this Act shall remain at the End of any Year, after the whole Expences attending the proper Execution of the Act for that Year shall have been paid or provided for, the same shall be applied towards the same Purposes for the Year following, so that the Assessment may be proportionally diminished; and if the Assessment for any Year shall not be sufficient for the Purposes herein expressed the said General Commissioners shall be entitled, and they are hereby authorized and required, to make Provision for Payment of this Deficiency in the following and subsequent Years, till the same shall be fully paid; provided that in no one Year the Rates before mentioned shall be exceeded.

How surplus Monies are to be applied, and short Assessments to be made up.

LIX. And be it enacted, That it shall and may be lawful to the Lord Provost of the City of *Edinburgh* and His Majesty's Sheriff Depute of the County of *Edinburgh*, and they are hereby empowered and required, to nominate and appoint a fit Person to be Superintendant of Police; and in the Event of their differing as to such Appointment, His Majesty's Advocate for the Time being shall decide, and the said Lord Provost and Sheriff Depute shall have full Power and Authority at all Times to remove such Superintendant at their Pleasure.

Superintendant to be appointed, &c.

LX. Provided always, and be it enacted, That upon the Requisition of the said General Commissioners, as herein-after mentioned, it shall be lawful

Five Persons who shall have Power

to dismiss
Superintendant.

for the following Five Persons, or the Majority of them, if they shall see Cause, to dismiss the Superintendant of Police, *videlicet*, the Professor of *Scots Law* in the University of *Edinburgh* for the Time being, the Lecturer on Conveyancing appointed by the Society of Writers to His Majesty's Signet for the Time being, the Person who shall have been the Master of the Merchant Company of *Edinburgh* immediately before the actual Master of the said Company for the Time being, the Person who shall have been Convener of the Eight Southern Districts adjoining to the said City of *Edinburgh* immediately before the actual Convener of the said Eight Southern Districts for the Time being, and a Person who shall have been chosen in manner herein-before mentioned by the said General Commissioners under this Act at their First Meeting to be held on the Second *Monday* of *July* next; and in case the Person who shall have been Master of the Merchant Company or Convener of the Eight Southern Districts immediately before the actual Master of the said Merchant Company or actual Convener of the said Eight Southern Districts shall be dead, or shall be legally incapable of acting, or shall not be either resident within the Bounds of Police, or have a Place of Business therein, the immediate preceding Person who shall have been Master of the said Merchant Company, or who shall have been Convener of the said Eight Southern Districts, as the Case may be, who shall be capable of acting, and be resident within the Bounds of Police, or have a Place of Business therein, shall be one of the said Five Persons who shall have Power to dismiss the Superintendant of Police in manner herein-after mentioned; and in case of the Death, Resignation, legal Incapacity, or Removal from the Bounds of Police of the Person so to be chosen by the said General Commissioners at their First Meeting on the Second *Monday* of *July* next in manner before mentioned, the said General Commissioners shall be and they are hereby authorized, at any Special Meeting of General Commissioners called for the express Purpose, of which Ten Days previous Notice at least shall be given by Advertisement in Three several Newspapers published in *Edinburgh*, from Time to Time to choose another Person to be one of the said Five Persons who shall have Power to dismiss the Superintendant in manner herein-after mentioned.

Commissioners to make
Complaint
against
Superintendant.

LXI. And be it enacted, That if at any Time it shall appear to the said General Commissioners, at a General Meeting specially called by Advertisement in at least Three of the Newspapers published in *Edinburgh*, not less than Ten Days nor more than Three Weeks before the Day of such Special Meeting, to consider of the Propriety of the Superintendant of Police being removed, that such Superintendant ought to be removed, it shall and may be lawful for the said General Commissioners to require the said Professor of *Scots Law*, Lecturer on Conveyancing, former Master of the Merchant Company, former Convener of the said Eight Southern Districts, and the said Person so to be chosen by the said General Commissioners on the Second *Monday* of *July* next, or his Successor, to be chosen in manner before mentioned, to meet upon some Day to be appointed by the said General Commissioners, not sooner than Ten Days nor later than Three Weeks after such Requisition shall be made, to consider of the Reasons to be alleged by the said General Commissioners why the Superintendant of Police ought to be removed, and also the Reasons to be urged by the said Superintendant to the contrary; of which Day of the Meeting of the said Five Persons, and also of the

Reasons to be alleged why he ought to be removed from his Office, the said General Commissioners shall give or cause to be given One Week's previous Notice in Writing to the said Superintendant of Police.

LXII. And be it enacted, That the Majority of those of the said Five Persons who shall be present at such Meeting as aforesaid shall, upon hearing the Reasons so to be alleged by the said General Commissioners and the Superintendant of Police as aforesaid, either dismiss the said Superintendant from his Office, or shall declare that the Reasons alleged by the said General Commissioners are not sufficient for so doing, as to the Majority of the said Persons so met shall seem just, and the Decision of the Majority of such of the said Persons as shall be so met shall be final and conclusive: Provided always, that if those of the said Five Persons who shall be present at any such Meeting shall not be able in One Day to hear all the Reasons to be alleged on either Side, and to decide thereon, it shall be lawful for them to adjourn such Meeting to the next or following Days, (not being *Sunday*,) until they shall have come to a Determination as to the Removal or Non-removal of the Superintendant of Police.

Majority to decide.

LXIII. Provided always, and be it enacted, That before any of the said Five Persons shall be entitled to act at any such Meeting as aforesaid he shall take an Oath, or, being of the People called *Quakers*, shall make solemn Affirmation, before One of the Judges of the Court of Session in *Scotland*, (which Oath or Affirmation such Judge is hereby authorized and empowered to administer,) faithfully and impartially to decide in the Matters by this Act committed to him.

Oath to be taken by them.

LXIV. And be it enacted, That the Amount of the yearly Salary of the Superintendant of Police shall be always fixed and settled by the said General Commissioners, and shall at no Time exceed the Sum of Five hundred Pounds nor be less than the Sum of Two hundred and fifty Pounds Sterling.

Salary of Superintendant.

LXV. And whereas it is expedient that the Superintendant of Police so to be appointed shall as far as possible be made answerable for the Conduct of the Watchmen and other Officers of the Department acting under his Orders; be it enacted, That as often as the said General Commissioners shall fix the Number of Lieutenants, Serjeants, Watchmen, and other inferior Officers of Police they shall judge necessary for guarding, patrolling, and watching within the Limits of this Act, and to direct their Distribution among the different Wards, it shall and may be lawful to the said Superintendant, and he is hereby authorized and empowered, to appoint proper Persons for the above Duty, to direct their Distribution within the different Wards, and to remove them at Pleasure; and the said Superintendant, Lieutenants, Serjeants, Watchmen, and other inferior Officers appointed by the said Superintendant shall have and exercise all the Powers belonging to Constables by the Law of *Scotland*.

Watchmen to be appointed.

LXVI. And be it enacted, That it shall be the Duty of the said Superintendant of Police, and of the Officers of the Watching Department to be appointed by him, to guard, patrole, and watch the Streets, Ways, and Passages within the Bounds of Police herein-before described according to Regulations

Duty of Superintendant.

tions to be prescribed by the said Superintendant of Police under the Controul of the said General Commissioners, and to apprehend and bring before the Magistrates of the City or any of them, or the Sheriff Depute of the County or his Substitutes, acting as Judges under this Act, all Persons who may be found within the said Bounds actually committing any criminal, riotous, or disorderly Act, or accused or suspected of having committed any such Act, whether within or beyond the said Bounds; and it shall also be the Duty of the said Superintendant to carry into full Effect the whole Rules and Regulations hereby enacted, or which shall be laid down by the said General Commissioners, for the proper guarding, patrolling, and watching the Streets, Ways, and Passages within the Bounds herein-before described, to afford at all Times his best Aid and Assistance to the Magistrates and Dean of Guild of the City, the Sheriff Depute of the County and his Substitutes, in all Matters relative to the Preservation of Peace and good Order, the Suppression of Nuisances, and the Removal of Obstructions within the Bounds before described, and to enforce the Observance of all Regulations made or to be made by the said Lord Provost and Magistrates with respect to the public Markets, and the Conduct of Persons resorting to the same; and also to give Attendance, when required, at all Meetings of the said General Commissioners or their Committees, and to furnish them with all necessary Information or Explanations relating to those Matters falling within his Department of Duty, in so far as these Matters are hereby placed under their Controul, as also to give Attendance, as herein directed, in the Police Courts and at the Police Office, and to obey and enforce the Observance of all the specific Regulations herein-after contained, with regard to which certain Duties are imposed upon him, or upon the Lieutenants, Serjeants, and Watchmen to be appointed by him.

Other Duties
of Superin-
tendant.

LXVII. And be it enacted, That it shall be lawful to the said Superintendant of Police, and he is hereby authorized and required, to insist for the Public Interest by a Complaint in his own Name before the Court of Police in all Cases cognizable by that Court under this Act, except those which relate to lighting and cleansing, and such others as are hereby placed under the Charge of the Inspector herein-after authorized to be appointed: Provided always, that under all Complaints in Name of the Superintendant it shall be competent to the Judge sitting in the Police Court for the Time, and he is hereby authorized and empowered, to order Restitution to the private Party aggrieved of such stolen Articles as it may be no longer necessary to detain for the Purpose of Evidence.

Superinten-
dant may visit
Bridewell,
the Gaols,
&c.

LXVIII. And be it enacted, That the Superintendant of Police shall be entitled at all Times to visit and inspect the Bridewell and the different Gaols of the said City and County of *Edinburgh*, and any other Places where Criminals shall be confined within the Bounds herein-before described, the respective Keepers of which are hereby enjoined to admit him when Access is demanded; and the said Superintendant of Police is hereby authorized and required to report from Time to Time to the Lord Provost and Magistrates of *Edinburgh*, to the Sheriff of the County, or to the Commissioners for such Gaols or Bridewells, under the Acts of Parliament relative to the same respectively, whatever may appear to him incorrect in the Conduct or Management thereof, or any Improvements that may occur to him as proper to be adopted therein.

LXIX. And

LXIX. And be it enacted, That it shall also be the Duty of the Serjeants, Watchmen, and other inferior Officers of the Watching Department, to report each Morning to the Inspector of Lighting and Cleansing the State of the Lamps during the preceding Night, the Time at which the different Scavengers and Carters were on their Stations in the Morning, and the Time when the cleaning of the different Wards was completed.

