



ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

Cap. ccviii.

An Act for extending the Municipal Boundaries of the Burgh of *Inverness*, establishing a general System of Police therein, and regulating the Petty Customs; and for other Purposes relating to the said Burgh. [9th July 1847.]

WHEREAS an Act was passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of Scotland*: And whereas an Act was passed in the Third and Fourth Years of the Reign of His said Majesty King *William* the Fourth, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*: And whereas another Act was passed in the Third and Fourth Years of the Reign of His said Majesty King *William* the Fourth, intituled *An Act to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs of Scotland*; and another Act was passed in the Fourth and Fifth Years of the Reign of His said Majesty King *William* the Fourth, intituled *An Act to explain certain Provisions of an Act of the Third*

2 & 3 W. 4.
c. 65.
3 & 4 W. 4.
c. 46.
3 & 4 W. 4.
c. 76.
4 & 5 W. 4.
and c. 87.

[Local.]

48 G.3. c. 41.

Municipal
Limits and
Boundaries
of the Burgh
of Inverness
extended for
the Purposes
of this Act.

and Fourth Years of the Reign of His present Majesty, to alter and amend the Laws for the Election of the Magistrates and Councils of the Royal Burghs in Scotland: And whereas an Act was passed in the Forty-eighth Year of the Reign of His Majesty King George the Third, intituled *An Act for building a Bridge over the River Ness at Inverness, widening certain Streets, improving the present Harbour, extending the Royalty, supplying the Inhabitants with Water, regulating the Police, and lighting the Streets of the said Burgh*: And whereas the Magistrates and Town Council of *Inverness* have for Time immemorial been in the Practice of levying Petty Customs and other Dues upon Articles and Effects brought into the said Burgh; but in consequence of Alterations in the System of Weights and Measures, and other Causes, Difficulties have occurred in regard to the Collection of these Dues and Customs, and it is expedient that the same should be clearly defined, and that greater Facility should be afforded for the Collection thereof: And whereas the Locality and Importance of the Burgh of *Inverness*, and its increasing Trade and Population, render it expedient that the Municipal Boundaries thereof, and the Municipal Franchise, Rights, Privileges, and Immunities, and the Power and Jurisdiction of the Magistrates, should be extended and enlarged; that a more improved and general System of Police should be established therein; that an additional Supply of Gas and Water should be afforded for public Purposes; and that the said recited Act of the Forty-eighth Year of the Reign of His Majesty King *George* the Third should be altered and amended; but these Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the Municipal Limits and Boundaries of the Royal Burgh of *Inverness* shall for all the Purposes of this Act, with the Exception of those which have reference to the levying and collecting of Petty Customs as herein-after provided, be extended and enlarged, so as to include all the Grounds, Lands, Houses, and other Properties of every Description and Denomination within the Parliamentary Limits and Boundaries of the said Burgh as described in the said recited Act of the Second and Third Years of the Reign of His Majesty King *William* the Fourth, any Charter, Law, or Usage to the contrary notwithstanding; and the Magistrates and Town Council shall possess for the Purposes of this Act the same Rights, Powers, and Jurisdictions over the whole Territory of the Burgh, as so extended, and over the Inhabitants thereof, as they now possess within the Royalty and present Limits of the Burgh, and as are herein-after granted and conferred; saving and reserving always the existing Authority and Jurisdiction therein of the Sheriff and Justices of the Peace of the County of *Inverness*.

Tenures not
to be affect-
ed.

II. Provided always, and be it enacted, That nothing herein contained shall alter or affect the Holdings or Tenure of any Lands or Heritages, or the Records wherein the Rights thereof, or any Deed or Writing affecting the same, may be registered.

III. And

III. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Deeds, Instruments, and Proceedings, it shall be sufficient to use the Expression "The *Inverness* Burgh Act, 1847." Short Title.

IV. And be it enacted, That from and after the passing of this Act the Right of electing the Town Council of the Burgh of *Inverness* shall be in and belong to all such Persons, and to such only, as are or shall be qualified, as Owners or Occupants of Premises within the Boundaries aforesaid, to vote in the Election of a Member of Parliament for the said Burgh, by virtue of the said Act passed in the Second and Third Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of Scotland*, and as are duly registered as such Voters in the Register by the said recited Act appointed to be kept: Provided always, that the making up and keeping of the said Registers for the Purposes of this Act by the Town Clerk, the Election of Councillors, Magistrates, and Office Bearers, the going out of Office of the Council, and all Notices and other Proceedings, shall be given and conducted in all respects in the Manner prescribed and directed in relation to the said Burgh by the said recited Acts of the Third and Fourth and Fourth and Fifth Years of the Reign of His Majesty King *William* the Fourth, also before recited, and the several Provisions and Enactments of said Acts shall be equally valid and effectual for carrying this Act into execution as if they were herein specially enacted. Election of Councillors.

V. And be it enacted, That for the Purposes of this Act the Town Council shall, as soon after the passing of this Act as they may find it convenient, divide the Territory added by this Act to the Municipal Bounds of the Burgh into Three Divisions or Districts, and shall determine and declare that of such Districts One shall be added to and incorporated with the First Ward of the said Burgh, One shall be added to and incorporated with the Second Ward of the said Burgh, and One shall be added to and incorporated with the Third Ward of the said Burgh, as the said Wards were declared and defined in virtue of the said recited Acts of the Third and Fourth and Fourth and Fifth Years of the Reign of His late Majesty King *William* the Fourth; and such Districts shall thereafter for the Purposes of this Act form Part and Portion of the said Wards with which they shall be so incorporated respectively, in the same Manner and to the same Effect as if they formed Part of the Royalty, and had been originally constituted Portions of these Wards; with Power to the said Town Council, should they deem it necessary, previous to such Division, Incorporation, and Declaration, to appoint Committees of their Number for the Purpose of making the necessary Arrangements to carry the same into effect. Division of Burgh into Districts.

VI. And be it enacted, That the Provost, Magistrates, and other Members of the Town Council of the said Burgh for the Time being shall be and are hereby appointed Commissioners for executing the Police Purposes of this Act herein-after enumerated. Commissioners of Police appointed.

VII. And be it enacted, That the said Commissioners shall, at Twelve o'Clock, Noon, on the Sixth *Monday* after the passing of this Act, First General Meeting, and Act,

Appointment of Officers. Act, hold their First General Meeting in the Town Hall or other convenient Place within the Burgh, with Power to adjourn to such other Place as they may think fit; and at such Meeting they shall make choice, at such Salaries as may seem to them meet, of a Clerk, Treasurer, and Collector, to act during their Pleasure; and such Clerk, Treasurer, and Collector, before they shall be permitted to take upon them the Execution of their Offices, shall respectively grant Bond, with sufficient Sureties, to the Commissioners, for their Intromissions, and for the just and faithful Execution of their Office, to such an Amount as the Commissioners shall think reasonable; and any Collector or Treasurer who may be convicted of wilfully secreting or not accounting to the Commissioners for any Sum of Money received by him as Collector or Treasurer foresaid shall forfeit treble the Amount thereof to the Commissioners; and the Commissioners failing to take such Security shall be individually responsible for the Default, Omission, or Commission of such Clerk, Treasurer, or Collector in the Execution of the Duties intrusted to them; and the Collector shall be bound to lodge all Monies received by him in the Name of the Commissioners in any Bank or Branch Bank in *Inverness* which the Commissioners may appoint, and that upon such Accounts and in such Manner as the Commissioners may from Time to Time direct.

Clerk not to act as Agent at Trials.

VIII. And be it enacted, That neither the Person who may be appointed the Clerk in the Execution of this Act, nor the Partner of any such Clerk, nor any Person in the Employment of such Clerk or of his Partner, shall act as Agent or Solicitor in the Trial of any Offence committed within the Limits aforesaid, and tried in virtue of the Powers herein contained; and in the event of any Contravention of this Provision such Clerk shall be thenceforth disqualified from holding any Office whatever under this Act, and from acting as Commissioner under the same.

Offices of Clerk, Treasurer, and Collector to be separate.

IX. And be it enacted, That neither the Person who shall hold the Office of Town Clerk and Clerk of Police under this Act, or either of them, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer or Collector; and neither the Person who shall be Treasurer or Collector, nor any Person in the Service or Employ of such Treasurer or Collector or of his Partner, shall be eligible to be Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; (that is to say,)

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

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

If any Person, being the Treasurer or Collector, or the Partner of such Treasurer or Collector, or in the Service or Employ of such Treasurer or Collector or of his Partner, accept the Office of Clerk,

Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk :

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

And any Person may sue for such Penalty before the Sheriff of the County of *Inverness* or the Court of Session, and shall on Recovery thereof be entitled to full Costs of Suit.

X. And be it enacted, That if any such Clerk, Treasurer, or Collector, or other Officer employed by the Magistrates and Councillors or Commissioners, exact, take, or accept, on account of any thing done by virtue of his Office, or in relation to the Functions of the Magistrates and Councillors or Commissioners, any Fee or Reward whatsoever, other than the Salaries, Rewards, or Allowances allowed by the Magistrates and Councillors or Commissioners, or be in anywise concerned or interested in any Bargain or Contract made by the Magistrates and Councillors or Commissioners, he shall be incapable of being afterwards employed by them, and he shall forfeit Fifty Pounds to any Person who shall sue for the same.

Penalty on Officer taking Fees other than those allowed.

XI. And be it enacted, That every Officer appointed or employed by virtue of this Act shall from Time to Time, when required by the Magistrates and Council or Commissioners, make out and deliver to them, or any Person appointed by them for that Purpose, a true and perfect Account, in Writing under his Hand, of all Monies received by him on behalf of the Magistrates and Council or Commissioners; and such Account shall state how, and to whom, and for what Purpose such Monies have been disposed of; and, together with such Account, such Officer shall deliver the Vouchers and Receipts for such Payments; and every such Officer shall pay to the Magistrates or Council or Commissioners, or to any Person appointed by them to receive the same, all Monies which shall appear to be owing from him upon the Balance of such Accounts.

Officers to account.

XII. And be it enacted, That if any such Officer fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same, in his Possession or Power, or to pay the Balance thereof, when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Magistrates and Council or Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Magistrates and Council or Commissioners, then, on Complaint thereof being made to any Magistrate acting within the Jurisdiction where such Officer may be found, such Magistrate shall summon such Officer to appear before any Two or more Magistrates, at a Time and Place to be set forth in such Summons, to answer such Charge; and upon the Appearance of such Officer, or, in his Absence, upon Proof that such Summons was personally served upon such Officer, or left at his last known Residence or Place of Abode, such Magistrates may hear and determine the Matter

Remedy against Officers failing to account.

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in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Account, that any Monies of the Magistrates and Council or Commissioners are in the Hands of such Officer, or owing by him to the Magistrates and Council or Commissioners, such Magistrates may order such Officer to pay the same forthwith, and if he shall fail to pay the Amount, it shall be lawful for such Magistrates to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain, without Bail, for any Time not exceeding Three Months; and in any of the following Cases, (that is to say,)

If such Officer do not appear before such Magistrates and Council or Commissioners at the Time appointed; or

If such Officer appear, but fail to make out such Account in Writing; or

If such Officer refuse to produce and deliver to the Magistrates and Council or Commissioners the several Vouchers and Receipts relating to such Account in his Possession or Power; or

If such Officer refuse to deliver up any Books, Papers, or Writings, Property, Effects, Matters, or Things, relating to the Execution of this Act, or belonging to the Magistrates and Council or Commissioners, in his Possession or Power,

Such Magistrates may lawfully commit such Offender to Gaol; and in every such Case of Commitment the Prisoner shall remain in Custody, without Bail, until he has made out and delivered such Accounts, and delivered up the Vouchers and Receipts, if any, relating thereto, in his Possession or Power, and have delivered up such Books, Papers, Writings, Property, Effects, Matters, and Things, if any, in his Possession or Power: Provided always, that if any Magistrate, Councillor, or Commissioner, or their Treasurer or Collector acting in their Behalf, shall make Oath that he has good Reason to believe and does believe that it is the Intention of such Officer to abscond, it shall be lawful to the Magistrate before whom the Complaint is made, instead of issuing his Summons, to issue his Warrant for bringing such Officer before such Two or more Magistrates as aforesaid, but no Person executing such Warrant shall keep such Officer in Custody longer than Twelve Hours without bringing him before Two Magistrates to answer to the Charge as herein-before directed.

Commitment not to discharge Sureties.

XIII. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Magistrates and Council or Commissioners of any Remedy which they might otherwise have against any Cautioner or Surety of such Officer.