Farther
Duty of Ser-
jeants,
Watchmen,
&c.

LXX. And be it enacted, That no Gunpowder shall be sold within the Bounds before described by Candle Light or other artificial Light, under a Penalty not exceeding Twenty Shillings, to be paid for each Offence by the Person or Persons selling the same; and no Merchant, Shopkeeper, or other Person shall have at any Time between Sun-setting and Sun-rising, under One Roof, above Twelve Pounds Weight of Gunpowder, under a Penalty not exceeding Ten Pounds Sterling for every Offence, besides forfeiting all the Gunpowder which shall be found after Sunset, under One Roof, exceeding the aforesaid Weight; but nothing herein contained shall extend or be construed to extend to Gunpowder belonging to His Majesty, His Heirs and Successors.

Regulations
as to Sale of
Gunpowder.

LXXI. And be it enacted, That the said Officers of Police, Watchmen, and other Officers of the Law, shall apprehend and bring before the Magistrates of *Edinburgh*, or any One of them, or the Sheriff Depute of the County or his Substitutes, acting as Judges in the Police Court; all Vagrants and common Beggars for Examination; and if such Persons shall have acquired a legal Residence in any Parish in whole or in part within the Limits of this Act, then they may be sent to the Parish to which they belong; and if it shall appear that the Persons so apprehended do not belong to any Parish within the Bounds before described, they may be ordered to leave the Territory over which this Act extends; and if any of the said Vagrants or common Beggars shall, after the Expiration of Forty-eight Hours, be again found idle or begging within the said Territory, they may be apprehended and carried before any of the said Judges; and the Judge before whom they shall be brought may adjudge them to be disorderly Persons, and as such may commit them to Bridewell for any Space not exceeding Sixty Days.

Vagrants and
common
Beggars to be
apprehended.

LXXII. And in order that the Number of Persons entitled to be received into the said Workhouses may not be improperly increased, be it also enacted, That neither Children born of Parents confined by Authority of this Act in the Tolbooth of *Edinburgh* or in Bridewell, nor Children born in the *Edinburgh* Lying-in-Hospital, shall by such their Birth acquire a legal Settlement within the said City, or any of the Parishes to which this Act extends, unless they have in other respects a legal Right to such Settlement.

Birth in Tol-
booth, &c.
not to confer
a Right of
Settlement.

LXXIII. And be it enacted, That upon the Complaint of the said Superintendent of Police it shall and may be lawful to the said Magistrates of the City of *Edinburgh* or any One of them, and to the Sheriff Depute of the County and his Substitutes, acting as Judges in the said Police Court, and they or either of them are hereby authorized and empowered, to appoint all Persons convicted of keeping Tippling Houses, or other Houses resorted to by riotous or disorderly People, to find Security for

Keepers of
Tippling
Houses to
find Security.

their good Behaviour for such Length of Time, not exceeding Twelve Months, and to such Extent, not being less than Ten Pounds and not exceeding Fifty Pounds Sterling, as they shall judge proper; and in the Event of such Security not being found within a reasonable Time, to be specified in the Order, it shall and may be lawful for the said Judges, or any of them, to deprive such Persons of their Licences for selling Ale or Spirituous Liquors.

Excise Licences may be forfeited.

LXXIV. And be it enacted, That it shall be in the Power of the said Magistrates or any of them, or of the Sheriff Depute or Sheriff Substitute respectively, acting as Judges in the said Police Court, to declare the Excise Licences of any Person selling Ale, Beer, or Spirituous Liquors to be forfeited, upon Complaints being established against any such Person of permitting riotous or disorderly Conduct within the Premises occupied by them for vending any such Liquors.

Brokers and other Dealers in Second-hand Goods to register their Names;

LXXV. And be it enacted, That all Brokers or Dealers in Second-hand Goods, other than licensed Pawnbrokers, resident within the Bounds herein-before described, shall be bound to register their Names and Places of Residence at the Office of the Clerk of Police, where they shall obtain a Certificate under the Hand of any One of the said Magistrates, or of the Sheriff Depute or Sheriff Substitute respectively, of such Registration, on Payment of a Fee of One Shilling to the Clerk of Police; and all such Brokers and others failing to register their Names and Places of Residence as aforesaid shall be liable in a Penalty not exceeding Twenty Shillings, to be adjudged in the Police Court on the Complaint of the said Superintendant.

and to produce Goods on Demand.

LXXVI. And be it enacted, That all Pawnbrokers, and other Brokers and Dealers in Second-hand Goods, Metals, or other Second-hand Articles, of whatsoever Kind or Description, shall at all reasonable Times show and produce, on Demand, to the Superintendant of Police or the Officers acting under his Orders, all and every Article or Articles, of whatsoever Kind or Description, in their Possession, which they may have received in pawn or purchased, and shall also keep Books in which the Description of all such Articles shall be entered, and produce the said Books when required; and as often as it shall be found that any Goods or Articles which shall be alleged to have been stolen or fraudulently obtained shall be in the Possession of any such Persons, they are hereby required, on being informed that such Goods or Articles were stolen or fraudulently obtained, to deposit the same with the Superintendant of Police, or, in his Absence, with the Clerk of the Court of Police, who shall be bound to tender, and, if required, to grant a Certificate of the said Deposition having been duly entered in a Book in manner after directed, in order that they may be produced in such Manner as may be necessary for the Ends of public Justice, or restored by Order of a Magistrate; and all Persons so dealing in Second-hand Articles who shall omit to keep a Book for entering the Description of Articles purchased or received by them in pawn, or shall refuse to produce and show the Book or Books in which the same are described on being required so to do by the Superintendant of Police or the Persons acting under his Orders, or who shall refuse to produce and show the Goods or Articles in their Possession, or who shall not instantly deliver any such Goods or Articles

alleged

Certificate of Deposition to be given if required.

alleged to be stolen or fraudulently obtained, as aforesaid, to the said Superintendant of Police or those acting under his Orders, on Certificate as aforesaid, shall for every such Offence be fined in a Sum not exceeding Five Pounds Sterling, upon Conviction, on a Complaint brought by the said Superintendant before any of the said Judges sitting in the Police Court, without Prejudice to such Persons being also proceeded against as Receivers or Resettlers of stolen Goods according to Law; and in case of any such Refusal to produce and show such Goods or Articles in their Possession, or to deliver up any such Goods or Articles alleged to be stolen, it shall be lawful for any of the said Judges sitting in the Police Court to grant a Warrant to search for and produce to the said Superintendant of Police such Goods or Articles so alleged to be stolen: Provided always, that a Book shall be kept by or under the Directions of the said Superintendant, in which Entries shall be made of all Property seized or detained by any of the Officers of Police, or lodged with them for Purposes of Evidence or otherwise, as well as of the Time and Manner in which such Goods shall have been afterwards disposed of.

Entries to be made in a Book of stolen Goods taken possession of.

LXXVII. And be it enacted, That if any Person or Persons within the foresaid Bounds shall knowingly entertain or harbour any Rogue or Vagabond in any House or Outhouse belonging to him, her, or them, and shall not give Notice to some Constable or other Officer acting under Authority of this Act, in order that such Person may be apprehended, every Person so offending, upon being lawfully convicted thereof before the Magistrates of the said City or any of them, or the Sheriff Depute of the County or his Substitutes, shall forfeit and pay a Sum not exceeding Two Pounds for each Offence, to be levied and applied as herein-after directed.

Penalty for harbouring Rogues.

LXXVIII. And whereas it has frequently happened that Persons keeping Lodging Houses for the Accommodation of Strangers and others of the lower Orders in the City of *Edinburgh* have allowed Persons ill of contagious Fever or other contagious Diseases to remain in their Houses for many Days together, and until they have communicated the Infection to others; be it therefore enacted, That on Intimation being given at the Police Office of any Keeper of any such Lodging House having suffered any Person to remain Six Days in his House confined to Bed by Illness without making Application, either to One of the Dispensaries, or to some Medical Practitioner, in order that the Nature of the Complaint of such Person might be ascertained, it shall and may be lawful for the Magistrate acting as Judge in the Police Court, and he is hereby authorized and empowered, after taking Proof of such Neglect, to fine the Offender in any Sum not exceeding Twenty Shillings.

Keepers of Lodging Houses for the lower Orders to give Notice of Persons ill of contagious Diseases.

LXXIX. And be it enacted, That it shall and may be lawful to the said General Commissioners, and they are hereby empowered and required, to name a fit Person to be Inspector of Lighting and Cleansing, at such Salary as to them shall appear proper, not exceeding Two hundred Pounds nor being less than One hundred Pounds, with full Power and Authority to the said General Commissioners, or a Majority of them, assembled at any Meeting called for the special Purpose of considering a Motion for the Suspension or Dismissal of such Inspector, made at a previous Meeting, to suspend or dismiss him if they shall see Cause.

General Commissioners to appoint an Inspector of Lighting and Cleansing.

LXXX. And

Duties of
Inspector ;

LXXX. And be it enacted, That it shall be the Duty of the said Inspector and he is hereby empowered, as often as the said General Commissioners shall have fixed the Number of Scavengers and Lamplighters to be employed under his Charge, to appoint proper Persons to perform the above Duties, and to remove them at Pleasure, he being accountable for their Conduct therein ; to see that all the Lamps be lighted in due Time, and kept lighted the due Time, and kept in all respects in proper Order ; to see that the public Streets, Squares, Passages, and other Places within the Bounds before described be properly and sufficiently and in sufficient Time cleansed by the Scavengers employed under his Charge and Inspection ; to attend any of the General or Resident Commissioners when required ; to attend to the due Fulfilment of all Contracts made by the General Commissioners as to lighting and cleansing the said public Streets, Squares, Passages, and other Places within the Bounds before described, and as to the Removal or Sale of Dung, Soil, Dirt, Ashes, and Filth ; to receive and forthwith communicate to the said General Commissioners any Complaints or Remonstrances relating to the lighting or cleansing which may be made to him by any of the Resident Commissioners, with the Result of his own Inquiries on the Subject ; to make a Report to the said General Commissioners at each of their stated Meetings, and at other Times if required, upon the State of the Department of Lighting and Cleansing ; to execute all the other Duties imposed on him by this Act, and to obey all the Orders, Instructions, and Regulations which may from Time to Time be made by the said General Commissioners relative to the Execution of the Duties before mentioned.

may sue in
Police Court.

LXXXI. And be it enacted, That it shall be lawful to the said Inspector, and he is hereby authorized and required, to insist for the public Interest by a Complaint in his own Name, before the Court of Police, in all Cases arising out of any Breach of the Regulations hereby made or which may be made by the said General Commissioners as to lighting or cleansing, and as to all other Matters and Things hereby placed to his Charge.

Scavengers
to clean
Streets, &c.

LXXXII. And be it enacted, That the public Streets and Squares, public Passages, and other Places, and also the Foot Pavements within the fore-said Bounds, shall be swept and cleaned by Persons to be appointed as Scavengers in manner herein-before directed, the Number of such Scavengers being always fixed by the General Commissioners ; and the said General Commissioners shall provide for the Removal from the said Streets, Squares, Passages, and other Places of all Dung, Soil, Dirt, Ashes, and Filth to such Places as they shall appoint.

Rubbish to
be removed.

LXXXIII. Provided always, and be it enacted, That all Coal, Culm, Sweepings of Cellars, and other Rubbish which may have been collected within any of the Houses within the Bounds before described, and of which the Inhabitants may wish to be relieved, shall be forthwith removed, under the Direction of the Inspector or any Person employed by him, in such Way and at such Times, and at the Expence either of the public or of the private Party, as shall be directed by the Regulations of the said General Commissioners.

LXXXIV. And

LXXXIV. And be it enacted; That from and after the Second *Monday* of *July* next it shall and may be lawful for the said General Commissioners, and they are hereby authorized and required, to appoint a Billet Master or Billet Masters, for the Purpose of regulating the Quartering of Soldiers in the most equal and impartial Manner on the several Wards and Bounds liable to be quartered on, in such Manner as the Law directs, the said Billet Master or Billet Masters being removable at the Pleasure of the said Commissioners, and being subject always to such Regulations as the said Commissioners shall, with the Approbation of the Sheriff Depute, think proper to establish for the due Performance of the Duties of his or their Offices.

General Commissioners to appoint Billet Masters.

LXXXV. And be it enacted, That the whole Dung, Soil, Dirt, Ashes, and Filth within the Bounds before described (saving and excepting the Fulzie of the Castle of *Edinburgh* and any other of His Majesty's Barracks, the Fulzie and Refuse of Slaughter Houses, and Dung from Stables and Cow Houses,) shall be vested in the said General Commissioners; and it shall and may be lawful to them to sell or dispose of, as public Property, the said Dung, Soil, Dirt, Ashes, and Filth, for Manure, to such Person or Persons as may be willing to purchase the same, and that in such Manner as the said General Commissioners shall think fit, and the Money thence arising shall make Part of the Funds for the Purposes of this Act; declaring that if any Persons shall sell, or otherwise apply to their own Purposes, any such Dung, Soil, Dirt, Ashes, and Filth, they shall be liable in a Penalty (over and above the Value of the same) of Five Pounds *toties quoties*, to be levied and applied as herein directed: Provided also, that if the Dung, Soil, Fulzie, or Refuse of any Slaughter House shall at any Time be allowed to accumulate within the Bounds before described for more than Seven Days, such Dung, Soil, Fulzie, or Refuse shall thereupon become vested in the said General Commissioners, and it shall be lawful for them to sell and dispose of the same as Public Property, and the Money thence arising shall make Part of the Funds for the Purposes of this Act.

Produce of Dung how to be applied.

LXXXVI. And be it enacted, That the said General Commissioners shall and may provide and erect such Number of Lamps, Lamp Posts, Lamp Irons, and Gas Tubes as may be necessary for lighting, in a suitable Manner, the whole Places, Ways, Streets, Lanes, Squares, Closes, and Passages within the Bounds before described, and shall and may light such Lamps with Oil or Gas, or enter into Contracts, one or more, for lighting such Lamps with Oil or Gas; and it shall and may be lawful to and in the Power of the said General Commissioners to order the Lamp Irons, Lamp and Gas Tubes, to be fixed either upon the Curb Stones of the Foot Pavements, or at the Railings, or upon the Houses and other Buildings on the Sides of the Streets, with as little Injury as possible, but always upon indemnifying the Proprietors or Possessors for any Damage done to the said Houses or other Buildings by such Lamp Irons or Gas Tubes being affixed thereto.

General Commissioners to erect Lamps, and to contract for lighting Streets.

LXXXVII. And be it enacted, That in case it shall be necessary, for the Purpose of fulfilling any Contract to be entered into by or with the said Commissioners for lighting the said Streets, Ways, Lanes, and other Places with Gas, that Tubes for conveying the Gas shall be laid down in such Streets, Ways, Lanes, and other Places, it shall be in the Power of the said

Streets and Ways to be opened up for laying down Gas Pipes, on Application

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by the Commissioners.

Commissioners, and they are hereby authorized, to apply by Petition to the Magistrates and Town Council of the City of *Edinburgh*; with respect to Streets, Ways, Lanes, and other Places situated within the Royalty, and to the Road Trustees of the Middle District of the County of *Edinburgh*, with respect to the Streets, Ways, Lanes, and other Places under their Management and Superintendence, for Leave to open up the said Streets, Ways, Lanes, and other Places; and the said Magistrates and Town Council and Road Trustees respectively shall, on such Application being made to them as aforesaid, grant the necessary Warrant and Authority for opening up the said Streets, Ways, Lanes, and other Places, the General Commissioners and those employed by them being always bound to carry on the said Operations in the Manner least inconvenient for the Inhabitants, and with the least possible Delay to reinstate the Streets, Ways, Lanes, and other Places opened up by them in the same Situation as before they shall have been so opened up.

Penalty for breaking Lamps, &c.

LXXXVIII. And be it enacted, That if any Person or Persons shall wilfully take away, break, or throw down any Lamp, Lamp Iron, or Gas Tube which now is or shall hereafter be set up within the Bounds before described, or shall wilfully extinguish the Light or Lights within the same, or damage the Irons or Appurtenances thereof, it shall and may be lawful for any Person who shall see such Offences committed to seize, and also for any other Person to assist in seizing, the Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey and deliver such Offender or Offenders into the Custody of a Police or other Peace Officer, in order to be secured and conveyed before One of the Magistrates of the said City, or Sheriff Depute of the County or any of his Substitutes, acting as Judges under this Act, to answer for such Offence; and if the Person or Persons accused of such Offence shall be convicted thereof, each Offender shall forfeit and pay any Sum not exceeding Ten Pounds Sterling for every such Offence, and moreover shall make Satisfaction for the Damages done.

To prevent Escape of Gas.

LXXXIX. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up under the Authority of this Act, the Persons employed by the said General Commissioners to supply any such Gas shall at their own Expence, immediately after receiving Notice thereof, verbally or in Writing, from any Inhabitant of any Parish or Place within the Limits of this Act, cause the most speedy and effectual Means to be taken to stop and prevent such Gas from escaping; and in case the Persons so employed by the said General Commissioners shall not within Twenty-four Hours next after such Notice, verbally or in Writing, being given of any such Escape of Gas, proceed to discover and prevent the Gas from escaping, and to remove the Cause of Complaint, that then and in every such Case such Persons shall for every such Offence forfeit and pay the Penalty or Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of Service of such Notice during which Gas shall be suffered to escape as aforesaid; which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, before some one of the Magistrates of *Edinburgh*, or Sheriff Depute of the County or his Substitutes, acting as Judges in the Police Court, by Pounding and Sale of the Goods and Effects of the Persons so employed

to supply such Gas, by the Warrant of any such Judge in the Police Court as aforesaid, and to be recovered and applied in manner herein directed in regard to other Penalties.

XC. Provided always, and be it further enacted, That if any Person or Persons making Gas within the Bounds before described, for the Purpose of lighting any Part of the same, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other Waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the Works, into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in each and every such Case the Person or Persons so offending shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered by summary Complaint in the Court of Session; and the whole of such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months from the Time when such Annoyance, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not be recovered, in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given to the Person or Persons offending, and such Person or Persons shall not, within Twenty-four Hours after such Notice shall have been given to him or them as aforesaid, stop, hinder, or prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid; and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case such Person or Persons shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered, levied, and applied.

Penalty on conveying Washings into any River, Stream, &c.

XCI. And be it enacted, That the said General Commissioners shall and may order and direct the Houses, Buildings, Shops, or Warehouses within

Houses, Shops, &c. to be num-

bered, and
Names of the
Streets to be
affixed.

within the Limits of this Act to be numbered with Figures to be placed or painted on the Doors, or on such other conspicuous Part thereof as the Proprietors thereof shall prefer, and may likewise order to be painted or otherwise inscribed, on a conspicuous Part of some House or Building at or near the End or Corner of each Street, Square, Row, Lane, Close, Passage, or Place, the Name of such Street, Square, Row, Lane, Close, Passage, or Place; and any Person or Persons who shall wilfully or maliciously destroy, injure, obliterate, or deface any such Number, Figure, Name, or Description shall for every such Offence forfeit and pay a Sum not exceeding Two Pounds Sterling, to be levied and recovered in manner herein-after directed: Provided always, that when any of the said Numbers or Names shall be unavoidably defaced, in consequence of the Shop, Door, Wall, or other Place on which the same is marked being new-painted or altered, the Possessors or Proprietors of the said Shop, Door, Wall, or other Place shall and they are hereby required to replace the said original Number or Name, in a Character not being less than Two Inches in Height, and of a proportionable Breadth, where it formerly was, or in some other conspicuous Situation on such Shop, Door, Wall, or other Place, to be approved by the said General Commissioners, and that within Ten Days after the same has been so defaced, under the like Penalty for each Offence, to be levied and applied in manner herein-after directed.

Foot Pavements to be made.