Accounts to be kept by Commissioners.

XIV. And be it enacted, That the Commissioners shall cause Books to be prepared and kept by the Collector, or such other Person as they shall appoint, wherein shall be entered an Account of the whole Monies which shall be levied and paid by virtue of this Act for Police and other Purposes, and in what Manner the same have been applied; and such Books shall be examined quarterly by a Committee of Finance of the Commissioners, immediately prior to each quarterly Meeting to be held as after mentioned, who shall make a Report thereon

thereon to such quarterly Meeting; and the Commissioners shall give such Directions thereon as may be necessary; and such Books shall be balanced and docketed by a Quorum of the said Commissioners yearly, Fourteen Days at least before the first *Monday* of *October*, immediately preceding the Election of the said Commissioners; and the first Balance shall be struck in the Year One thousand eight hundred and forty-eight, from which a Statement of the Receipts and Disbursements for the preceding Year shall be made out and printed on or before the Twentieth Day of *October*, and so on thereafter annually; and a Copy of the said Statement shall be lodged in the Hands of the Town Clerk, where it shall remain for Six Weeks, during which Time it shall be open to the Inspection of every Rate-payer or Creditor on the Rates or Assessments hereby granted, without Fee or Reward, and a Copy or Abstract thereof shall also be published once in any One or more of the *Inverness* Newspapers.

XV. And be it enacted, That the Commissioners shall cause to be kept a Book or Books, in which shall be engrossed Minutes of the whole Proceedings and Transactions of themselves and of their Committees at all Meetings, whether ordinary or special, with the Resolutions, Orders, and Regulations agreed to by them from Time to Time, and also Notes or Copies, as the Case may require, of all Contracts entered into, and of all Appointments made by them, with the Amount of the Salaries and Emoluments stipulated to be paid to the Superintendent of Police, and the whole Collectors, Surveyors, Clerks, Inspectors, Officers, Patrol, Watchmen, Firemen, Scavengers, Lamp-lighters, and other Servants employed in the said Establishment, and such other Matters as the Commissioners shall direct; and every such Entry, being signed by the Chairman of the Meeting at which the Matter in respect of which such Entries are made was moved and discussed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Magistrates, Councillors, or Commissioners, or Members of Committee respectively, or of the Signature of the Chairman, all which last-mentioned Matters shall be presumed; and such Book or Books shall at all reasonable Times be open to the Inspection of the Commissioners and Creditors upon or Persons contributing to the Assessments, who shall and may peruse and inspect the same, without Fee or Reward.

Minutes and Proceedings to be entered in Books.

XVI. And be it enacted, That the Sheriff shall annually appoint an Auditor for the Purpose of auditing the Accounts of the Commissioners under this Act; and in case the Office of such Auditor shall, before such Accounts shall be audited by him, become vacant by Death or from any other Cause, the Sheriff shall from Time to Time appoint an Auditor to supply such Vacancy.

Appointment of Auditor.

XVII. And be it enacted, That it shall be the Duty of such Auditor annually to audit such Accounts of the Commissioners, and to receive the Accounts required to be prepared by them, along with the Vouchers thereof, and to examine the same.

Duty of Auditor.

XVIII. And

Power of Auditor.

XVIII. And be it enacted, That for the above Purposes such Auditor may examine the said Accounts at any Time during Fourteen Days previous to the quarterly Meeting on the first *Monday* of *October*, and may either make a special Report on the said Accounts, or simply confirm the same; and such Report or Confirmation shall be read, together with the Account, at such Meeting.

Delivery of Accounts, &c. to Auditor.

XIX. And be it enacted, That the Commissioners shall deliver to such Auditor the said Accounts, together with their Books and Vouchers, Fourteen Days at the least before the first *Monday* of *October*.

Remuneration of Auditor.

XX. And be it enacted, That the Remuneration of such Auditor for each such annual Audit shall not exceed the Rate of Two Pounds *per* Day, nor the Sum of Ten Pounds in the whole, and the same shall be paid to him by the Commissioners.

Annual Account to be transmitted to the Sheriff Clerk, and to be open for Inspection.

XXI. And be it enacted, That the Commissioners shall every Year cause an annual Account in abstract to be prepared, showing the total Receipt and Expenditure of all Funds levied by virtue of this Act for the Year ending Fourteen Days before the first *Monday* of *October* or some other convenient Day in each Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of such Account, duly audited and certified by the Clerk to the Commissioners, and shall transmit a Copy of the said Account, free of Charge, to the Sheriff Clerk for the County of *Inverness*, on or before the Thirty-first Day of *January* then next, which Account shall be open to the Inspection of the Public at all seasonable Hours, on Payment of One Shilling for every such Inspection: Provided always, that if the Commissioners shall omit to prepare and transmit such Account as aforesaid they shall forfeit for every such Omission the Sum of Twenty Pounds.

Penalty for Neglect.

Commissioners not to derive Profit from Contracts.

XXII. And be it enacted, That none of the Commissioners for the Purposes of this Act shall directly or indirectly derive any Emolument or Profit for any Business or Work of any Description performed or to be performed by him under this Act; nor shall any Commissioner be capable of acting as such during the Time 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; nor shall any such Commissioner be eligible as a Candidate for any such Office, or be a Competitor for any such Contract, save and except Contracts entered into with any chartered or Joint Stock Company of which such Commissioner may be a Partner.

General Meetings to be held.

XXIII. And be it enacted, That General Meetings of the Commissioners shall for the Purposes of this Act be held within the Town Hall, or such other Place within the Burgh as they shall appoint, upon the first *Monday* after the Completion of the Elections of Town Councillors and Magistrates in the Month of *November*, and upon the second *Monday* of the Months of *February*, *May*, and *August* annually in each Year, at Twelve o'Clock, Noon.

XXIV. And

XXIV. And be it enacted, That the whole Commissioners shall be cited to attend Meetings, both special and statutory, such Citations being given by Intimations to be issued by their Clerk, and sent through the Post Office at least Twenty-four Hours before the Time of Meeting.

Commissioners to be cited to attend.

XXV. And be it enacted, That on Requisition being made by Five of the Commissioners, stating the Object of any Special Meeting required by them, the Clerk shall cause such Special Meetings to be called within Forty-eight Hours after Receipt of such Requisition, and to be held within Four Days thereafter, by issuing printed or written Notices as aforesaid, with a Copy of such Requisition.

Special Meetings, how called.

XXVI. And be it enacted, That at all Meetings, both special and statutory, the Provost, or in his Absence the acting Chief Magistrate of the Burgh, shall preside, or in the Absence of the Chief Magistrate such One of the said Commissioners as shall be chosen by the Meeting shall preside; and the Preses of all Meetings shall have both a deliberative, and, in case of Equality, a casting Vote: Provided always, that One Third of the said whole Commissioners must be present at all Meetings to constitute a Quorum.

Provost or acting Chief Magistrate to preside at Meetings.

XXVII. And be it enacted, That the Commissioners present at any Meeting, whether the Number present be a Quorum or not, may adjourn such Meetings to any other Day and Hour, and to any other Place within the said Boundaries.

Meetings may be adjourned.

XXVIII. And be it enacted, That no Rules or Regulations shall be adopted and 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 Four Statutory Meetings hereby appointed to be held annually.

Regulations made at Statutory Meetings not to be altered.

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

Commissioners to defray their own Expences.

XXX. And be it enacted, That the Commissioners shall have Power to form Committees of their Number, either with Directions to report to the Commissioners or for carrying the various Purposes of this Act into execution, and to delegate to such Committees the Powers competent to the Commissioners under this Act, in whole or in part, with regard to the Subject which may be remitted, to name the Convener, and to fix the Numbers of such Committees who shall form a Quorum; and the Convener who shall preside at such Committee shall, in addition to his Vote as One of the Committee, be entitled to a casting Vote in case of Equality, and to convene the Members by Notices in the Way he shall think most convenient.

Committees may be appointed.

XXXI. And be it enacted, That the Commissioners shall have Power at any of their Statutory Meetings, or at such Times as they shall appoint, and from Time to Time, to name and appoint Clerks, Collectors, Treasurers, Superintendents, or Inspectors of Police, Watchmen, and all other Persons to be employed in the Execution

Power of Commissioners.

of this Act, and to remove them or suspend them at pleasure, and to fix the Number and Description of Officers to be employed, and the Wages to be paid to them respectively, and to increase or diminish their Number from Time to Time as they shall see Cause, and to fix and regulate the Duties to be performed and the Powers to be exercised by them respectively, and to make Orders and Regulations for their Government, and further to contract for and make Orders and Regulations relative to the lighting with Gas, supplying with Water, cleansing, guarding, watching, and patrolling the Streets, Ways, and Passages within the Bounds herein-before described, and in regard to the keeping and Sale of Gunpowder, and to the Conduct and Management of Markets, the Sale and Exhibition of Butcher Meat, Poultry, Fruit, Fish, Vegetables, and all other Articles and Effects whatsoever exposed to View and offered for Sale on the public Streets or outside of Houses within the said Bounds; and the Commissioners shall have Power also, with the Consent of the Proprietors, to purchase such Lands, Houses, and Premises as shall be required for the Purposes of this Act, and generally to make such Rules and Regulations as may appear to them expedient and necessary for the due and effectual Enforcement of the Powers hereby granted, and also such Rules and Regulations for the Prevention of infectious Diseases, and putting down and removing such Nuisances as may affect or be calculated to affect the Health of the inhabitants, and for carrying fully into effect all the Objects and Purposes and Provisions of this Act, and shall exact Penalties for enforcing the same, and 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.

Commissioners empowered to contract.

XXXII. And be it enacted, That the Commissioners, or any Committee of their Body specially empowered, are hereby authorized to contract with any Person for carrying into execution any of the Operations herein authorized; and such Contract shall be signed by the Preses and Clerk in Name of the Meeting at which the said Agreement shall be made.

Monies and Properties vested in Commissioners.

XXXIII. And be it enacted, That the Monies arising from the Assessments hereby authorized to be levied, and all other Property acquired by the Commissioners in pursuance of the Powers hereby granted, shall be and the same are hereby vested in the Commissioners for the Uses and Purposes mentioned in this Act, and to no other Purpose whatever.

Commissioners to fix Amount to be assessed for Police Purposes.

XXXIV. And be it enacted, That the Commissioners, at a Meeting to be held for the special Purpose during the first Year, and thereafter at their Statutory Meeting to be held in the Month 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 assessed and levied for the then current Year for the Police Purposes of this Act, including the Payment of Interest on Sums borrowed, and the Formation of Sinking Funds to meet the same,

same, and such Proportion of the Expence of obtaining the said Act, until such Expence is finally discharged, as to them may seem proper; and at such Meeting the Commissioners shall assess, and are hereby authorized and required to assess, all the Lands, Tenements, Houses, Buildings, and other Heritages of every Description, excepting as after excepted, situated within the Parliamentary Boundaries of the said Burgh, valued at Four Pounds or upwards of yearly Rent, such Assessment in any Year, however, not to exceed Ten-pence in the Pound Sterling of yearly Rent, and to be payable by all Tenants, Occupiers, and Possessors of such Lands, Tenements, Houses, Buildings, and other Heritages: Provided always, that the Parties so assessed for the Police Purposes of this Act shall, as regards the Properties for which such Assessments are imposed, be relieved from Payment of Assessment for supporting a Constabulary Force in the County of *Inverness*.

XXXV. And be it enacted, That at the said Meetings to be held for fixing and imposing the Assessment for the Police Purposes of this Act as aforesaid the Commissioners shall also estimate, fix, and determine, and they are hereby authorized and required to estimate, fix, and determine, the Sums of Money necessary to be assessed for lighting and cleansing the Streets, Roads, and Passages of the said Burgh and Suburbs, and supplying the same with Water for the current Year; and at such Meeting the Commissioners shall assess, and are hereby authorized and required to assess, all Tenants, Occupiers, and Possessors of Dwelling Houses, Cellars, Vaults, Shops, Offices, Warehouses, Breweries, Manufactories, and other Buildings, and all Timber Yards and Lime Yards, and all other Places where Goods or other Properties are deposited or Business is carried on, situated within the Parliamentary Boundaries, and within One hundred Yards of any Place where Pipes are or may be laid down for conducting or carrying Gas or Water to such Place or Places: Provided always, and be it enacted, that no Assessment shall be imposed in respect of Occupancy of Property where the Occupier does not pay Four Pounds Sterling of annual Rent; and that the said Assessment in virtue hereof for the lighting and cleansing, and the supplying of the said Streets, Lanes, and others with Gas and Water, shall not exceed Eight-pence *per* Pound of Rent.

Commissioners to fix Amount of Assessment for lighting, cleansing, &c.

XXXVI. And be it enacted, That the Assessments hereby authorized to be imposed shall be calculated from *Whitsunday* to *Whitsunday*, and shall be payable at the Term of *Martinmas* yearly, and shall commence as at the Term of *Martinmas* One thousand eight hundred and forty-seven.

Assessment to be calculated from *Whitsunday* to *Whitsunday*.

XXXVII. And be it enacted, That with regard to Houses, Lands, and Tenements liable to be assessed as before provided, which shall be let for a less Period than One Year, the Landlords or Proprietors thereof shall be deemed and taken as the Tenants or Occupiers for the Purposes of this Act, and shall be assessed accordingly.

Assessment for Properties let for less than One Year payable by Proprietor.

XXXVIII. And be it enacted, That the Commissioners shall not assess any Premises which shall be unoccupied or unfurnished from one

Properties exempted.

one Term of *Whitsunday* to another Term of *Whitsunday*, nor the Town House of the Burgh, nor any Place used solely for public Worship, nor any Buildings which are solely occupied for the Purposes of public Justice, Religion, public Charity, Science, or Education, nor for public Markets or Bleaching Greens, nor for any Lands used solely for agricultural Purposes: Provided always, that the Commissioners, on Application made to them, shall have the Power of granting Relief from the said Assessments to any Person on the Ground of Poverty or Inability.

Contribution
from Com-
mon Good.

XXXIX. And be it enacted, That the Magistrates and Town Council of *Inverness* shall, from the common and ordinary Funds of the Community of the said Burgh, contribute and add an annual Sum of not less than One hundred and fifty Pounds to the Funds appointed to be levied for the Purposes of this Act, and by virtue of the same, which annual Contribution shall be payable at the Term of *Martinmas* in each Year from and after the passing of this Act; declaring, however, that the Magistrates and Town Council shall be empowered and authorized to employ and apply the said annual Contribution to the Payment, in the first place, of the Expences incurred and to be incurred by them in preparing, applying for, and obtaining this Act, over and above the Proportion thereof payable from the Common Good, as herein-after provided for, and of the legal Interest of such Expences until paid, and after Payment of such Expences and Interest the said annual Contribution shall then be at the Disposal of the Commissioners, to be applied by them to any One or more of the Purposes contemplated by this Act, as the Commissioners at a public Meeting may determine.

Assessors to
be appointed.

XL. And be it enacted, That the Commissioners shall be and they are hereby authorized to appoint, at any Meeting called for the Purpose, Assessors, One or more, during their Pleasure, for taking up and ascertaining the real Rent of the whole Property liable to be assessed under this Act for the Purpose thereof, in manner herein-after mentioned.

Rents of
Houses, &c.
to be ascer-
tained.

XLI. And be it enacted, That in order to ascertain the yearly Rents of all Houses, Lands, and Tenements hereby authorized to be assessed it shall be lawful for the Commissioners either to appoint an Assessor or Assessors, with Power to survey and report upon such yearly Rents or Value of all such Premises as aforesaid, or to call on the Tenants, Occupiers, and Possessors of all such Houses, Lands, and Tenements liable to be assessed to make Returns of the yearly Rents 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 Value of all such Premises as aforesaid, from which Returns to be made to and the Surveys and Reports to be made by their own Assessors they shall annually cause a Rent Roll of the yearly Value of the whole Houses, Lands, and Tenements within the Bounds foresaid liable to be assessed to be made up, according to which the said Assessments shall be made and levied.

XLII. And

XLII. And be it enacted, That after being so appointed the said Assessor or Assessors shall take an Oath *de fidei administratione officii*, before One of the Magistrates or the Sheriff of the County, and thereafter shall be entitled to proceed in the Execution of his or their Duty; and the said Assessor or Assessors shall annually in the Months of *July* or *August* take up the real Rent of the whole Lands, Houses, and Tenements as aforesaid within the said Boundaries, and shall send printed Schedules to each Person or Persons liable to be rated and assessed under this Act, stating the Rent at which his, her, or their Property is so to be assessed, and also the Day of Meeting of the Committee of Appeal, to be appointed in manner particularly after mentioned; and any Person alleging that his or her Rent is overstated may apply to the said Committee of Appeal for Redress, by Letter to the Clerk of the Commissioners, stating the Causes or Grounds of Complaint, but, failing his doing so at least Eight Days before the Day fixed for hearing and determining Appeals, the Rent assessed by the Assessor or Assessors, or by the said Commissioners, or by any Committee of their Number appointed for the Purpose, shall remain the Rule for the Assessment for that Year, and the Books of the Assessor or Assessors containing the Rent of the whole Property within the said Boundaries shall lie in the Office of the Clerk to the Commissioners from the Time they are made up, until Eight Days previous to the Meeting of the Committee of Appeal, open to the Inspection of all concerned, without Fee or Reward; and for the Purpose of hearing and determining any Complaint that shall be made against the Rent so taken up the said Committee of Appeal shall meet upon the first *Monday* of *October* yearly, or upon any subsequent Day or Days which the Committee may appoint or adjourn to, and whatever they shall determine in such Matters shall be final and conclusive with regard to such Rent and corresponding Assessment, and it shall not be competent to any Person to refuse Payment of such Assessment on any Pretence whatever, or to any Judge to grant a Suspension of any Decree or Warrant that may be issued for Recovery thereof.

Assessor to take Oath.

Time of taking up Rental.

Appeal.

Books of Assessors to be open for Inspection.

Time for determining Appeals.

XLIII. And be it enacted, That with regard to Subjects liable to be assessed as before provided, and which are let for a less Period than One Year, the Commissioners shall have Power and they are hereby authorized to compound or agree with the Landlord or Proprietor, or the Person or Persons in the Right, Possession, or Administration thereof, on whom the Assessment shall be leviable as before provided, as to the Rent at which the said Subjects shall be rated for the Assessment for the Year for which the same may be applicable, and the Sum so agreed upon shall be the Rule of Assessment for such Period; and failing such Composition, Agreement, or Arrangement, the Assessor or Assessors to be appointed in virtue hereof shall be entitled to fix and determine the Rent of such Subjects as shall allow a Deduction of One Fifth Part thereof, and which Rent, under Deduction as aforesaid, shall be the Rule for imposing and levying such Assessment, the Person or Persons from which such Assessments are leviable having always Redress by Appeal, in case they shall consider themselves aggrieved, as before provided.

Proprietors in certain Cases may agree as to Rental.

Committee
for deter-
mining Ap-
peals.

XLIV. And be it enacted, That the Commissioners shall annually appoint a Committee for hearing and determining the Appeals and Complaints aforesaid respecting the Rents or yearly Value of Property taken up by the Assessor or Assessors, or by the Commissioners or any Committee of their Number, in manner aforesaid, for the Purposes of this Act.

Rental Book
to be de-
livered to
the Col-
lector.

XLV. And be it enacted, That after the said Committee of Appeal shall have discussed and determined all the Appeals lodged with the Clerk as herein-before provided the Book or Books containing the Rental of the Boundaries comprehended under this Act, docketed and signed by the said Assessor or Assessors who may have taken up the Assessment, and also by the presiding Member of the said Committee, shall be delivered over to the Collector of such Assessment as his Rule for allocating the same, according to the Rate which may be fixed by the Commissioners agreeably to the Powers hereby conferred on them.

Assessments
to be re-
covered, and
Warrants
and Decrees
to be ob-
tained.

XLVI. And be it enacted, That if any Person who shall be so rated and assessed as aforesaid shall neglect to pay the Rates or Assessments charged upon him, her, or them for the Space of Fourteen Days next after the Term hereby fixed for the Payment thereof annually, of which Notice shall be given yearly by Advertisement in any Newspaper published in *Inverness* at least Six Days previous to the said Day of Payment, it shall be lawful for the said Collector to sue and proceed at his own Instance against the Person or Persons so refusing or neglecting as aforesaid, for Recovery of their Rates or Assessments, either by ordinary Action in any competent Court in *Scotland* having Jurisdiction, or by summary Process in the Sheriff Court of *Inverness-shire*, if such Person or Persons shall reside within the County of *Inverness*, or by a similar Process in any other Sheriff Court in *Scotland* within the Jurisdiction of which such Person or Persons shall be found residing or their Effects may be found, and which summary Process shall be conformably to the Rules and Forms and with all the Powers established by the Act for the more easily recovering of Small Debts in the Sheriff Courts in *Scotland*, or any other Act which may be passed for Recovery of Small Debts in *Scotland*: Provided always, that it shall nevertheless be competent for the Commissioners or Collector to apply for and obtain such summary Warrants and adopt such summary Proceedings and Remedies for the Recovery, collecting, and levying of the said Assessments as are competent and enacted for collecting, levying, and recovering public Taxes, except the Land, Assessed, and Property Taxes; and the Sheriffs, Magistrates, Justices of the Peace, and other Judges may and shall grant the like Warrants for the Recovery of the Assessments imposed in virtue hereof in the same Form and under the same Penalties as is provided in regard to such public Taxes, except as aforesaid.

Disposal of
surplus As-
sessments.

XLVII. And be it enacted, That if any Sums of Money or Surplus of the aforesaid several Assessments to be annually imposed shall remain at the End of any Year, after the Purposes for which such Assessments were imposed shall be provided for, the same shall be applied towards the same Purposes respectively for the Year following; and if the Assessments

Assessments for any Year shall not be sufficient for such Purposes for that Year it shall be lawful to the Commissioners and they are hereby required to make Provision for Payment of any such Deficiency in the following and subsequent Years, till the same shall be fully paid; provided that in no One Year the Rate of Assessment hereby authorized shall be exceeded.

XLVIII. And be it enacted, That the Decisions of the said Commissioners in regard to Assessments under this Act shall be final and conclusive, and not subject to Review by any Court whatsoever.

Decision of Commissioners to be final.

XLIX. And be it enacted, That it shall not be incompetent for the Commissioners to appoint the same Person Collector and Assessor for the Purposes aforesaid.

Collector and Assessor may be the same Person.

L. And be it enacted, That the Commissioners may, upon the Petition of any Occupier of any Premises subject to the Payment of the said Rates or Assessments, on the Grounds of Poverty or Inability to pay the same, remit, in whole or in part, Payment of the said Rate or Assessment by such Occupier or Owner respectively, in such Manner as the Commissioners shall in their Discretion think just and reasonable, but upon no other Account whatsoever.

Commissioners may relieve Parties from Payment of Rates.

LI. And be it enacted, That Accounts of all Property, Heritable and Moveable, vested in the Commissioners, showing the Nature of such Property, and of all Money received and disbursed and all Orders and Proceedings of the Commissioners, shall be kept in Books by their Clerks; and all Books of such Accounts and Proceedings whatsoever may at all seasonable Times be inspected and perused, without Fee or Reward, by any Person rated, and also by Persons who shall be entitled to any Money due and owing on the Credit of such Rates; and such Persons may take Copies of or Extracts from any of the said Books, Accounts, and Proceedings, and of the said respective Rates, without Fee or Reward; and any Person in whose Custody or Power any such Books, Accounts, and Proceedings are, who shall refuse Inspection thereof, or to permit Copies or Extracts to be taken as aforesaid, shall be liable in a Penalty not exceeding Ten Pounds; and in case any Person who shall be rated shall be dissatisfied with any Accounts which shall have been made up as aforesaid, or with any of the Items or Articles contained in any such Account, such Person may appeal against the same by Petition to the Commissioners, in which shall be specified the Grounds of Objection to such Accounts, Items, or Articles, and the Commissioners shall proceed to hear and determine the Matter of such Appeal, and their Decision shall be final, and not subject to Review.

Accounts of Property vested in Commissioners, and of Receipts and Disbursements, and of all Proceedings, to be kept.

LII. And be it enacted, That the Commissioners shall yearly between the last *Monday* in *September* and the second *Monday* in *October* cause to be made out a just and accurate Account of all the Monies received and expended in the Execution of this Act, showing from what Sources such Monies have been received, and to what Purpose the same shall have been laid out and applied; and which Account, signed by the Preses of the Meeting and Clerk, shall be deposited

Accounts of Monies received and expended to be made out annually.

deposited with the Clerk, who shall cause to be printed and inserted in One or more of the Newspapers published or circulated in the Burgh authenticated Abstracts of such yearly Accounts, and shall permit any Person assessed under this Act to inspect and examine such Accounts at all seasonable Times, without Payment of any Fee or Reward for Inspection.