XCII. And whereas it would be greatly for the Convenience and Benefit of the Inhabitants residing within the Limits aforesaid that proper Foot Pavements were made in Situations requiring the same; be it therefore enacted, That the Owners or Proprietors of all Houses and other Buildings, or of Gardens and Grounds on which Buildings are not erected, which are adjoining to or fronting any Road, Street, Square, or other public or principal Place within the Bounds before described, (excepting always the Gardens and Grounds opposite to *Prince's Street* and the Gardens and Grounds opposite to *Queen Street*, which shall be paved and upheld as at present,) shall, at their Expence, cause the Ground before their Property respectively on the Sides of the said Roads, Streets, Squares, or other public or principal Places, to be well and sufficiently paved with flat, hewn, or other Stones; or in such other Manner and Form as the Dean of Guild of the City of *Edinburgh*, or the Sheriff Depute of the County or his Substitutes, according as the said Street, Square, or Place shall be situated within their respective Jurisdictions, shall by Decrees to be pronounced, by them respectively in their proper Courts, from Time to Time, on the Application of the Fiscals of these respective Courts, or of any private Party having Interest, with Concurrence of the said Fiscals, or on the Application of the Superintendent of Police, direct and appoint: Provided always, that in case such Owners or Proprietors shall refuse or neglect to cause such Pavements to be made in the Manner and Form so directed, it shall and may be lawful to the said Dean of Guild or Sheriffs respectively, on the Complaint of the said Procurator Fiscal or Party or Superintendent, to cause such Pavements to be made at the Charge and Expence of such Owners or Proprietors respectively; and in case such Owners or Proprietors shall refuse or neglect to pay such Charges when required, it shall and may be lawful to the said Dean of Guild or Sheriff Depute or Sheriff Substitute respectively, in their proper Courts, to decree such Charges and Expences

Expences to be paid by such Owners or Proprietors, either to the Tradesmen by whom the Work shall have been done, or to any other Person to be named by the said Dean of Guild or Sheriffs, with the additional Expence incurred in recovering the same.

XCIII. And be it enacted, That where any Part of the Pavements, Streets, Roads, Footpaths, Pipes, Drains, or Common Sewers within the foresaid Bounds, where the Burden of repairing the same is not imposed upon the Lord Provost and Magistrates of *Edinburgh*, or the Trustees of the Highways in the Middle District of the County of *Edinburgh*, shall get out of repair, it shall be lawful for the Superintendent of Police and he is hereby required to give an Intimation in Writing to the Person or Persons liable to repair the same, requiring him, her, or them to make such Repair within a reasonable Time to be specified in such written Intimation; and failing of due Attention being given thereto it shall be competent to the said Magistrates, or Sheriff Depute or Sheriff Substitute respectively, or any One of them, within their respective Jurisdictions, acting in the Police Court, if they or he shall see Cause, upon the Application of the said Superintendent, which Application he is hereby required to make, not only to authorize such Superintendent forthwith to get such Repairs made, but to find the Person or Persons complained of liable in the Expences of the same and in all Charges connected therewith, and to give Decree for such Expences and Charges, and further to subject such Person or Persons in a Penalty for such Neglect not exceeding Two Pounds Sterling; and where the Burden of making such Repairs is imposed upon the Lord Provost and Magistrates of *Edinburgh*, or the Trustees of the Middle District of the County of *Edinburgh*, the said Superintendent of Police is hereby authorized and required from Time to Time, when any Parts of the said Pavements, Streets, Roads, Footpaths, Pipes, Drains, or Common Sewers shall appear to him to need such Repair, to make Representation thereof to the said Lord Provost and Magistrates, or to the said Trustees respectively.

Foot Pavements, &c. to be kept in repair.

XCIV. And be it enacted, That the Owners and Occupiers of all Steam Engines, and of all Iron Foundries, Glass Works, Gas Manufactories, Distilleries, Breweries, and other Manufactories wherein Furnaces are used, already erected within the Limits of this Act, shall within Six Months from the passing of this Act adopt the Method now practised, or some good and efficacious Method, of consuming and burning the Smoke arising therefrom, so far as the same can be done, so as to prevent the same occasioning any Nuisance which can be avoided; and if any Person or Persons shall, after the passing of this Act, erect any such Steam Engine, Iron Foundry, Glass Work, Gas Manufactory, Distillery, Brewery, or other Manufactory wherein any Furnace is used, within the Limits aforesaid, without the same being upon the Principle of consuming its own Smoke, or having erected any Steam Engine, Iron Foundry, Glass Work, Gas Manufactory, Distillery, Brewery, or other Manufactory wherein any Furnace is used, shall not re-construct the same upon the Principle of consuming its own Smoke, so far as the same in either Case can be done, he, she, or they shall, besides being obliged so to re-construct the same, forfeit and pay for every such Neglect any Sum not exceeding Fifty Pounds Sterling: Provided always, that all Complaints made in regard to this

Steam Engines, &c. to consume their own Smoke.

Matter shall be judged of by the Dean of Guild and Sheriff in their own proper Courts, on the Application of the Fiscals of these respective Courts, or of any private Party having Interest, with the Concurrence of the said Fiscals.

Water from
Roofs of
Houses to be
conveyed in
Pipes.

XCV. And be it enacted, That the Owners and Proprietors of all Houses and other Buildings fronting any public Street, Square, or other public Place within the Bounds before described, where there are no sunk Areas between the Houses and the Foot Pavement, shall cause the Water from the Roofs of such Houses or Buildings to be conveyed in Leaden or other Pipes affixed against or on the Sides or Fronts of such Houses or Buildings, and passing below the Foot Pavements, so as that the same shall be discharged either into the contiguous Water Channels or into the nearest Common Sewers, whether such Sewers shall have been formed and are upheld at the public Expence or by private Parties; and which Pipes the said Owners and Proprietors shall be bound to keep clean and in repair at their own Expence; and in case such Owners or Proprietors shall refuse or neglect to cause the Water to be conveyed as aforesaid, and the Pipes to be kept clean and in repair, it shall and may be lawful to the said Dean of Guild, or to the Sheriff Depute or Sheriff Substitute respectively, and they and each of them are hereby authorized, on the Complaint of the Fiscals of their respective Courts or of the said Inspector, which Complaint the said Fiscals or Inspector are hereby required to make, to cause the Pipes which may be necessary to be affixed, and when necessary to be repaired and cleaned, at the Charge and Expence of such Owners or Proprietors respectively; and in case such Owners or Proprietors shall refuse or neglect to pay such Charges when required it shall and may be lawful to the said Dean of Guild, or to the said Sheriff Depute or Sheriff Substitute, or either of them, on the Complaint of the said Fiscals or of the said Inspector, to decern such Charges and Expences to be paid by such Owners or Proprietors, either to the Tradesman by whom the Work shall have been done, or to any other Person or Persons to be named by the said Dean of Guild or Sheriffs, with the additional Expence incurred in recovering the same.

Power to
make Sewers
and Drains.

XCVI. Provided always, and be it enacted, That it shall and may be lawful to the Magistrates and Council of the City of *Edinburgh*, so far as concerns the ancient and extended Royalties of the said City, or to any other Party having an Interest, and to the Road Trustees, or any others interested in the Streets, Ways, and Passages beyond the Bounds of the ancient and extended Royalties, to construct proper Main Drains or Sewers in all Situations requiring the same, and proper conducting Drains for leading Rain Water or Soil into such Main Drains, all of such Dimensions as may be judged necessary, and in such Manner and Form as shall be directed by the Dean of Guild and Sheriff in their proper Courts respectively.

Power to the
Proprietors
of Flats to
erect Soil
Pipes.

XCVII. And whereas the Practice of throwing out foul Water and other Filth upon the Streets is a Nuisance which the Occupiers of Houses divided into separate Floors or Flats, and having no Communication with the Common Sewers, cannot at present easily avoid; be it therefore enacted, That in all Streets or other Places within the Limits of this Act where Common Sewers are now or may hereafter be constructed it shall be
lawful

lawful for the Proprietor or Proprietors of One or more of the said Floors or Flats to erect One waste or foul Water Pipe along the back Wall of the Tenement on the Outside, communicating with the Drain under Ground leading into the Common Sewer where there is such Drain, and with Power to make such Drain if there is not one already, and afterwards to keep the same in good and sufficient Repair; provided that Authority shall first be obtained from the Dean of Guild or Sheriff, as the Case may be, for erecting such Pipe, and making such Communication or Drain, or if necessary for cleansing or repairing such Pipe, Communication, or Drain; and provided further, that the Expence and Damage occasioned by erecting and constructing said Pipe, Communication, and Drain, and the Expence of keeping the same clean and in good Repair, shall be defrayed by the Proprietors of Floors or Flats making use of the same in proportion to their Valuation; and the said Dean of Guild or Sheriff shall, upon Application for that Purpose, settle and decern for the Proportion to be defrayed by such Proprietors respectively.

XCVIII. Provided always, and be it enacted, That it shall not be lawful for the Proprietors of Floors or Flats to make use, for the Purposes of Water Closets or such like Purposes, of any Drain or Communication into the Common Sewer under the Ground Floor of the Tenement, without the Consent of the Proprietor of the said Ground Floor.

Soil of Water Closets not to be introduced into existing Drains without Consent.

XCIX. And be it enacted, That the Proprietor or Proprietors of One or more Floors or Flats shall be entitled to have a Service Pipe from the Main Water Pipe in the Street brought up along the back Wall of the Tenement on the Outside, and passing under Ground through the sunk Storey or lowest Flat; provided always, that Authority shall first be obtained from the Dean of Guild or Sheriff, as the Case may be, for laying and putting up such Pipe, and that the Expence of laying and putting up the same, and of keeping it in repair, and the Damage occasioned thereby, shall be defrayed by the Persons using the same.

Power to Proprietors of Flats to bring up Water in Pipes.

C. And be it enacted, That it shall and may be lawful for the Superintendent of Police and Persons acting under his Orders, and they are hereby required, to provide, that where any House shall be building or repairing, or other Reparations of the like Kind carrying on, the Foundations or Grounds adjoining shall be fenced in, that the Inhabitants may run no Risk of Danger from the same; and in case any Hole or Opening shall be made in any of the Streets, Lanes, Passages, Squares, or public Places of the said City or adjacent Streets, for the Purpose of digging Foundations for building, for paving the Streets, for digging Wells, Drains, laying Pipes, or any other Purposes, the Persons or Body Corporate making or causing to be made the said Holes or Openings, and the Persons employed and concerned therein, shall at their own Expence cause a sufficient Rail or Fence to be put round the said Holes or Openings, and shall also cause a Lamp or Light to be affixed 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 Persons or Bodies Corporate aforesaid shall refuse or neglect to fence the said Foundations or Holes, or to affix and keep burning such Lamps or Lights, in manner aforesaid, it shall and may be lawful for the Judge acting in the Police Court, on the Com-

Houses building and repairing to be fenced in.

plaint

plaint of the said Superintendant, to decern the Persons or Body Corporate so offending to pay any Sum not exceeding Forty Shillings for each Day or Night that the same may remain without a sufficient Rail or Fence during the Day, and without such Rail or Fence and Light during the Night, and also to order the said Foundations or Holes to be fenced, and Lamps or Lights to be affixed and kept burning, at the Expence of the Persons employed or concerned therein, reserving always to any Persons who may suffer Injury by such Operations to prosecute for Reparation and Damages according to Law.