Watchmen
to have
Powers of
Constables.

LIII. And be it enacted, That the Watchmen and other Officers of Police appointed under the Authority of this Act shall in virtue of their Appointment, and so long as they hold the same, and no longer, be subject to all the Regulations and possess and exercise all the Powers applicable and belonging to the Office of Constable by the Law of *Scotland*, and shall before acting be respectively sworn in as Constables by the acting Chief Magistrate of the Burgh or Sheriff of the County.

Penalty for
enticing
Watchmen
from Duty.

LIV. And be it enacted, That every Person who shall lodge, harbour, or entertain, or entice from their Duty, any such Watchman or other Police Officer, during their Hours of Duty, shall on Conviction forfeit and pay a Sum not exceeding One Pound for every such Offence.

Penalties for
assaulting or
obstructing
Officers.

LV. And be it enacted, That every Person who shall assault, strike, obstruct, hinder, or molest any Officer or other Person employed under this Act in the Execution of his Duty shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds, without prejudice to the Officer or other Person to sue for and recover Damages or Compensation and Expences for the Injury which he may sustain, and to have the same awarded in the due Course of Law, in the same Manner and as fully and freely in every respect as if no Penalty were hereby provided for.

Officers not
to receive
Emolument,
other than
stipulated
Allowance.

LVI. And be it enacted, That if any such Officer shall demand or take any Emolument or Consideration whatsoever (other than such Salary or Allowance as shall be appointed and allowed by the Commissioners) for or on account of any thing whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the Commissioners for the Purposes of this Act, every such Person so offending shall be incapable of afterwards serving or being employed under the Commissioners, and shall forfeit and pay a Sum not exceeding Twenty Pounds for every such Offence, together with full Expences.

Power of
Magistrates
to suspend
Officers.

LVII. And be it enacted, That it shall be in the Power of any Magistrate within the Burgh, on Complaint made to him, to suspend any of the said Watchmen for Neglect of Duty; and any such Suspension shall be intimated to the next Meeting of the Commissioners, who shall have Power to do in the Matter as to them shall appear proper.

Parties ap-
prehended
within
Boundaries
to be

LVIII. And be it enacted, That all Persons taken into Custody within the extended Royalty, and the Boundaries of the Burgh as extended in virtue hereof, by the Officers of Police, shall be taken before the Provost or One of the Bailies of the Burgh, or before the Sheriff of
the

the County of *Inverness*, or his Substitute, as soon as may be, and in no Case later than in the course of the first lawful Day after they shall be so taken into Custody, to be proceeded against or otherwise dealt with as the said Magistrate or Sheriff shall direct.

brought before Provost, Bailies, or Sheriff.

LIX. And be it enacted, That the Officers aforesaid may apprehend and bring before any such Magistrate or Sheriff all Vagrants and common Beggars found within the Burgh, including the Piers and Quays of the Harbour, for Examination, who shall be sent to any Parish in whole or in part within the Jurisdiction of the Court in which they shall have acquired a legal Residence, or otherwise shall be ordered to leave the Territory of the Jurisdiction in which they shall have been apprehended; and if after the Expiration of Forty-eight Hours they shall be again found idle or begging within the Burgh, they may be apprehended, and carried before a Magistrate or Sheriff, who may commit them as disorderly Persons to Prison for any Space not exceeding Thirty Days.

Officers empowered to apprehend Vagrants and common Beggars.

LX. And be it enacted, That on a Complaint by the Procurator Fiscal or the Superintendent of Police it shall be lawful to any such Magistrate to appoint all Persons convicted of keeping Houses resorted to by riotous or disorderly Persons within the Burgh to find Security of not less than Ten Pounds and not exceeding Fifty Pounds for their good Behaviour for any Period not exceeding Twelve Months, and on failure to do so to deprive them of their Certificate for selling Ale or Spirituous Liquors, and such Forfeiture shall forthwith be reported to the Collector of Excise within the District.

Parties convicted of keeping Houses resorted to by disorderly Persons to find Security.

LXI. And be it enacted, That all Brokers and Dealers in Second-hand Goods, other than licensed Pawnbrokers, resident within the Burgh, shall be bound, under a Penalty in case of Failure of Twenty Shillings, to register their Names and Place of Residence at the Office of the Clerk of Court, where they shall obtain a Certificate, under the Hands of the said Clerk, of such Registration, on Payment of a Fee of One Shilling; and all such Dealers in Second-hand Articles, as well as all Pawnbrokers, shall at all reasonable Times produce, on Demand, to the Fiscal of Court or the Superintendent of Police, or the Officers acting under his or their Orders, all Articles, of whatsoever Description, in their Possession, which they may have purchased or received in pawn, and shall also keep Books in which the Description of all such Articles shall be entered, and shall produce such Books when required; and such Persons are hereby required, on being informed that such Articles in their Possession were stolen or fraudulently obtained, to deposit the same with the Procurator Fiscal of the Court or the Superintendent of Police, who shall be bound to grant a Certificate of such Deposition, and to enter the same 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 without being duly licensed as aforesaid, or being found guilty of offending against the said Provisions and Enactments shall for every such Offence forfeit a Sum not exceeding Five Pounds, without prejudice

Brokers and Dealers in Second-hand Goods, and Pawnbrokers, to register Names, &c.

to such Persons being also proceeded against as Receivers or Resettlers of stolen Goods according to Law; and in case of Refusal to produce such Articles in their Possession, or to deliver up any such Articles alleged to be stolen, any Magistrate or the Sheriff may grant a Warrant to search for and produce to the Procurator Fiscal or Superintendent of Police such Articles: Provided always, that a Book shall be kept, by or under the Direction of the said Procurator Fiscal or Superintendent, in which Entries shall be made of all Property seized or detained by any of the Officers of Court, 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.

Provisions as to slaughtering Cattle.

LXII. And be it enacted, That no Person shall drive Cattle or Bestial of any Description into the Burgh for the Purpose of being slaughtered within the same, other than shall be permitted or appointed by the said Commissioners, nor shall it be lawful to slaughter Cattle within the Burgh at any other Place than that appointed by the Commissioners; and any Person convicted of slaughtering Cattle within the said Bounds, otherwise than as before provided, shall for each Offence incur a Penalty not exceeding Five Pounds.

Superintendent or Officer authorized to take Bail in certain Cases.

LXIII. And be it enacted, That upon the Apprehension of any Person by the Officers of Police within the said Bounds under Circumstances entitling him by Law to be liberated upon Bail, it shall be lawful to the Superintendent of Police, or to such other Officer as the Commissioners shall appoint for that Purpose, and he is hereby empowered, to accept of such Bail or of Consignation, and to liberate the Person upon Bail being so found to an Extent not exceeding Ten Pounds, or of Consignation to an Extent not exceeding Ten Pounds; it being expressly declared that the Refusal to accept of Bail or Consignation, and in consequence detaining the Prisoner until recourse can be had to a Magistrate in the usual Form, shall not subject the said Officer to any Claim of Damages whatever.

Bye Laws to be printed or painted and placed in conspicuous Places. •

LXIV. And be it enacted, That all the Rules, Orders, Regulations, or Bye Laws to be made in virtue of this Act shall be legibly printed, or painted upon Boards, and hung up in such conspicuous Places as the Commissioners may appoint, and shall when defaced or obliterated be repainted or reprinted and renewed.

Penalty for destroying Boards.

LXV. And be it enacted, That if any Person shall wilfully or maliciously pull down, deface, or destroy any such Board, he shall upon Conviction for each Offence forfeit and pay to the Commissioners a Sum not exceeding Five Pounds.

Regulations as to the keeping and Sale of Gunpowder.

LXVI. And be it enacted, That no Gunpowder shall be sold within the Bounds of the Burgh as hereby defined, or any Part thereof, by Candle or other artificial Light, under a Penalty not exceeding the Sum of One Pound to be paid for each Offence by the Person so selling the same; and no Person shall keep at any Time in any Shop or Place of Retail more than Four Pounds Weight of Gunpowder, under a
Penalty

Penalty for the first Offence of any Sum not exceeding One Pound, for the second Offence any Sum not exceeding Three Pounds, and for the third and any subsequent Offence any Sum not exceeding Five Pounds, besides Forfeiture of all the Gunpowder which shall be found in such Place exceeding the aforesaid Weight; and the aforesaid Quantity of Four Pounds Weight of Gunpowder allowed to be kept as aforesaid shall be deposited in a Place by itself, separate from all other Goods and Commodities, and shall be secured by Lock and Key, under a Penalty not exceeding the Sum of One Pound to be paid for each Offence by the Occupier of the Premises in which such Quantity of Gunpowder not so kept and secured as aforesaid shall be found: Provided always, that the Commanding Officer of any of Her Majesty's Military or Naval Forces, or of any Volunteer or Yeomanry Corps, may keep such a Quantity of Gunpowder as he may think necessary for Military Purposes.

LXVII. And be it enacted, That the Commissioners may order and direct the Houses, Buildings, Shops, Cellars, or Warehouses within the Burgh to be numbered with Figures, to be placed or painted on the Doors or on such other conspicuous Part thereof as they shall think proper, and may likewise order to be painted or otherwise inscribed on a conspicuous Place at or near the Corner of each Street, Square, Lane, Passage, or Place the Name thereof; and any Person who shall wilfully or maliciously injure or deface any such Number, Figure, Name, or Description shall for every such Offence forfeit and pay a Sum not exceeding One Pound.

Commissioners may order Buildings to be numbered and Streets marked.

LXVIII. And be it enacted, That if any Person shall have a separate Ash-pit or Necessary House for the Use of his Family, and for receiving the Dung of such Family exclusively, such Ash-pit or Necessary House shall be in an enclosed Court or other Place apart from the public Streets, and in such a Situation as not to admit of being generally used or offensive to the Public, and no Ash-pit or Necessary House shall be permitted in any other Situation than as before provided; and the Commissioners shall have full Power summarily to remove all such Ash-pits and Necessary Houses as shall not be constructed as aforesaid.

Ash-pits, &c. to be enclosed, and in Places apart.

LXIX. And be it enacted, That in case any Slaughter-house, Necessary House, or Pig-sty shall be or be erected within the said Bounds contrary to the Provisions of this Act, or, being situated in a Place or Places permitted by this Act, shall be or become a Nuisance, in the Opinion of the Majority of the Commissioners, or of their Standing Committee (if there should then be such), or, if there be any other Building or Place whatsoever within the said Bounds which by the Commissioners or Committee aforesaid shall be deemed a Nuisance to the Inhabitants, it shall be lawful for the Commissioners or Committee aforesaid, upon Complaint made by any of the Inhabitants, by Notice under the Hand of the Clerk or Collector to order such Nuisance to be removed; and in case the same shall not be removed within Three Days after such Notice given to the Person or Persons causing such Nuisance, or left at his, her, or their last or usual Place of Abode, or with his or her known Agent, such Person or Persons shall forfeit and

Power to Commissioners to order Nuisances to be removed.

and pay any Sum not exceeding One Pound for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice.

Penalty on erecting Manufactories for burning Bones, Rags, &c., or depositing of offensive Substances, except as provided by Act.

LXX. And be it enacted, That it shall not be lawful for any Person to erect, within the Distance of Five hundred Yards from any Dwelling House situated in or upon any Road, Street, or Place within the Bounds comprehended in this Act, any Manufactory or other Work for the Purpose of burning or to burn any Rags or Bones or other offensive Substances for any Purpose whatever, or place, deposit, or keep any Fulzie or Night Soil, or the Emptyings, Cleanings, or Filth taken from any Privy or Necessary House, Drain or Cesspool, in any other Place except in Ash-pits or Necessary Houses constructed in Terms of this Act, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or enclosed Ground or Place within the aforesaid Distance from any such Dwelling House as aforesaid, every Person so offending as aforesaid shall for each such Offence forfeit and pay any Sum not exceeding Ten Pounds.

Power to contract for cleansing Streets.

LXXI. And be it enacted, That it shall be lawful for the Commissioners to contract with and employ Persons to cleanse and sweep the Streets, Squares, Roads, and other public Places within the said Bounds, if it shall appear expedient to the Commissioners to do so, and to remove all Soil, Dirt, Ashes, and Filth therefrom, and to carry the same to such Place or Places as the Commissioners shall appoint, situated at not less than Two hundred Yards from inhabited Houses, and to sell and dispose of such Soil, Dirt, Ashes, and Filth, to such Person or Persons as may be desirous to purchase the same, the Money thence arising being always applied towards the Purposes of this Act: Provided always, that the Expences of employing such Persons shall be defrayed from the Funds to be levied in manner herein directed.

Provisions as to Removal of Dung, &c.

LXXII. And be it enacted, That every Person who shall lay or cause to be laid on any of the Streets or public Ways within the said Bounds any Dung, Dust, or Ashes, for the Purpose of carrying the same to adjacent Grounds, shall remove and take the same away before Eight of the Clock of the Day on which it shall be so laid in the said Streets or public Ways, from the First Day of *October* to the First Day of *April*, and before Seven of the Clock of the Day from the First Day of *April* to the First Day of *October*; and if any Dung, Dust, or Ashes shall be allowed to remain on any Part of the said Streets or public Ways after the said Hours, the Person or Persons so offending shall forfeit and pay any Sum not exceeding Five Shillings for such Offence, to be levied and applied as herein directed, and that over and above the Forfeiture of the Dung, Dust, or Ashes which shall be removed by the Police, who shall have Power to dispose of the same for the Purposes of this Act.

Provisions as to emptying and carrying the

LXXIII. And be it enacted, That if any Person shall hereafter empty or cause to be emptied any Slaughter-house, Privy, or Necessary House within the Bounds, or carry or cause to be carried any
of

of the Soil thereof or any other offensive Substances through any of the Streets or public Passages and Places within the said Bounds, at any Time of the Year between the First Day of *October* and the First Day of *April*, except between the Hours of Ten of the Clock in the Evening and Seven of the Clock in the Morning, or at any Time of the Year between the First Day of *April* and the First Day of *October*, except between the Hours of Ten of the Clock in the Evening and Six of the Clock in the Morning, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds: Provided always, nevertheless, that nothing herein contained shall be construed to extend to prevent the carrying or causing to be carried through the Streets of any Ashes, Dung, or other Manure (except Night Soil) for the Purpose of manuring or being spread on the Lands or Grounds of any Persons at any Hour or at any Time or Times whatever.

Contents of Slaughter-houses, &c.

LXXIV. And be it enacted, That any Person so employed in carrying or wheeling any Dung, Dust, or Ashes through the Streets shall be obliged to sweep, scrape, and cleanse such Dung, Dust, or Ashes from the Close, Foot Pavements, Streets, and Roads through or over or upon which the Dung shall have been carried, wheeled, or placed, immediately after they shall have finished their Work, under a Penalty not exceeding Five Shillings for each Offence, to be levied and applied in manner herein mentioned.

Carriers of Dung, &c. obliged to sweep Streets.

LXXV. And be it enacted, That any Person who shall within the Bounds aforesaid be convicted of driving any Horse or other Animal attached to any Coach, Waggon, or Carriage of any Kind, or of riding any Horse or other Animal furiously or improperly, or without having a proper Hold of any such Animal so driven or rode, by strong and efficient Reins, shall forfeit and pay any Sum not exceeding Five Pounds for each Offence.

Provisions against improper driving.

LXXVI. And be it enacted, That any Person who shall be convicted of any of the Offences herein-after enumerated shall forfeit and pay any Sum not exceeding Two Pounds for each Offence; (that is to say,) every Person who shall carry, push, roll, drive, draw, or cause to be carried, pushed, rolled, driven, or drawn, on any of the Foot Pavements within the said Bounds, any Bier, Sledge, Cask, or Wheelbarrow, Wheel, 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 Foot Pavement to or from any Stables or Cowhouses) upon any Part of the said Foot Pavements; or shall, in any of the Streets, Roads, Squares, Lanes, or Passages, drive any Carriage for the Purpose of breaking, exercising, or trying Horses, or shall ride any Horse for the Purpose of exercising, airing, trying, showing, or exposing such Horse for Sale (otherwise than by passing through such Street or other public Places at an ordinary Pace); or shall throw or cast any Dirt, Dust, Dung, Ashes, or Rubbish into or upon the same; or shall carry or roll any Cask, empty or full, along the Foot Pavements, for any Distance

General Provisions against Offences punishable by Fines not exceeding 2*l*.

[Local.]

32 M

whatever

whatever (except across them directly to or from a Cellar, Shop, or Warehouse); or shall leave any Coach, Cart, or Carriage standing on the Streets, Roads, or Passages aforesaid, yoked or unyoked, either during the Day or Night; or shall lead or drive any Plank or Piece of Timber or other Thing exceeding the Length of Twenty Feet upon or by 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 Parts thereof, or to 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 such Street or Road so as to give reasonable Cause to fear Injury to Persons and Property; or who shall turn loose any Horse or Cattle, or suffer to be at large any unmuzzled, ferocious, or unruly Dog, or set on or urge any Dog or other Animal to attack, worry, or put in fear any Person, Horse, or other Animal; or who shall, without the Authority of the Commissioners, in any Street, Road, Lane, public Passage or public Place, sell or assist in selling by Auction or public Sale any Cattle, Goods, Wares, or Merchandize, or Thing or Things whatsoever; or who shall hang up, place, or expose to Sale, or cause or permit to be hung up, placed, or exposed to Sale, any Goods, Wares, or Merchandize whatsoever, and any Fruit, Vegetables, or Garden Stuff, Butcher Meat, or other Matter or Thing, in or upon or so as to project over or upon the Foot Pavements or Carriageway of any such Streets, Roads, Squares, public Place or Places, or beyond the Line or on the Outside of the Window or Windows of the House, Shop, or Place at which the same shall be so hung up, placed, or exposed to Sale; or shall leave open after Sun-set the Door, Window, or Grating of any Cellar or other underground Room or Apartment, without having placed or left a sufficient Light therein to warn and prevent Persons passing in the Streets, Roads, Lanes, and public Places within the Bounds aforesaid from falling into such Cellars or other underground Rooms or Apartments; or shall set or place upon the Outside of any Window or Opening fronting any of the Streets, Squares, Lanes, Closes, or Passages, any Furniture, Flower Pots or Boxes for raising or preserving Flowers, Shrubs, or other Plants or Vegetables, or any other Articles, unless the Soles and Outsides of the Window or Opening at which any such Furniture, Pots, Boxes, or Articles are set or placed shall be sufficiently railed in and secured with good and substantial Rails of Iron or Wood, so as to prevent the Risk of the said Furniture, Pots, Boxes, or other Articles falling from the said Windows or Openings; or shall trundle any Hoop or Hoops, or fly any Kite, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers, either on Foot or on Horseback, or in a Carriage; or cause, make, or assist in making any Bonfire, or wantonly discharge or fire any Cannon, Gun, Pistol, or Blunderbuss, or other Firearms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework; or play at Foot-ball or any other Game, to the Annoyance of the Inhabitants or Passengers; or shall occasion any other Kind of Obstruction or Annoyance in or upon any such Street, Road, Square, public Passage or Place; or shall wilfully obstruct or incommode, hinder or prevent, the free Passage of any Footway or Causeway; or shall injure any of the Fire Plugs within the Bounds aforesaid;

aforesaid ; or commit any Nuisance by cleansing Fish or otherwise at the Wells or Fountains within the said Bounds ; or who, without the Consent of the Owner or Occupier, shall affix any Posting Bill or other Paper against or upon any Building, Wall, Fence, or Pale, or write upon any Building, Wall, Fence, or Pale, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Pale, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat in any public Place ; or who shall throw or discharge any Stone or other Missile, to the Danger or Damage of any Person or Thing ; or who shall make use of any Slide upon Ice or Snow in any Street, Road, or other Thoroughfare or Place within the said Bounds ; or who shall keep any Pig-sty to the Front of any Street or Road within the said Bounds, not being shut out from such Street or Road by a sufficient Wall or Fence, or who shall keep any Swine in or near any Street or in any Dwelling, so as to be a common Nuisance ; and every Occupier of a House or other Tenement within the said Bounds who shall not keep sufficiently swept and cleansed all Footways and Watercourses adjoining to the Premises occupied by him ; and if any Tenement be empty or unoccupied, the Owner thereof shall be deemed the Occupier with reference to this Enactment ; or who shall, in any Road, Street, Square, public Passage or Place, within the said Bounds, hoop, fire, cleanse, wash, or scald any Cask or Tub ; or hew, saw, or cut any Wood or Timber, or bore any Timber ; or make or repair, or wash or cleanse any Coach, Chaise, Waggon, Sledge, or other Carriage (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose) ; or shoe, bleed, or farry any Horse or other Beast (except in case of sudden Accident) ; or clean or dress any Horse or other Beast or Cattle ; or kill or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part, or cause or permit any Blood to run into or upon the Streets, Thoroughfares, or public Places ; or who shall be found pasturing with any Cattle, Horses, Sheep, or other Bestial on the Sides of the Roads and Passages, or the Banks of the River within said Bounds ; or who shall keep any Dog or other Animal which by its Noise or otherwise shall cause Annoyance to the Inhabitants ; and any Person, and any Officer within whose View any of the Offences enumerated in this and the immediately preceding Section shall be committed, shall and may seize the Person committing the same, and convey him to the Police Office or deliver him to a Police Officer, as the Case may be, to be dealt with according to this Act ; or otherwise such Person or Officer within whose View any of the said Offences shall be committed as aforesaid may give Information thereof to the Superintendent or any other Officer of the Police, who shall be bound to cause the Offender to be proceeded against according to the Forms hereby provided.

LXXVII. And be it enacted, That it shall be lawful for any Police Officer to destroy any Dog or other Animal which shall be found at large and be reasonably suspected to be in a rabid State, or which has been bitten by any Dog or Animal reasonably suspected to be in a rabid State ; and the Owner of any such Dog or Animal who shall permit the same to go at large, after having Information or reasonable Ground for believing it to be in a rabid State, or to have been bitten by

Officers
empowered
to destroy
Dogs sus-
pected to be
in a rabid
State.

by any Dog or other Animal in a rabid State, shall be liable to a Penalty not exceeding Five Pounds.

Officers to take charge of Cattle when Driver is apprehended.

LXXVIII. And be it enacted, That whenever any Person having charge and when in charge of any Horse, Cart, Carriage, Cattle, Sheep, or any other Animal or Thing, shall be taken into the Custody of any Officer under the Provisions of this Act, it shall be lawful for any Officer to take charge of such Horse, Cart, Carriage, or such other Animal or Thing, and to deposit the same in some Place of safe Custody as a Security for Payment of any Penalty to which the Person having had charge thereof may become liable, and for Payment of any Expences which may have been necessarily incurred for taking charge of and keeping the same; and it shall be lawful for the Sheriff, Sheriff Substitute, or any Magistrate before whom the Case shall have been heard, to order such Horse, Cart, Carriage, or such other Animal or Thing, to be sold, for the Purpose of satisfying such Penalty, and reasonable Expences in the default of Payment thereof, in like Manner as if the same had been subject to be poinded or distrained for the Payment of such Penalty and reasonable Expences.

Provisions as to Buildings having projecting Stairs.

LXXIX. And be it enacted, That it shall be lawful to the Magistrates or the Dean of Guild and to the Sheriff in their respective Courts, on an Application by the Commissioners, or the Person to whom they may give Power to act for them in such Matters, in the Forms usual in such Courts, against the Proprietor or Proprietors of any Buildings fronting any of the Streets, Squares, Lanes, Roads, or Passages within the Burgh, having Stairs built upon the Streets or Foot Pavements, or projecting or encroaching to any Extent upon the Streets or Foot Pavements, or having any other Buildings or Things projecting therefrom or connected therewith, which obstruct the free Passage or occasion Inconvenience or Hazard to Passengers on the Streets or Foot Pavement, to order such Stairs, Projections, Encroachments, or other Things to be removed by the Proprietor thereof, at the Sight of the Person pursuing, or any other Person who may be named by such Magistrate, Dean of Guild, or Sheriff, within such reasonable Time and in such Manner as to such Magistrate, Dean of Guild, or Sheriff may appear suitable; and if the same be not removed within the Time fixed the Proprietor or other Person through whose Default the Decree or Order of Court has not been duly implemented shall forfeit and pay any Sum not exceeding Twenty Shillings for each Month after the Expiration of the Time allowed for removing during which the Obstructions remain; and in case such Obstructions shall not be removed within Six Months after the Time allowed for removing the same has expired, then such Magistrate, Dean of Guild, or Sheriff may and is hereby required to issue his Warrant for removing the same *brevi manu*.