Regulating
Foot Pavements and
Streets.

CI. And be it enacted, That if any Person or Persons shall carry, push, roll, drive, draw, or cause to be carried, pushed, rolled, driven, or drawn, on any of the Foot Pavements within the Bounds before described, any Bier, Sledge, Cask, or Wheelbarrow, Wheel or Wheels, or any Coach, Waggon, Cart, or Carriage whatsoever, (except directly across the same on necessary Occasions,) or shall wilfully ride, lead, or drive any Horse, Ass, Mule, or Cattle, (except when going directly across the said Foot Pavements to or from Stables or Cow Houses,) upon any Part of the said Foot Pavements, or shall throw or cast any Dirt, Dung, Ashes, or Rubbish into or upon the same, or shall roll any Cask empty or full along the said Foot Pavements for any Distance whatever, (except across them directly to or from a Cellar, Shop, or Warehouse,) or shall roll any such Cask, except from a Shop, Cellar, Warehouse, or other Place, directly to such Cart or Carriage as it is to be loaded upon, or from such Cart or Carriage as it has been loaded upon, directly to the Shop, Cellar, Warehouse, or other Place in which it is to be deposited, not exceeding Thirty Yards in any Case, or shall drive any Cart or other Carriage on the Streets of the said City, or any of the Roads or Passages within the Limits over which this Act extends, furiously or improperly, or shall leave any Cart or Carriage standing on the said Streets, Roads, or Passages, yoked or unyoked, either during the Day or Night, to the Obstruction of the free Passage of any other Carriage or Passenger along the said Streets, or shall ride any Horse furiously or improperly, or drive any Horse or Cattle, or Carriage of any Kind, in an improper Manner, upon any of the said Streets, Roads, or Passages, or shall load or drive any Plank or Piece of Timber exceeding the Length of Twenty Feet upon or by the Means of any Machine or Carriage having less than Four Wheels, or suffer the same, if upon such Machine or Carriage, or not being of the Length of Twenty Feet if upon a common Cart or other Carriage, to project beyond the outer Part thereof, or occupy more of the Street or Road in Breadth than is occupied by such Machine, Cart, or other Carriage itself, or to touch or drag upon any Part of the said Street or Road, then it shall and may be lawful for any Person who shall see such Offence committed to seize such Offenders, and by Authority of this Act, without any other Warrant, to convey them to the Custody of any Officer of Police or other Peace Officer, in order to be secured or conveyed before One of the Magistrates of the said City, or the Sheriff Depute of the County, or any of his Substitutes; and the Parties accused being brought before him, the said Magistrate or Sheriff Depute or Sheriff Substitute respectively shall, upon the Complaint of the said Superintendant, proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of riding

riding or driving any Horse or Cattle, Cart or Carriage, furiously or improperly, he, she, or they shall forfeit and pay any Sum not exceeding Five Pounds Sterling; and any Person convicted of any other of the above Offences shall forfeit and pay any Sum not exceeding Twenty Shillings Sterling.

CII. And be it enacted, That it shall and may be lawful to the said Magistrates or any One of them, or to the Sheriff Depute of the County or his Substitutes, to cause to be removed and taken down all Signs, Sign Posts, Boards, Sheds, Dyers, Scourers, or Barbers Poles, or any other Poles projecting or hanging over any of the Foot Pavements, Streets, Squares, Lanes, or Passages, or any Goods exposed at the Doors of Shops, so as to encroach on the Foot Pavements, and to prohibit the Obstruction of Passengers by the Offer of Goods for Sale at Shop Doors, or at any Distance from the same; and in future all Signs or Sign Boards shall be placed or affixed close on or flat to the Wall or Front of the Houses, Shops, Warehouses, or other Buildings whereunto they shall respectively belong; and if any Person or Persons shall at any Time hereafter hang, place, or erect, or cause to be hung, placed, or erected, any Sign, Sign Post, or Pole, or cause any other Obstruction or Annoyance whatever, or shall expose Goods at the Door of any Shop, or offer Goods as aforesaid, contrary to the Meaning of this Act, it shall be lawful for the said Magistrates, or any One of them, or the said Sheriff Depute or his Substitutes, on the Complaint of the said Superintendant, to order the same to be removed and taken away, and to ordain such Person or Persons to pay any Sum not exceeding Twenty Shillings Sterling; saving and reserving to any Persons who may suffer Injury from such Sign Boards, Projections, or other Annoyances to prosecute for Damages according to Law.

Regulating
Sign Posts,
&c.

CIII. And be it enacted, That it shall not be lawful for any Person or Persons to set or place upon the Outside of any Window or Projection of any Buildings fronting any of the Streets, Lanes, Closes, or Passages of the said City, or within the Bounds before described, any Flower Pot or Box for raising or preserving any Flowers, Shrubs, or other Plants or Vegetables, or for any other Purpose, unless the Sole and Outside of the Window or Projection at which any such Pot or Box is set or placed be sufficiently railed in and secured with good substantial Rails of Wood or Iron, in order to prevent the Risk of any such Pot or Box falling from any such Window or Projection upon the said Streets, Lanes, or Passages; and any Person or Persons setting out any Pot or Box at any Window or Projection before described, unless railed in in manner aforesaid, shall, on the Complaint of the said Superintendant in the Police Court, forfeit and pay any Sum not exceeding Twenty Shillings Sterling for each Offence; saving and reserving to any Person who may suffer Injury from the same to prosecute for Damages according to Law.

Flower Pots,
&c. set out at
Windows to
be secured.

CIV. And whereas by the aforesaid in part recited Act of the Fifty-second Year of the Reign of His late Majesty the Lord Provost and Magistrates within the City and Liberties, and the Sheriff Depute of the County, so far as concerns adjacent Places, were authorized and empowered to erect and maintain Steel Yards, Scales, or other Weighing Engines, upon or adjacent to the different High Roads leading to the City, or at convenient Places within the same, for the Purpose of

Coal-weigh-
ing suspend-
ed.

[Local.]

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weighing

weighing Coals; and for defraying the Expences of erecting and keeping in repair such Steel Yards, Scales, and other Engines, and the other Expences therein mentioned, the said Lord Provost, Magistrates, and Sheriff Depute respectively were authorized to exact certain Sums from the Drivers of Coal Carts and Waggon; and for carrying the aforesaid Regulations into effect, the Lord Provost, Magistrates, and Council of the City were authorized and required to name a Committee of Three of their own Number, who, with the Sheriff Depute of the County and his Two Substitutes, should form a Committee of Management in relation to the said Regulations; under which Regulations contained in the said Act several Steel Yards and other Weighing Engines have been erected, and Sums of Money have been exacted and levied from Coal Drivers: And whereas it is expedient that the Regulations respecting the weighing of Coals brought into the City should for the present be suspended; be it therefore enacted, That the said Regulations respecting the weighing of Coals, and the Rates levied for weighing the same, shall be in force until the Second *Monday* of *July* next, when the same shall cease and determine, and the Property of the Steel Yards, Scales, and other Engines for weighing Coals, and of the Buildings connected therewith, which have been erected under the Provisions of the aforesaid Act, shall, from and after the said Second *Monday* of *July* next, be vested in the Sheriff Depute of the County of *Edinburgh* for the Time being.

Coal-weigh-
ing Accounts
to be made
up.

CV. And be it further enacted, That the Sums of Money to be collected and received for the weighing of Coals until the said Second *Monday* of *July* next, under Deduction of the Expences of such Weighing; together with any Balance which by the said Lord Provost and Sheriff Depute shall be ascertained to be and remain in the Hands of the said Lord Provost, Magistrates, and Council, or Sheriff Depute and his Substitutes, or in the Hands of the said Committee of Management, or of any Officer or Person appointed by them or any of them in relation to the weighing of Coals, shall be paid over by the Person or Persons in whose Hands the same may be to the said General Commissioners, and the said General Commissioners shall cause to be kept a separate and distinct Account of the Sums of Money so to be received as aforesaid; which Sums of Money shall, with the Concurrence of the said Lord Provost and Sheriff Depute, be applied by the said Commissioners to such of the Purposes of this Act as they shall think fit.

Regulations
as to Hay
and Straw.

CVI. And whereas the Purchasers of Hay and Straw are exposed to Fraud and Impositions, and frequently suffer by the same being taken or embezzled from Carts or Waggon, be it further enacted, That the Kemple of Straw shall consist of Forty Windlens, and each Windlen at an Average shall weigh Six Pounds Tron Weight, so that the Kemple upon the whole shall weigh Two hundred and forty Pounds, or Fifteen Stones Tron Weight, being equal to Three hundred and thirty Pounds Avoirdupois; and in case any Person shall be found selling, or delivering as sold, within the Limits of this Act, any Kemple or Windlen of Straw under the respective Weights aforesaid, it shall be lawful to the Magistrates of the City of *Edinburgh* or any One of them, or to the Sheriff Depute of the County or any One of his Substitutes, on the Complaint of the said Superintendant, to fine such Person in any Sum not exceeding Five Pounds, or to seize, forfeit, and sell such Straw in

in the Way and Manner before prescribed with respect to Coals which have not been duly weighed; and also to fine Persons driving any Carts or Waggon from which Straw or Hay shall have been taken or embezzled, and all Persons accessory to such Taking or Embezzlement.

CVII. And be it enacted, That nothing herein contained shall prevent the Magistrates of *Edinburgh* or any One of them, or the Sheriff Depute of the County or his Substitutes, acting under the Authority of this Act, from punishing or dismissing any of the Watchmen, Scavengers, or other inferior Officers, appointed in manner before mentioned, at any Time when they or any of them shall find it necessary or proper so to do, or to prevent the said General Commissioners from increasing or diminishing the Number of Watchmen, Scavengers, or other Officers as to them shall appear proper.

Magistrates and Sheriff may punish or dismiss Watchmen.