Buildings having Stairs to Streets as Accesses.

LXXX. And be it enacted, That in all Cases of Buildings already erected on the Sides of the Foot Pavements of any of the Streets, Squares, Lanes, Roads, or Passages of the Burgh, which cannot have convenient Access made to them by any other Means than the Stairs or Projections or Encroachments already made, such Magistrate, Dean of Guild, or Sheriff shall not have Power to order such Stairs or Projections

jections to be altogether removed, unless with the Consent of the Proprietor thereof; but it shall be lawful to such Magistrate, Dean of Guild, or Sheriff, and he is hereby authorized and empowered, to order such Stairs, Projections, or Encroachments to be removed or altered by the Proprietor thereof, at the Sight of such Person as may be named by the Magistrate, Dean of Guild, or Sheriff, and that to such Extent and in such Way as to him may appear proper, so as without depriving such Buildings of a suitable Access to abate the Danger or Inconvenience arising from such Stairs or Projections; and in case of Failure to execute the Operations ordained by such Magistrate, Dean of Guild, or Sheriff, within the Time allowed, the Penalties before specified for a Failure to implement the Orders of such Magistrate, Dean of Guild, or Sheriff, in the Case of a total Removal, shall in this Case also be incurred, and be recoverable in manner aforesaid; and in case the Order shall not be implemented within Six Months after the Time allowed for removing the same has expired, then such Magistrate, Dean of Guild, or Sheriff may and is hereby required to issue his Warrant for removing the same *brevi manu*.

LXXXI. And be it enacted, That in all such Cases of the Removal, in whole or in part (or the Alteration), of such Stairs, projecting Encroachments, or other Buildings or Things, in case the Proprietor of the House or other Building to which the same belongs shall be thereby injured, he or they shall be entitled to a Compensation from the Commissioners for such Injury, according as the Amount thereof shall be agreed upon between him and them, or shall be ascertained by such Magistrate, Dean of Guild, or Sheriff by means of a Remit to Persons of Skill, and a Report on Oath by them, or otherwise as such Magistrate, Dean of Guild, or Sheriff shall direct, in case the Parties shall consent to the Amount being so ascertained, or by a Jury to be summoned in the same Manner as Juries in *Scotland* are summoned.

In Cases of Removal or Alteration of Encroachments, Proprietors to be indemnified, if injured.

LXXXII. And be it enacted, That the Proprietor, Liferenter, or any other Person entitled to the Rents of any Premises which shall be insecure, ruinous, or otherwise dangerous to Passengers, shall be obliged and he is hereby required forthwith on the Requisition of such Magistrate, Dean of Guild, or Sheriff, on the Application to him of the Procurator Fiscal, having the Consent of the Commissioners thereto, within a reasonable Time, to be limited in such Requisition, to repair and secure or to pull down and remove such Premises; in default thereof such Magistrate, Dean of Guild, or Sheriff is hereby authorized and empowered, on the Report of Workmen, to repair and secure or pull down and remove such Premises; and every such Person neglecting or refusing to comply with such Requisition shall for every Day forfeit and pay any Sum not exceeding Five Pounds, besides defraying the whole Expence incurred in repairing, securing, or pulling down and removing such Premises.

Proprietors of ruinous Premises to repair or secure them.

Penalty for Neglect.

LXXXIII. And be it enacted, That in all such Cases of the Removal, in whole or in part, or the Alteration of such Obstructions, the Proprietor shall be relieved by the Commissioners of all Expence which may be incurred in making Application to such Magistrate, Dean of Guild,

Proprietors to be relieved of Expences of Removal of Obstruc-

tions, except
in Cases of
improper
Opposition.

or Sheriff as aforesaid, in implementing his Orders, or in any other way in relation to the Premises, except only such Expences as may be incurred by or through the improper Opposition of such Proprietor to the Application to be made as aforesaid, or any of the Proceedings under the same, or by or through his improper Refusal or Delay to implement the Orders of such Magistrate, Dean of Guild, or Sheriff; all which Expences shall be paid by such Proprietor; and accordingly such Magistrate, Dean of Guild, or Sheriff may and shall give Decree according to the usual Form and Practice of his Court, ordering such Proprietor to make Payment of such Expence as the Amount thereof shall be ascertained by them.

Fire En-
gines may be
provided.

LXXXIV. And be it enacted, That the Commissioners may provide One or more Fire Engines, Water-hose, and Fire Cocks or Plugs, as the Commissioners may judge necessary, and also appoint fit Persons for working the same, and apply so much of the Assessments hereby authorized to be levied as may be necessary for such Purpose.

Penalty on
Occupiers
suffering
Chimneys
to be on fire.

LXXXV. And be it enacted, That if any Chimney or Funnel for conveying Smoke within the Burgh be set on fire, or be suffered to be set on fire, or shall take fire, the Occupier of the Premises to which such Chimney or Funnel belongs shall be liable in a Penalty of Ten Shillings; and such Occupier shall moreover be liable in such further Sum, not exceeding Ten Shillings, as any Magistrate shall award to be paid (in such Proportions, if there be more Claimants than One; as the said Magistrate shall direct,) to the Firemen or other Persons by whom such Fire is extinguished, or to the Fireman who shall soonest proceed to the Place to assist in extinguishing such Fire, or who shall first report such Fire at the Police Office.

Commis-
sioners may
erect and
maintain
Steelyards.

LXXXVI. And be it enacted, That the Commissioners may erect and maintain Steelyards or other Weighing Engines upon or adjacent to the different Roads leading to the Burgh, or at convenient Places within the same, for the Purpose of weighing such Articles as may be brought within the Burgh, and may exact such Dues, and enact such Rules, Regulations, and Bye Laws for regulating the weighing thereof, as they shall from Time to Time think necessary and expedient, and may enforce Obedience thereto, under such Penalty and Forfeiture as they shall fix, not exceeding Twenty Shillings.

Obstructions
on Streets
and Roads.

LXXXVII. And be it enacted, That no Stones, Wood, Lime, or other Article shall be deposited, or any Sheds for Workmen or other Erection or Enclosure be placed upon, or Opening made into any of the Streets or other public Places within the Burgh, without the Authority of the Trustees for the several Districts of Roads of *Inverness-shire* coming within the extended Boundaries aforesaid first had and obtained; and the Persons making or causing such to be made shall, at their own Expence, cause a sufficient Rail or Fence, and (where necessary) a Footpath sufficiently fenced to be put round the same, and shall also cause a sufficient Number of Lamps or Lights to be fixed at or near the same, to be kept burning every Night from Sunset to Sunrise that such Depositions, Erections, and Enclosures shall remain, or until such
Hole

Holes or Openings shall be filled up, all to the Satisfaction of the said Trustees or their Inspector; in failure whereof any of the Magistrates or the Sheriff may, on the Complaint of any of the said District Trustees, or their Clerk, Collector, or Inspector, decern the Persons so offending to pay any Sum not exceeding Two Pounds for each Day or Night the same may remain undone, and may also order such Depositions, Erections, Enclosures, 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, whether the Provisions above written be observed or not, to prosecute for Reparation and Damages according to Law.

LXXXVIII. And be it enacted, That all Cellars and other Places adjoining to the public Streets or Places having an Entry by sunk Steps or other Openings in the Pavement beyond the Line of the Wall of the Building to which they belong shall be protected by a sufficient Iron Grating or other sufficient Cover, in such Way as may be best suited for preventing Danger or Injury; and if any Proprietor or Occupier shall fail to construct such Grating or Cover, when required by any of the Commissioners, or to keep it properly secured, he shall be liable to a Penalty not exceeding Twenty Shillings, and such Commissioners may order the Work to be executed at the Expence of the Party so offending.

Cellars
having
Entries by
sunk Steps.

LXXXIX. And be it enacted, That the Commissioners, or any of them, upon Complaint, may order to be removed or to be repaired all Chimney Cans or Pots, Tiles, Slates, Shutters, or other Articles on the Roofs or any other Part of Houses which may be dangerous to Passengers, and on failure such Commissioner may employ a Person to remove or repair the same; and the Proprietor shall in such Case, besides paying all Expences, forfeit and pay a Sum not exceeding One Pound.

Commis-
sioners may
order dan-
gerous
Chimneys,
&c. to be
removed.

XC. And be it enacted, That where any Part of the Streets and other Ways aforesaid, or the Pavements or Footpaths, Spouts, Shores, or Pipes, Drains or Common Sewers, or Water Pipes, within the Burgh, whether already made or hereafter to be made, shall get into Disrepair, an Intimation in Writing shall be given, by Order of the Commissioners, to the private Party or Parties liable to repair the same, requiring him or them to make such Repair within a Time to be specified in such written Intimation; and failing thereof it shall be competent for any such Magistrate, or the Sheriff, on Complaint by the Burgh Procurator Fiscal, or the Superintendent of Police, to fine and amerce such Party or Parties in double the Amount of the estimated Expence of such Repairs, to be recovered in manner herein provided, and on Recovery thereof to authorize and direct such Repairs to be made by the Commissioners, and the Expence to be defrayed out of the Sum to be so recovered; and the Remainder of such Sum, deducting the Costs of recovering the same, shall be applied as Fines and Penalties are by this Act directed to be applied.

Commis-
sioners to
give Intima-
tion to re-
pair Drains,
Sewers, &c.

XCI. And

Proprietors,
on Requi-
sition, to
make Foot-
paths in
front of Pro-
perties.

XCI. And be it enacted, That the Proprietors of all Houses and other Buildings, or of Gardens, Yards, Grounds, and other Heritages, on which Buildings are not erected, which are adjoining to or fronting any Street, Square, or other public or principal Place within the Burgh, shall at their own Expence, when required by the Commissioners, cause Footpaths before their Property respectively on the Sides of the said Roads, Streets, Squares, or other public or principal Places to be made, and to be well and sufficiently paved with flat hewn or other Stones, or to be constructed in such other Manner and Form and of such Breadth as the Commissioners shall direct; and in case such Proprietors shall refuse or neglect or delay so to do, the Magistrate before whom such Complaint shall be brought may fine and amerce such Proprietors in double the Amount of the estimated Expence, to be recovered in manner herein provided, and on Recovery thereof to authorize and direct such Foot Pavements to be made by the Commissioners.

Commis-
sioners may
provide Po-
lice Office.

XCII. And be it enacted, That it shall be lawful to the Commissioners to provide within the Burgh a proper Police Office, if necessary, containing suitable Accommodation for the Meetings of the Commissioners and for the several Officers of the Establishment, and for confining Prisoners, as provided for by this Act, and also proper Watch-houses in different Situations, and to contract with Proprietors of Buildings properly adapted, or which may be capable of being adapted to the Purposes aforesaid, or with other Persons qualified and willing to enter into such Contracts, for the Purchase or Feu, or for the obtaining on Lease for a suitable Term of Years of such Buildings; and in case no such Buildings, to the Satisfaction of the Commissioners, can be found at a suitable Price or Rent, then the Commissioners are hereby authorized and empowered to purchase or feu such convenient Sites as may have been fixed as aforesaid within the Burgh, 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.

Magistrates
and Town
Council to
have Power
to erect
Weigh-
houses.

XCIII. And be it enacted, That it shall be lawful to the Magistrates and Town Council to erect or cause to be erected in the Burgh, if necessary, a Weigh-house, for the Use of the Inhabitants thereof and of Persons resorting thereto, with the necessary Weights, Scales, and Measures, and other Conveniences requisite for the weighing or measuring any Articles of whatever Description which may be exposed to Sale therein, and requiring or desired to be weighed or measured; and it shall be lawful to the said Town Council to demand and take such reasonable Rate or Sum for the Use thereof as shall be settled and agreed on between them and the Commissioners; and the Expences of such Weigh-house shall and may be borne and defrayed by the Town Council and Community out of the Common Good of the Burgh; and in case of Difference between the said Magistrates and the Commissioners as to the Amount of the Rate to be taken for the Use thereof, it shall be competent for either Party, after Six Days previous Notice given to the other Party, to apply to the Sheriff of the County, who shall determine the same, and whose Decision shall be final and conclusive.

XCIV. And

XCV. And be it enacted, That it shall be lawful for the Commissioners to contract for lighting in a suitable Manner, with Gas or otherwise, the whole Roads, Streets, Lanes, Wynds, Closes, Passages, Suburbs, and other Places within the extended Municipal Boundaries aforesaid, as the Commissioners shall from Time to Time think fit, and to erect the requisite Number of Lamps, Lamp Posts, Lamp Irons, and Gas Tubes, and to affix the same where necessary upon the Houses or other Buildings upon the Sides of the Streets: Provided always, that no Gas Pipe shall be affixed upon the Walls of any House without the Consent of the Owner and Occupier thereof in Writing.

Power to contract for lighting Streets.

XCV. And be it enacted, That if any Person shall wilfully take away, break, or throw down any Lamp or Lamps, Tube, or other Gas Fittings set up within the Bounds of the Burgh, or shall wilfully extinguish the Light within the same, or damage the Irons or Appurtenances thereof, such Offender shall forfeit and pay a Fine not exceeding Five Pounds for every such Offence, and shall moreover pay such Sum as the Magistrate before whom such Offender shall be brought shall find to be necessary for remedying the Damages done; and in case such Offender shall not immediately upon Conviction pay such Fine, such Magistrate is hereby empowered to commit him to the Common Jail of the Burgh for a Space not exceeding Sixty Days, and such Offender shall not be discharged before the Expiration of that Time, unless such Fine shall be sooner paid; and in case of Neglect or Refusal to pay the Sum so awarded in Name of Damages within Forty-eight Hours after it shall be demanded, the same may be recovered by Pounding and Sale of the Offender's Effects, or by such other legal Means as the Law provides in Cases of ordinary Debts.

Penalties for interfering with Lamps.

XCVI. And be it enacted, That it shall be lawful for the Magistrates and Council, or other Persons duly authorized by them, to provide and establish in the Suburbs or other proper and convenient Place of the Burgh fit Shambles or Slaughter-houses for the Purpose of slaughtering Cattle and other Beasts; and so soon as they shall do so, and shall, by Tuck of Drum or other usual Mode of Proclamation in the Burgh, Once a Day for Seven Days, have declared the same to be open, it shall not thereafter be lawful for any Flesher or Butcher or other Person (private Persons in their own Premises, for the Use of their Families, and Incorporations who have erected Shambles under the Authority of the Magistrates and Town Council, and their Tenants, alone excepted,) to slaughter Cattle or other Beasts elsewhere than in the Shambles or Slaughter-houses so to be provided, and any Person or Persons thereafter using any other Shambles or Slaughter-house shall be liable to the said Town Council in a Penalty not exceeding Twenty Pounds; and it shall and may be lawful for the said Council to demand and take for the Use of the said Shambles or Slaughter-houses such reasonable Rate or Sum as may be agreed on and fixed between them and the Commissioners; and in Cases of Difference as to the Rate to be taken for the Use of such Slaughter-houses or Shambles, the same shall, upon the Application of either Party, and after Seven Days previous Notice to the other Party of

Power to establish Slaughter-houses.

such intended Application, be fixed and determined by the Sheriff, whose Decision thereon shall be final and conclusive, and not subject to Review in any Court of Law or Equity.

Power to
Magistrates
to license
Hackney
Coaches.

XCVII. And be it enacted, That the Magistrates and Council 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 Burgh shall be entitled to exact the Sum of One Shilling for each Licence, with Power also to prevent all others not licensed from plying for Hire, or occupying any Part of the Streets or Highways of such Burgh, Suburbs, or Liberties thereof; and if any Person 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 of the Procurator Fiscal, Superintendent of Police, or other public Prosecutor of the Burgh, be convicted thereof before the Magistrates or any One of them, or before the Sheriff, by the Oath of One or more credible Witness or Witnesses, such Person shall forfeit and pay any Sum not exceeding Five Pounds 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 Magistrates, such Fine or Penalty shall not be levied; and such 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 such Hackney Coaches and other Carriages, and also for Sedan Chairs, Carts, Waggons, and Porters in the Burgh, and for trying and punishing the Misbehaviour of Coachmen, Drivers, Chairmen, Carters, and Porters, and for fixing and altering their Stands, and for ascertaining and fixing 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 Burgh, not exceeding Five Miles for Coachmen and Two Miles for Chairmen and Porters; and the Magistrates and Council are hereby authorized and empowered from Time to Time to repeal, add to, alter, or amend such 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, Superintendent of Police, or other public Prosecutor of such Burgh, or on the Complaint of the private Party aggrieved; and no Penalty imposed by the Magistrates and Council shall exceed One Pound; and all such Rules and Regulations made by the Magistrates and Council, 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 Magistrates and Council shall think proper.

XCVIII. And

XCVIII. And be it enacted, That it shall be lawful for the Commissioners to require that the Water from the Roof and Cornices of all Houses or other Buildings fronting the public Streets, Lanes, Roads, Passages, Wynds, and Closes shall be conveyed, by Leaden or other proper Pipes or Runs, to be brought down the Walls of such Houses or other Buildings respectively to the Ground, and shall be kept in repair at the Expence of the Proprietors of such Houses or other Buildings respectively, but so as that the same shall not discharge the Water thereby conveyed upon the Foot Pavements; and if any such Proprietor shall fail or neglect to convey such Roof Water in manner aforesaid within Fourteen Days after being required to do so by the Commissioners, any Magistrate may, on Complaint as aforesaid, order the Works necessary for conveying the said Water in manner aforesaid to be done at the Expence of such Proprietors, to be recovered, along with the Expences of the Application, by Poinding and Sale as aforesaid.

Regulations for conveying Water from Roofs, Cornices, &c.

XCIX. And be it enacted, That it shall be lawful for the Commissioners to borrow and take up at Interest, on the Credit of the Rates and Assessments by this Act granted, and other Property vested in them, for the Purpose of procuring a Police Office and Station Houses, or for erecting Lamps, any Sum not exceeding Two Years Amount of the yearly Assessment to be fixed as aforesaid.

Power to borrow Money.

C. Provided always, and be it enacted, That in all Cases in which it shall be necessary for the Commissioners to borrow any Sum or Sums of Money for the Purposes of this Act, it shall be lawful for the Commissioners and they are hereby authorized and required, at their first annual Meeting for Assessment after such borrowing, or any subsequent annual Meeting, not exceeding Twelve Months from the Date of any such borrowing, to assess all Tenants, Occupiers, and Possessors of Premises valued as aforesaid in such an additional Assessment beyond the Sum necessary for the Purposes of this Act as will produce a Fund amounting to Five Pounds *per Centum per Annum* upon the Sum so borrowed by the Commissioners, which Sum of Five Pounds *per Centum per Annum* the Commissioners shall annually appropriate, set apart, and invest at the highest Rate of Interest which can be had for the same in the Public Funds, in any of the said Banks, or in Heritable Security as a Sinking Fund, applicable and to be applied by them from Time to Time in the Repayment of the Money borrowed until the Debt shall be extinguished; provided always, that such additional Assessment shall not increase the whole Assessment leviable beyond the maximum Rate of Assessment, to be fixed at the first Meeting for fixing the maximum Rate of Assessment, or any subsequent Meeting as aforesaid.

Additional Assessment may be made to meet Sums borrowed.

CI. And be it enacted, That no Commissioner or Officer acting under them shall be personally liable for the Repayment of any Money so borrowed, but all such Obligations shall be deemed and taken to be granted on the sole Security of the Rates and Assessments authorized to be assessed and levied as herein-before provided.

Commissioners not to be personally liable,

CII. And

Treasurer or
Collector to
sign Bonds.

CII. And be it enacted, That all Bonds for the Monies to be borrowed as aforesaid shall be signed by the Treasurer or Collector of the Commissioners in Presence of Two of the Commissioners, who shall sign as Witnesses thereto, and shall be in the Form and of the Tenor of Schedule (B.) hereunto annexed, or as near as may be; and till Payment such Bonds respectively shall form a Lien on the Rates and Monies granted by this Act, and assigned by such Bond, and shall entitle the Creditor under the same to recover such Principal Sums from such Commissioners and their Officers out of the first and readiest of the Rates and Monies assigned.

Bonds may
be assigned
by Indors-
ation.

CIII. And be it enacted, That such Bonds may be assigned by Indorsation on the Back thereof in the Form and of the Tenor of Schedule (C.) hereunto annexed, or as near as may be.

Bonds to be
recorded.

CIV. And be it enacted, That before such Bonds shall be delivered to the Creditor, or shall form a valid Lien on the Rates and Monies as aforesaid, the same shall be recorded in the Sederunt Book of the Commissioners, and a Certificate of such Registration shall be indorsed on such Bond, and signed by the Clerk of the Commissioners; and such Assignations shall be notified to the Treasurer of the Commissioners, who shall enter in the said Sederunt Book the Date of the Assignation, the Names of the Parties thereto, the Number or Mark of such Bond, and the Interest due on the same; and a Certificate of such Entry shall be indorsed on the said Bond, and signed by the Treasurer, and thereafter the Assignee, his Executors and Assignees, shall be entitled to the full Benefit of such Bond.

Offences
may be
tried under
9 G. 4. c. 29.
or by the
Sheriff, &c.

CV. And be it enacted, That all Offences specified in this Act may be tried either by the Sheriff, according to the summary Form prescribed in an Act passed in the Ninth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to authorize additional Circuit Courts of Justiciary to be held, and to facilitate Criminal Trials, in Scotland*, or by the Sheriff or the Magistrates, in the Manner after provided.

Jurisdiction
of Magis-
trates of the
Burgh.

CVI. And be it enacted, That the Magistrates shall enjoy, hold, and possess, in so far as regards the Recovery of Rates, the Matter of Crime, and also of Offences specified in this Act, the same Jurisdiction over the whole Territory adjoining to the Burgh comprehended within the Limits to which this Act shall extend as that which the Magistrates may hold and possess within the ancient and extended Royalty Burgh itself.

Jurisdiction
of Provost.

CVII. And be it enacted, That the Provost for the Time being, or in his unavoidable Absence the acting Chief Magistrate for the Time, shall, within the foresaid Bounds, for the Purposes of this Act, possess such and the like Jurisdiction and Authority for the Trial of Crimes and Offences specified in and cognizable under this Act as such Magistrates would possess if nominated and appointed Sheriff Substitutes, and may try such Crimes and Offences according to the summary Form and subject to the Appeal prescribed in and allowed
by

by the said recited Act of the Ninth Year of the Reign of His said late Majesty King *George* the Fourth: Provided always, that the Notes of Evidence directed by the said Act to be taken shall be written out under this Act by the Clerk of Court, authenticated by the Signature of the presiding Magistrate, and kept by the Clerk.

CVIII. And be it enacted, That the Commissioners may sue and be sued in the Name of any One of their Number, or in the Name of their Clerk or Collector; and no Action or Suit which may be so brought, commenced, or prosecuted by or against the Commissioners or any of them, by virtue or on account of this Act, shall cease or abate by the Death, Suspension, or Removal of such Commissioner, Clerk, or Collector, but any such Commissioner, Clerk, or Collector for the Time being shall be held to be the Party suing or defending in any such Action: Provided always, that every Commissioner, Clerk, or Collector in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be reimbursed out of the Monies and Assessments to be raised by virtue of this Act all such Damages, Charges, and Expences as such Party shall be put to or become chargeable with by reason of his being so made Pursuer or Defender therein.

Commissioners may sue and be sued.

CIX. And be it enacted, That the Provost and Bailies and Dean of Guild, and the Sheriff or his Substitute, usually holding Courts within the Bounds to which this Act extends, or any One of them, shall be competent, and it shall be lawful for them or any One of them, to hear and give Judgment in a summary Manner, as herein provided, on all Complaints which may be made under this Act against any Person or Persons accused of Theft, swindling, unlawful gambling, Assault, rioting, breaking the Peace, or any other such criminal, riotous, or disorderly Act, or any Offence whatsoever cognizable at Common Law by any of the inferior Judges of *Scotland* without a Jury, or of offending against any of the Provisions of this Act, or any of the Regulations established or which may be established by the Authority of this Act.

Magistrates and Sheriff may give Judgment summarily in certain Cases.

CX. And be it enacted, That such Magistrates and Sheriffs shall have Jurisdiction in all Cases of Nuisance arising within the said Bounds of Police, except where Questions of Heritable Right are involved, and shall have Power to order the Removal or Abatement of such Nuisance, and to inflict Fines on the Offenders not exceeding Five Pounds for each Offence, besides the Expence of Conviction.

Magistrates and Sheriffs to have Jurisdiction in Cases of Nuisance.

CXI. And be it enacted, That it shall be lawful for any Officers appointed under this Act to take into Custody without a Warrant any Person who, within View of such Officer, shall offend in any Manner against this Act, and whose Name and Residence shall be unknown to such Officer.

Offenders whose Names are unknown may be taken into Custody.