CVIII. And be it enacted, That it shall and may be lawful to the said General Commissioners to make suitable Provision, out of the Sums of Money hereby authorized to be assessed and levied, for any Watchman or other Officer of Police who may at any Time be disabled or wounded in the Execution of his Office, or for the Family of any Watchman or other Officer of Police who may lose his Life in the Execution of his Office; and that in case of any Watchman or other Officer of Police being so disabled or wounded as to be unable to perform his Duty, or losing his Life as aforesaid, and the Superintendant of Police being thereby obliged to engage another Person to supply his Place, which he is hereby authorized to do, such Watchman or other Officer so disabled or wounded, and the Widow and Children of a Watchman or other Officer losing his Life as aforesaid, in the Event of his leaving a Widow or Children, shall receive the ordinary Pay or Wages of such Watchman or other Officer till the next Meeting of General Commissioners, when the special Circumstances of the Case shall be reported to the Meeting, who shall give such Orders respecting the same as to them shall appear proper; and for the Purpose of rewarding the Superintendant, Inspector, and other Persons employed in the Execution of this Act for extraordinary Trouble according to their Exertions in important and difficult Cases, and for enabling the Lord Provost of the City or the Sheriff Depute of the County to remunerate Persons necessarily employed for occasional Services, it shall and may be lawful for the said General Commissioners to order their Collector to pay to the Superintendant, Inspector, or other Persons employed as aforesaid, such Sum or Sums of Money as to the said General Commissioners shall seem proper, and to place at the Disposal of the Lord Provost and the Sheriff, for the Purposes before mentioned, such Sum or Sums of Money as to the said General Commissioners shall seem proper, such Sum or Sums not exceeding in the whole the Sum of Five hundred Pounds Sterling in any one Year; which Orders the said Collector shall be and is hereby authorized and required to pay, and the same, with the Receipt of the Person to whom the Money is declared to be payable, shall be held and taken to be a sufficient Voucher to all concerned.

Provision to be made for disabled Watchmen, &c.

Sum for rewarding Officers, &c.

CIX. And be it enacted, That if any Person shall entice from his Duty any of the said Watchmen, Scavengers, or other Persons employed in executing

Penalty for enticing Watchmen,

&c. from
their Duty.

executing this Act, or shall entertain or permit or suffer to be entertained in his or her House any such Watchman, Scavenger, or other Person during his Hours of Duty, every Person, upon being convicted thereof in manner above expressed, shall, on the Complaint of the Superintendant or Inspector respectively, forfeit a Sum not exceeding Two Pounds for each Offence, to be recovered as herein-after directed, and applied to the Purposes of this Act.

Police Courts.

Old Bailies to
be empower-
ed to act.

CX. And be it enacted, That all Offences, Matters, and Things falling under this Act shall be judged of by the Magistrates and the Four old Bailies of *Edinburgh*, or any One of them, in so far as concerns Offences committed or Matters arising within the City of *Edinburgh* or Liberties of the same, or by His Majesty's Sheriff Depute of the County of *Edinburgh*, or his Substitutes, or any One of them, as to all Offences committed within any Part of the Limits specified in this Act: Provided always, that the Lord Provost of the City of *Edinburgh*, being Sheriff Principal within the County of the said City, be empowered and he is hereby authorized and required to grant to each of the Four old Bailies of the said City for the Time, and to all and every such Person as shall from Time to Time hold, exercise, and enjoy the Office of Councillor in the Burgh of *Edinburgh* by the Name and Character of One of the Four old Bailies of the same, Commissions as Sheriffs Depute, to the Effect of enabling the said Four old Bailies, or any One of them, to act in all and every Matter and Thing relating to the Execution of this Act, with the same Powers, Jurisdictions, and Privileges as the Magistrates of the said City have and enjoy in that respect, and which Commissions so to be granted shall continue in force so long only as the Individuals holding the same shall enjoy the Office of Old Bailie by the Set and Constitution of the Burgh, and no longer.

Superintendant and Inspector to be Fiscals.

CXI. And be it further enacted, That in the Courts to be held under Authority of this Act, the Superintendant and Inspector, or in their Absence some other Officer or Officers of Police having special Authority from the said General Commissioners for the Purpose, shall attend as Procurators Fiscal of Court, to bring such Actions as they are hereby authorized and required respectively to bring, and Judgment shall pass at the Instance of the Superintendant and Inspector, or other Officer respectively, for Performance of all and each of the Obligations, and for levying and recovering all and each of the Penalties or enforcing the Punishments by this Act authorized.

Superintendant or other superior Officer in certain Cases may accept Bail.

CXII. And be it enacted, That upon the Apprehension by the Officers of Police of any Persons charged with Offences under this Act it shall be lawful to the Superintendant of Police, or the superior Officer of Police upon Duty at the Time, and he is hereby empowered, in the Absence of a Magistrate, to accept of Bail, and to liberate the Person or Persons so apprehended under such Circumstances, upon Bail being found to an Extent not exceeding Ten Pounds Sterling; it being expressly declared, that the Refusal on the Part of the said Superintendant or the superior Officer on Duty to accept of such Bail, and his detaining the Person so apprehended until Recourse can be had to a Magistrate in the usual Form, shall not subject the said Superintendant or other superior Officer to any Claim for Damages whatsoever.

CXIII. And

CXIII. And be it further enacted, That all Persons taken into Custody by the Officers of Police, and who shall be detained in Custody, shall be taken before One of the said Magistrates, or before the Sheriff Depute or One of his Substitutes, in the course of the first lawful Day after they shall be so taken into Custody, to be disposed of as the said Magistrate or Sheriff shall direct, according to the Forms of Proceeding to be established in manner herein-after mentioned.

Persons in Custody to be taken before a Magistrate.

CXIV. And be it enacted, That it shall be lawful to the Magistrates, the Sheriffs Depute or Substitute, or any of them respectively, to detain Prisoners in the Police Office or the Tolbooth, when remanded, for affording Time to find Caution, or for further Examination, such further Examination always taking place as soon as Circumstances shall permit, and without any unnecessary Delay.

Prisoners may be remanded to find Caution, &c.

CXV. And be it enacted, That where any Person or Persons shall have been apprehended, and afterwards liberated on Bail, and shall fail to appear, and where any Offender or Offenders who shall have found Caution for good Behaviour, or for keeping the Peace as aforesaid, shall commit a new Offence or new Offences, inferring Forfeiture of the said Caution, it shall be competent to order the Cautioner or Cautioners to be cited to make Payment of the Sum or Sums contained in the Bond or Bonds of Caution within the Space of Twenty-four Hours, and in default of such instant Payment after the Lapse of the said Space to declare the Sum or Sums in such Bond or Bonds of Caution to be forfeited, which shall thereupon be recoverable, at the Instance of the Superintendent or Inspector of Police respectively, by a Precept to be issued by any of the said Magistrates, Sheriffs Depute or Substitute respectively, upon Induciae of Ten Days; and upon Failure of Payment it shall be competent to grant Warrant for the Pounding and Sale of the Defaulter's Goods and Effects for the Sum or Sums so forfeited as aforesaid, and the Expence of such Pounding and Sale; and upon Certificate by the Pounding Officer of there not being a Sufficiency of such Goods and Effects, the Cautioner or Cautioners may be imprisoned, by Warrant of any of the said Sheriffs Depute or Substitute, or Bailies or Old Bailies respectively, in the Tolbooth of *Edinburgh*, for a Space not exceeding Thirty Days; and after the said Imprisonment no further Procedure against the Cautioner or Cautioners shall be competent on the Bond.

For recovering on forfeited Bonds of Caution.

CXVI. And whereas it is highly expedient that in Cases arising under this Act the Proceedings shall be attended with as little Expence or Delay as possible, be it enacted, That the said Lord Provost and Magistrates of the City, and the Sheriff Depute of the County, with the Advice and Approbation of the Lord President of the Court of Session and the Lord Justice Clerk for the Time being, are hereby authorized and required to adapt the Forms of the said Court of Police accordingly, so as to dispatch the Business under this Act in the easiest and most expeditious Manner, without written Pleadings: Provided always, that a Record shall be preserved of the Charge and of the Judgment pronounced; and declaring that it shall be competent to the said Magistrates and Sheriff Depute and Sheriff Substitute respectively, under such summary Form of Proceeding so to be established, and where no Special Penalty

Summary Forms of Proceedings to be established.

Charge and Sentence to be recorded.

is attached to the Offence, to adjudge Penalties not exceeding Ten Pounds, or to sentence the Party complained of to Imprisonment, either in the Tolbooth or in Bridewell, for any Period not exceeding Sixty Days, and also to decern for Damages not exceeding Five Pounds; and in case it shall appear that the Loss sustained by the private Party exceeds the Sum hereby authorized to be given in Name of Damages, the Judge acting in the Police Court shall and may give Judgment for Damages to the Amount hereby authorized, and shall insert in the Sentence a Reservation of such further Claim as may be competent to be insisted in before any Judge to whose Jurisdiction the Offence is amenable, such further Claim to be insisted in at the Instance of the private Party, and it shall be competent for the private Party to insist in such further Claim whether the Sentence contains such Reservation or not; and in every Case where such summary Form of Proceeding shall take place Expences may be awarded over and above the Penalty and Damages.

Offenders
may be or-
dained to
find Caution.

CXVII. And be it further enacted, That it shall be competent to the said Magistrates or any of them, and to the Sheriff Depute and Sheriff Substitute respectively, at their or his Discretion, in lieu and place of or in addition to any Punishment as aforesaid, to ordain any Offender or Offenders to find Caution for good Behaviour, or for keeping the Peace, for any Period not exceeding Twelve Calendar Months, and under a Penalty not exceeding Twenty Pounds Sterling.

Fines and
Damages to
whom to be
paid.

CXVIII. And be it enacted, That all Forfeitures, Penalties, and Fines to be imposed in the Police Court in virtue of this Act shall be paid to the Clerk of Court, and shall be accounted for by him once every Month to the Collectors appointed by the General Commissioners, to be disposed of as herein-after mentioned, and the Damages shall be paid to the Person or Persons by whom the Loss has been sustained; and the Superintendent of Police is hereby directed, on the First *Monday* of every Month, to intimate to the Collectors the Amount of the Forfeitures, Penalties, and Fines imposed in the previous Month.

On Nonpay-
ment of
Penalties,
Offenders
to be im-
prisoned.

CXIX. And be it further enacted, That in case any pecuniary Penalty or Forfeiture decerned for by virtue of this Act shall not be immediately paid or consigned in manner before mentioned, it shall and may be lawful to adjudge the Person or Persons found liable for the same to be imprisoned in the Tolbooth of *Edinburgh* till liberated in manner after mentioned.

Commuta-
tion of Pe-
nalties.