CXII. And be it enacted, That it shall and may be lawful for any Officer appointed under this Act to take into Custody without a Warrant any Person who within the Bounds aforesaid shall be charged by any other Person with committing any aggravated Assault, in every Case in which such Officers shall have good Reason to

Power of Officers to take Parties charged with Offences into Custody.

[*Local.*]

32 P

believe

believe that such Assault has been committed, although not within View of such Officer, and that by reason of the recent Commission of the Offence a Warrant could not be obtained for the Apprehension of the Offender.

Offenders to be conveyed to Police Office

CXIII. And be it enacted, That every Person taken into Custody by any such Officer shall be forthwith conveyed to the Police Office (or, if more than One, to the nearest), in order that such Person may be secured until he can be brought before a Magistrate or the Sheriff or his Substitute, to be dealt with according to Law, or until he find Caution to give Bail as after mentioned.

Power to take Bail.

CXIV. And be it enacted, That upon the Apprehension and Delivery to the Police Office of any Person charged with Offences under this Act of aailable Nature it shall be lawful to the superior Officer or Clerk and Collector of Police upon Duty at the Time, and he is hereby empowered, in the Absence of a Magistrate, to accept of sufficient Caution by Bond, Consignation, or Pledge, and to liberate the Person so apprehended under such Circumstances upon Caution being found; it being expressly declared that the Refusal on the Part of the Superintendent, or the superior Officer on Duty, or Clerk and Collector, to accept such Caution, and his detaining the Person so apprehended until recourse can be had to a Magistrate in the usual Form, shall not subject the said superior Officer, or Clerk and Collector, to any Claim for Damages whatever: Provided always, that a Book shall be kept in the Police Office by the superior Officer on Duty at the Time, wherein he shall forthwith enter all Tenders of Caution made and refused, with the Reasons of Refusal.

Notice of Apprehension, in certain Cases, to be given to Magistrates.

CXV. And be it enacted, That if upon the Apprehension and Delivery to the Police Office of any Person Bail or Caution shall not have been given or taken as aforesaid, the superior Officer, or Clerk and Collector upon Duty as aforesaid, shall immediately give Notice of such Apprehension to One of the Magistrates or Sheriffs aforesaid, who shall thereupon give Directions for having the Party or Parties apprehended brought before him at such Time and Place as he may appoint, but with the least possible Delay, to be disposed of as such Judge shall direct, in Terms of this Act: Provided always, that if such Apprehension shall take place after the Hour of Nine of the Clock in the Evening from the First Day of *October* to the First Day of *April*, or after the Hour of Ten of the Clock in the Evening during the rest of the Year, and Bail or Caution shall not have been given or taken as aforesaid, all Persons so apprehended shall be detained in Custody, and Notice shall be given as aforesaid to the said Magistrate or Sheriff as soon as conveniently may be in the course of the next lawful Day, who shall thereupon give Directions and proceed as herein-above specified.

Power to detain Offenders when ordered to find Caution.

CXVI. And be it enacted, That it shall be lawful to the Magistrate or Sheriff to order Prisoners to be detained in the Police Office, or in Gaol when remanded, for affording Time to find Caution, or till further Investigation, such Investigation always taking place as soon as Circumstances shall permit, and without any unnecessary Delay.

CXVII. And

CXVII. And be it enacted, That when any Person shall have been apprehended, and afterwards liberated on Bail or Caution as aforesaid, and shall fail to appear, it shall be competent, where such Bail or Caution has been by Pledge, to declare the Money or Article pledged to be forfeited; and in Cases where the Bail has been by Bond or Caution, and also in Cases where any Offender who shall have been bound for good Behaviour or for keeping the Peace shall commit a new Offence or Offences inferring Forfeiture of the said Caution, it shall be competent to order the Cautioners to be cited to make Payment of the Sum contained in the Bond of Caution within the Space of Twenty-four Hours; and in default of instant Payment, after the Lapse of the said Space, the Sum in such Bond of Caution shall thereupon be recoverable at the Instance of the Procurator Fiscal, or the Clerk or Collector, or superior Officer of Police respectively, by a Precept to be issued by any Magistrate or Sheriff as aforesaid, upon a Charge of Ten Days; and upon Failure of Payment it shall be competent to grant Warrant for entering the House, Shop, Warehouse, Manufactory, or other Place of the Defaulters, and seizing, taking possession of, and carrying away, and afterwards selling the Defaulters Goods and Effects, or so much thereof as shall appear sufficient for the Payment of the Sum or Sums so forfeited as aforesaid, and the Expences of such seizing, and other Proceedings of Sale, all in like Manner as herein provided for the Recovery of Arrears of the Assessments under this Act; and upon Certification by the seizing Officer of there not being a Sufficiency of such Goods and Effects attachable within the Limits to which the Act extends, the Cautioner may be imprisoned, by Warrant of such Magistrate or Sheriff, in the Gaol of *Inverness* for a Space not exceeding Thirty Days; and after such Imprisonment no farther Procedure against the said Cautioner shall be competent on the Bond.

Provisions as to Parties apprehended, and afterwards liberated on Bail, and not appearing.

CXVIII. And be it enacted, That all Articles pledged by any Person apprehended and liberated on Bail which may be forfeited as aforesaid may afterwards be redeemed, within such Time and on such Terms as any Magistrate or Sheriff as aforesaid may determine, and if not redeemed shall afterwards be sold or otherwise disposed of in such Manner as the Magistrate or Sheriff shall direct; and a Book shall be kept in the Police Office wherein all such Pledges shall be entered; and the Orders regarding such Pledges, the Time and Manner in which they have been disposed of, and the Proceeds of Pledges which have been sold, shall distinctly appear, and such Book shall at all Times be patent to every Commissioner under this Act.

Provisions as to Articles pledged.

CXIX. And whereas it is expedient that in all Cases arising under this Act the Proceedings shall be attended with as little Delay or Expence as possible; be it enacted, That the said Provost and Magistrates, and the Sheriff or his Substitute, shall be and they are hereby authorized, should they see Cause, to prepare Rules prescribing the Forms of Procedure in all such Cases accordingly, so as to dispatch the Business under this Act in the easiest and most expeditious Manner, without written Pleadings, and without recording the Evidence, and to fix and regulate the Expences of such Proceedings.

Sheriff and Magistrates to prepare Rules.

CXX. And

Proceedings
to be of a
summary
Nature.

CXX. And be it enacted, That in all Cases regarding Police Regulations under this Act the Proceedings before the said Judge officiating as aforesaid (except in regard to such Crimes, Delinquencies, and Offences as are hereby declared to be incompetent to be tried in the Police Court,) shall be summary, and without written Pleadings or written Proof, so as that the Business under this Act may be dispatched in the easiest, least expensive, and most expeditious Manner; and the Confession of the Party, or the Evidence of One or more Witness or Witnesses, shall be sufficient to found a Conviction; provided always, that a Record shall be preserved of the Charge and of the Sentence pronounced; and no Fee shall be exigible from the Commissioners in any Action pursued at the Instance of the Fiscal or Superintendent of Police, but the Commissioners shall make a suitable Allowance on that account to the Clerk of Court, without prejudice to his receiving his Fees, where Fines and Expences are decerned for and recovered from the Offenders.

Fines and
Penalties
to be sued
for at the
Instance of
the Fiscal or
Superin-
tendent of
Police.

CXXI. And be it enacted, That all the Fines, Penalties, and Forfeitures incurred under this Act shall be sued for, and the Offences aforesaid shall be prosecuted, at the Instance of the Procurator Fiscal of Court or the Superintendent of Police; and Judgment shall pass at the Instance of the Prosecutor for Performance of the Obligations, and for levying and recovering the Fines, Penalties, and Forfeitures, or enforcing and executing the Punishments by this Act authorized; and the said Superintendent shall have all the Powers and Privileges belonging to the Office of a Procurator Fiscal by the Law of *Scotland*, and shall be entitled to sue in that Character for levying and recovering the Penalties, Fines, and Forfeitures, and for enforcing the Punishments by this Act authorized.

Sentences
against
Offenders.

CXXII. And be it enacted, That it shall be competent to any such Magistrate or Sheriff as aforesaid, under such summary Form of Procedure, and where no special Penalty is attached to the Offence, to adjudge Penalties not exceeding Five Pounds, or to sentence the Party complained of to Imprisonment in the Gaol of *Inverness* for any Period not exceeding Sixty Days.

Offenders,
when incar-
cerated, to
be subject
to Prison
Regulations.

CXXIII. And be it enacted, That upon Imprisonment under this Act of any Offenders in the Gaol such Offenders shall be subject to such Regulations in respect of Labour and Maintenance as shall be established in such Gaol under the Authority of Law, unless the Sentence shall contain some special Order relative to the Labour or Maintenance of such Offenders.

Power of
Sheriff and
Magistrates
to decern for
Damages.

CXXIV. And be it enacted, That it shall be competent to any such Magistrate or Sheriff, under such summary Proceeding to be established as aforesaid, 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 said Magistrates or Sheriff shall and may give Judgment for Damages to the Amount hereby authorized; and notwithstanding such Decree it shall be lawful to the private Party to insist before any Judge to whose Jurisdiction the Offender is amenable
for

for any further Claim which may be competent, whether the Sentence of the said Magistrate or Sheriff contain a Reservation to that Effect or not.

CXXV. And be it enacted, That it shall be competent for any of the Magistrates or Sheriffs, at his Discretion, in lieu and in place of or in addition to any Punishment as aforesaid, to ordain any Offender to find Caution for good Behaviour or for keeping the Peace for any Period not exceeding Twelve Months, and under a Penalty not exceeding Twenty Pounds, and to sentence such Offender to Imprisonment until such Caution be found, or until liberated in manner after mentioned, but such Imprisonment shall be subject to the Limitation after mentioned; and no Person shall in any Case be detained in Prison under One Conviction for a longer Period than Ninety Days, or any shorter Period to be specified in the Sentence.

Power to ordain Offenders to find Caution.

CXXVI. And be it enacted, That all Forfeitures, Penalties, Fines, and Sentences whatsoever, not otherwise herein directed to be sued for, imposed, recovered, and awarded, shall be imposed, recovered, and awarded by the Magistrates, or the Sheriff or his Substitute, in their respective Courts, in virtue of this Act, at the Instance of the Procurator Fiscal or the superior Officer of Police thereunto duly appointed by the Commissioners, and when recovered shall be paid over by the Clerk of Court where the same shall be recovered, to the Collector of the Commissioners, or such other Person as may be appointed by them to receive the same, and shall be accounted for by him once every Month, and be disposed of as herein mentioned; and the Damages in all such Cases shall be paid to the Person or Persons by whom the Loss has been sustained: Provided always, that it shall and may be lawful to such Magistrate or Sheriff awarding such Forfeitures, Penalties, and Fines, in his Discretion, to award a Part or the whole thereof, if he shall think fit, to be paid and applied to the Use of such Person or Persons as shall have contributed to the Conviction of the Offender or Offenders, in such Shares or Proportions as such Magistrates shall think fit.

Fines and Forfeitures recoverable at Instance of Fiscal or Superintendent, and payable to Collector of Commissioners.

CXXVII. And be it enacted, That in case any pecuniary Penalty, Fine, or Forfeiture decerned for by virtue of this Act shall not be immediately paid or consigned in manner herein-after provided, it shall be lawful to adjudge the Person found liable for the same to be imprisoned in the Gaol of *Inverness*; but no such Imprisonment shall in any Case exceed the Period of Sixty Days, or any shorter Period which may be specified in the Sentence; and in no Case shall any Person be detained in Prison under One Conviction for a longer Period than Ninety Days; and on the Expiration of the Period of Imprisonment such Person shall be set at liberty, and shall be free from the Payment of any such pecuniary Fine, Penalty, or Forfeiture, and from the Sentence ordering him to find Caution, and all Charges attending the same.

In case of Nonpayment of Penalties.

CXXVIII. And be it enacted, That the whole of the pecuniary Forfeitures, Penalties, and Fines imposed or incurred in respect of Matters of Police under the Authority of this Act, not otherwise

Application of Penalties, &c.

[*Local.*]

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directed

directed by this Act to be applied, shall be applied to the Police Purposes of this Act.

Parties
accused of
heinous
Crimes, how
disposed of.

CXXIX. Provided always, and be it enacted, That if it shall appear, either in the preliminary Investigation of the Charges against any Person accused of having committed Crimes, Delinquencies, or Offences within the Bounds over which this Act, or any Part thereof, extends, or during his Trial before any such