CXX. And whereas, in the Event of any Persons being so imprisoned, or being detained for Want of Caution, it is expedient that such Imprisonment or Detention, if continued for a suitable Length of Time, should be held as commuting the pecuniary Penalty or Forfeiture so decerned for, and as a sufficient Punishment for the Offence in consequence of which the said Persons shall have been ordained to find Caution; be it therefore enacted, That it shall and may be lawful to the Judge by whom the Sentence may be pronounced to specify in the Sentence such Length of Imprisonment as in the Circumstances of the Case shall appear to him to be commensurate with the Amount of the Forfeiture or Penalty so inflicted, or with the Offence for which Caution has been ordained to be found:

found: Provided always, that such Imprisonment shall in no Case exceed the Term of Sixty Days; and if the Sentence so pronounced does not specify any Period of Imprisonment or Detention, it shall be lawful for the Offenders, when so committed to Prison or detained in Custody, to apply for such Specification; and the Judge, upon being so applied to, is hereby required to pronounce Sentence accordingly; and it is hereby declared, that such Offenders, on the Expiration of the Term of Imprisonment or Detention so specified, shall be free from the Payment of any such pecuniary Penalty or Forfeiture, and from the Sentences ordaining them to find Caution, as well as from all Charges attending the same: Provided always, that if such Offenders shall, at any Time after being so committed, and before the Expiration of the Term so specified, make Payment of such pecuniary Penalty or Forfeiture, with the Charges attending the same, or find Caution in Terms of the Sentence, they shall thereupon be instantly liberated from such Confinement.

CXXI. And be it enacted, That the whole of the pecuniary Penalties, Forfeitures, and Fines imposed or incurred in the Police Court, under the Authority of this Act, shall be applied in Payment of the Expences incurred in alimending Prisoners detained in Custody in the Police Office or Watch-houses, or committed to the Tolbooth, and in clothing and alimending the Prisoners committed to Bridewell, in virtue of this Act: Provided always, that if such Penalties and Forfeitures shall not be sufficient for those Purposes, whatever farther Sum may be requisite shall be made good from the General Fund herein-before authorized to be levied for the Purposes of this Act; and if such Penalties and Forfeitures shall be more than sufficient for these Purposes, the Surplus shall form Part of the General Fund, at the Disposal of the General Commissioners, for the Purposes of this Act.

Application of Penalties.

CXXII. And be it enacted, That upon Imprisonment of any Offenders in the Tolbooth of *Edinburgh*, or in the Bridewell of the City or County of *Edinburgh*, by Sentence or Sentences of the said Magistrates or any of them, or the said Sheriff Depute or his Substitutes, in virtue of the Powers hereby conferred on them, such Offenders shall be subject to such Regulations, in respect of Labour and Maintenance, as are at present or shall in future be observed in the Tolbooth, or directed under the Authority of an Act passed in the Thirty-first Year of the Reign of His said late Majesty, intituled *An Act for building and maintaining a Bridewell and Correction House in and for the City and County of Edinburgh*, unless the Sentence shall contain some special Order relative to the Labour or Maintenance of such Offenders.

Regulations for Commitments to Bridewell.

31 G. 3. c. 57.

CXXIII. And be it enacted, That from and after the Commencement of this Act the Rules laid down by the said Act of the Thirty-first Year of the Reign of His late Majesty, in so far as these relate to the raising certain Assessments for defraying the Expence of clothing and alimending Persons committed to Bridewell, shall during the Continuance of this Act be suspended, and cease to have Effect, in so far as concerns Persons committed thereto by virtue of the Powers herein contained, saving and reserving the foresaid Act of the Thirty-first Year of the Reign of His late Majesty in all other respects.

Bridewell Assessment for alimending and clothing Prisoners committed under this Act suspended.

CXXIV. And

Alteration of Day of electing Committee for managing Bridewell.

CXXIV. And whereas Inconveniencies are found to arise from the said Act of the Thirty-first Year of the Reign of His late Majesty, in so far as the said Committee of Management is appointed to be chosen upon the First *Monday* of *July* yearly; be it therefore enacted, That the Election of the said Committee, with the whole Powers conferred by the said Act, shall hereafter take place upon the First *Monday* of *November* yearly.

Power of Banishment in certain Cases.

CXXV. And be it enacted, That when any Offender shall have suffered Imprisonment in the Tolbooth or Bridewell as aforesaid to the full Extent of Sixty Days, under One Sentence, as permitted by this Act, and shall be afterwards found guilty of another Offence under this Act; and further, when such Offenders have no fixed Place of Residence within the Bounds before described, nor any visible Means of Subsistence, the Burden of Proof as to both of which shall rest with the said Offender, it shall, in such Circumstances (but not otherwise), be lawful to the said Magistrates or any of them, or to the Sheriffs Depute or Substitute respectively, to banish such Offenders from the said Bounds for a Space not exceeding Six Months, in lieu of other Punishment; under Certification, that if any such Offender shall return within the said Bounds previous to the Expiration of the said Term of Banishment, such Offender shall again be committed to the said Tolbooth or Bridewell for a Space not exceeding Sixty Days; and under the further Certification, that such Offender shall be thereafter again banished, after having suffered this Imprisonment, from the said Limits, till the original Term of Banishment is fully expired, if any Part of it be not elapsed.

Offenders removing from the Bounds of Police how to be proceeded with.

CXXVI. And be it enacted, That where Offences are committed within the Bounds over which this Act extends, and the Offender or Offenders shall thereafter remove from the said Bounds, it shall be lawful for the Superintendant or Inspector of Police, as the Case may be, and he is hereby empowered, to apply to the Sheriff Depute of the County of *Edinburgh*, or his Substitutes, for Warrants to apprehend or cite such Offenders, wherever they may be found within the said County, and to search for Articles connected with such Offences; and on such Warrants being granted, it shall be lawful for the Officers of Police to execute the same in any Place within the said County.

Procedure where a high Degree of Punishment is merited.

CXXVII. And be it enacted, That where the Judge acting in the Police Court shall think the Case deserving of a higher Punishment or Fine than is authorized by this Act, he shall and may commit such Offender to the Tolbooth of *Edinburgh* for Examination, or till liberated in due Course of Law; and the Superintendant shall give Notice of such Commitment to the Procurator Fiscal of the said City or County, in order that such Person may be farther proceeded against conformably to Law.

Juvenile Offenders may be remitted to the Magistrates.

CXXVIII. And be it further enacted, That it shall and may be lawful for the Judges acting in the said Police Court, and they are hereby authorized and empowered, whenever they shall see Cause, to remit any Male Offenders under the Age of Fourteen Years, accused of Crimes committed within the Bounds over which this Act extends, to the Magistrates of the said City, in order that the said Offenders may be tried before the sitting Magistrate and dealt with by the said Magistrate as to him shall seem proper,

proper, and shall be consistent with the Powers conferred by Law on the Magistrates of Burghs.

CXXIX. And be it enacted, That in all Cases where the said Magistrates, or Sheriff Depute or Sheriff Substitutes, or the Dean of Guild, are empowered to decree for the Expence of any Works or Operations, or of any other Expences, Sums of Money, Damages, or Penalties, under the Authority of this Act, it shall be lawful for them also to decree for the Expences of Process over and above such Expences, Sums of Money, Penalties and Damages; and in case any Person prosecuted at the Instance of a private Party for any Offence or Offences under this Act shall be acquitted, it shall and may be lawful to the Magistrate, or Sheriff Depute or Substitute, or Dean of Guild, before whom the Complaint shall be brought, if he shall see Cause, to subject the private Party in the Expences incurred by the Party acquitted.

Expences of Process may be decreed for.

CXXX. And be it further enacted, That no Appeal shall lie to the Sheriff Depute of the County from Sentences pronounced by his Substitutes, nor to the Lord Provost, as Sheriff Principal, from Sentences pronounced by the said Magistrates or old Magistrates, as additional Sheriffs Depute within the City or Liberties; and that no Stay of Execution of the Sentences pronounced, in so far as concerns Penalties, Damages, or Expences, shall be competent to the Effect of preventing immediate Payment or Consignation, in the Hands of the Clerk of Court, of the Sums awarded under any of those Heads; and the Person or Persons against whom such Sentences shall be pronounced, (or who may be found liable in such Expences,) if in Custody at the Time, shall be so kept, and if not in Custody at the Time shall immediately be taken into Custody, and so kept till the Money be paid or consigned; and if the same be not paid or consigned within Twenty-four Hours from the Date of such Sentence, in so far as concerns Damages and Expences, and immediately in so far as concerns Fines and Penalties, such Person or Persons shall be committed to the Tolbooth of *Edinburgh* till liberated in due Course of Law in so far as concerns Damages and Expences, and till liberated in manner before mentioned in so far as concerns Fines and Penalties; and in all Cases a Copy of the Charge and Sentence, certified by the Clerk, shall be deemed a sufficient Warrant of Commitment, reserving nevertheless to any Persons having paid or consigned such Penalty, Damages, or Expences, if they shall consider themselves aggrieved, to seek Redress in common Form; and in all Cases of Prosecution under this Act, at the Instance of the Superintendant of Police or of the Inspector of lighting and cleansing, it shall and may be lawful for the Judge whose Sentence has been brought under the Review of another Court to authorize the Expences incurred in the Proceedings in such other Court to be defrayed out of the Assessments herein-before authorized to be levied: Provided always, that at the First Meeting of the said General Commissioners after any such Sentence shall have been brought under Review as aforesaid, the said Superintendant or Inspector respectively shall make a Report of the Facts and Circumstances of the Prosecution on which any such Sentence shall have been pronounced and brought under Review; and the said General Commissioners shall thereupon either direct such Sentence so brought under Review to be defended or not, as to them shall seem proper; and if they shall direct

No Appeal to the Sheriff Depute from Sentences of his Substitutes, nor to Lord Provost from Sentences of Magistrates.

[Local.]

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such

such Sentence not to be defended, then no Expences incurred in such Action by such Superintendant or Inspector subsequently to such General Meeting shall be defrayed out of the Assessments herein-before authorized to be levied.

For Improve-
ment of
Piazzas and
Recesses.

CXXXI. And whereas the Shops and Houses fronting certain Parts of the Streets of the said City and Suburbs are situated in Piazzas behind Pillars, or in Recesses, whereby the said Shops and Houses are not only rendered dark and incommodious, but the said Piazzas and Recesses are often filled with Nuisances, and may be Receptacles at Night for idle and disorderly Persons; be it therefore enacted, That it shall and may be lawful for the Sheriff Depute or Sheriff Substitute of the County of *Edinburgh*, and the Dean of Guild of the said City, for the Time being, within their respective Jurisdictions, to authorize the Proprietors of Shops and Houses so situated as aforesaid to bring forward the same to the Front of the said Pillars, so as to include the Areas of the said Piazzas and Recesses in the said Shops and Houses, and to alter the Doors and Windows of the said Shops and Houses in order to give Light and Entry to the same; saving and excepting always the Piazzas and Recesses in or leading into the *Parliament Square*, which shall not be altered or encroached on, any thing herein contained to the contrary notwithstanding; and declaring that in effecting the Purposes before mentioned no Encroachment shall in any Case be made upon the Streets, public Entrances, or Foot Pavements: Provided always, that the Alterations and Improvements aforesaid shall be so made and constructed as not to damage or prejudice the adjacent or neighbouring Shops and Houses, or the Tenements or Stories erected above the Shops and Houses so to be altered and improved; and that before any such Alterations or Improvements are made the Authority of the Sheriff Depute or Sheriff Substitute of the said County, or of the Dean of Guild of the said City, within their respective Jurisdictions, shall be obtained for that Purpose; and if there shall be any Chance of Loss or Damage from the Alterations or Improvements proposed, the Proprietors of the adjacent or neighbouring Shops and Houses, and superior Tenements and Stories, shall be entitled, before the Alterations are begun, to demand and get sufficient Security from the Proprietors of the Shops or Houses which are to be altered or improved for Indemnification against all Loss or Damage which may be occasioned by such Operations.

Adjacent
Shops, &c.
not to be
prejudiced.

Hackney
Coaches, &c.
to be regu-
lated.

CXXXII. And be it enacted, That the Lord Provost and Magistrates of *Edinburgh* for the Time being shall have full Power and Authority, and they are hereby empowered and authorized, to license such Number of Hackney Coaches, Landaus, Chariots, or other Carriages for Hire as they from Time to Time shall think proper; and the Town Clerk of the said City shall be entitled to exact the Sum of One Shilling for each Licence, such Licence to continue for Two Years, and to prevent all others not licensed from plying for Hire, or occupying any Part of the Streets or Highways of the said City, Suburbs, or Liberties thereof; and if any Person or Persons who shall obtain such Licence shall not, within the Space of One Month after obtaining or receiving the same, keep and maintain such Coach or other Carriage for which such Licence shall be granted for the Use and Convenience of the Public, and continue so to do during the Continuance of his or her Licence, and shall, on the
Complaint

Complaint of the Procurator Fiscal of the said City, be convicted thereof before the said Magistrates, or any One of them, by the Oath or Oaths of One or more credible Witness or Witnesses, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds Sterling for each Offence; to be levied summarily, and the Licence thereafter shall be void; but in case the Person so offending shall surrender his Licence to the said Magistrate, such Fine or Penalty shall not be levied; and the said Lord Provost and Magistrates shall be and are hereby authorized and empowered to make such other Rules and Regulations as they shall think fit, for licensing and regulating the said Hackney Coaches and other Carriages, and also for Sedan Chairs, Carts, Waggons, Porters, and Meters of Corn, as well within the City as in the Port of *Leith* (to which this Act is hereunto extended, notwithstanding its Limitation in other respects) and in the other Liberties adjoining; and for trying and punishing the Misbehaviour of Coachmen, Drivers, Chairmen, Carters, Porters, and Meters of Corn, and for fixing and altering their Stands, and for ascertaining what Rates and Fares, both as to Distance and Time, shall be allowed to be taken by them, and to what Distance, and under what Penalties, Coachmen, Drivers, Chairmen, and Porters shall be obliged to drive or ply in and round the said City, not exceeding Seven Miles for Coachmen, and Two Miles for Chairmen and Porters; and the Sheriff Depute of the County shall be and he is hereby authorized and empowered to make such and similar Rules and Regulations with respect to Sedan Chairs, Carts, Waggons, Chairmen, Carters, Drivers, and Porters employed or plying within the Bounds over which this Act extends, although not within the City itself, or other Liberties adjoining; and the said Lord Provost, Magistrates, and Sheriff Depute respectively are hereby authorized and empowered from Time to Time to repeal, add to, alter, or amend the said Rules and Regulations, and to impose Fines and Penalties for the Breach or Nonperformance of such Rules and Regulations; which Fines and Penalties shall be recoverable on the Complaint of the Procurator Fiscal of the City or County respectively, or on the Complaint of the private Party aggrieved; declaring that no One Penalty imposed, either by the said Lord Provost and Magistrates, or by the Sheriff Depute of the County respectively, shall exceed One Pound Sterling; and that all such Rules and Regulations made by the said Lord Provost and Magistrates and Sheriff Depute of the County respectively, specifying the Fines and Penalties for the Breach and Nonperformance thereof, shall from Time to Time, as often as they shall be made, altered, or varied, be put up, either in Print or in Writing, on such Place or Places as the said Lord Provost, Magistrates, and Sheriff Depute shall think proper, at all Times to remain and be in the said Place or Places.

Sedan Chairs,
Carts, and
Porters, and
Meters of
Corn.

CXXXIII. And be it further enacted, That no Complaint shall be received or entertained in the said Police Court, at the Instance of any Party, unless the same be presented within Three Calendar Months after the Offence or Offences complained of shall have been committed.

Limitation
of Actions.

CXXXIV. And be it enacted, That no Action shall be commenced against the Judges, Commissioners, Superintendant, or any other Person or Persons, for any thing done in the Execution of this Act, in any Case, unless wilful Corruption or Oppression, or culpable Negligence out of which

Further Li-
mitation of
Actions.

which real Injury has arisen, be charged, nor in any Event shall such Action be competent after Three Calendar Months from the Time the Fact is committed; and the Defenders in such Action or Process may produce this Act, and plead that the said Things were done by Authority and in virtue thereof; and if these shall appear so to be done, then and in that Case the said Defenders shall be assoilzied from such Action or Process, and the Pursuers in such Action shall be found liable to pay the said Defenders the whole Expences of Process incurred by the said Defenders.

Saving
Clause.

CXXXV. Saving and reserving to the Lord Provost, Magistrates, and Town Council of the City of *Edinburgh*, as well as His Majesty's Sheriff Depute and the Justices of the Peace of the County of *Edinburgh*, the Magistrates of *Canongate* and *Easter* and *Wester Portsburgh*, the Bailie of the Abbey of *Holyrood House*, and all other Magistrates, all and every Jurisdiction of whatever Kind or Nature, Civil as well as Criminal, which they have had or are anyways entitled to use and exercise, in the same Way and Manner as if this Act had never been passed: Declaring always, That it shall be in the Power of the said Magistrates or any of them, or of the Sheriff Depute or Sheriff Substitutes respectively, and they are hereby authorized, to grant Warrant for bringing from within the Limits of the Sanctuary of *Holyrood House* any Person charged with Offences under this Act, or whose Presence may be required as a Witness in any Matter relative to such Offences; and in case any Person shall be so brought from the Limits of the Sanctuary, such Person shall be safely reconducted to said Sanctuary, after satisfying the Purposes for which he or she have been brought therefrom, without being liable to be arrested or detained for Debt.

Justices may
be appointed
for the City.

CXXXVI. And be it enacted, That it shall and may be lawful for His Majesty and His Royal Successors from Time to Time to nominate and appoint Special Justices of the Peace for the City of *Edinburgh* and the Liberties thereof.

Expence of
this Act.

CXXXVII. And be it enacted, That the Expences incurred by the Lord Provost, Magistrates, and Council of the City of *Edinburgh* by the General Commissioners of Police for the City of *Edinburgh* under the said recited Acts, or otherwise, in preparing, applying for, and obtaining this Act, shall be defrayed from the Funds of the said General Commissioners; and in order to discharge such Expences, the said General Commissioners shall and they are hereby authorized and empowered to assess all and every Persons and Person herein-before authorized to be assessed in any further Sum or Sums that may be necessary, such Assessment not exceeding in any One Year One Penny in the Pound of the yearly Rent of the different Subjects particularly before specified, to be ascertained in manner before directed, and recovered and made effectual along with and in the same Manner as is provided with regard to the levying the Rates and Assessments herein-before authorized to be assessed and levied.

Public Act.

CXXXVIII. And be it further enacted, That all Sheriffs, Justices of the Peace, Judges, and Magistrates, with their Officers, Messengers at Arms, and all other Officers and Executors of the Law whatsoever, are hereby
required

required to be aiding and assisting in putting this Act into due and lawful Execution; and 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.

CXXXIX. And be it further enacted, That this Act shall commence on the first *Monday of July* in the present Year One thousand eight hundred and twenty-two, and shall thereafter continue in force for the Space of Ten Years, and from thence to the End of the then next Session of Parliament.

Commence-
ment and
Endurance
of this Act.

SCHEDULES referred to in this Act.

SCHEDULE (A.)

FORM of the BOOK to be used in the Election of Commissioners.

Names and Designations of General Commissioners voted for.	Names and Designations of Resident Commissioners voted for.		Signatures of Electors.	Designations of Electors.	Residence of Electors.
	1	2			

SCHEDULE (B.)

(By Order of the General Commissioners of Police.)

To

TAKE Notice, That the Police Assessments due by you, for Property in your Occupation, from Whitsunday to Whitsunday or some Part of said Year, as under noted, are payable at this Office within from this Date; and unless Payment shall be made within the said Period, a Receipt will be sent to your Dwelling House on or before the Day of; and in default of Payment when the Receipt is presented, you will be proceeded against in Terms of the Statute.*

Edinburgh, (Signed) Collector.

Description of Property.	Where situated.	Rent.			Assessment.		
		£	s.	d.	£	s.	d.
Dwelling House - -							
Shops, Breweries, Manufac- tories, Cellars, Vaults, &c. used by yourself - - }							
Ditto, as Member of a Co- partnery - - - }							
Total Assessment -	- - - - -						

* If due Attention is not paid to this Notice, it is provided by the Police Act, that Warrant may be granted to seize and take Possession of the Goods and Effects of any Person refusing or neglecting to make Payment of the Rates within the Time specified in the above Notice; and if the same be not paid, together with the Costs and Charges, upon Presentment of the Warrant, the Collector may direct a Seizure to be made of the Goods and Effects of the Persons refusing or neglecting to pay. And if Payment is not made within Days after such Seizure, then the Collector may sell the Goods so seized by Public Roup at the Market Cross of Edinburgh.

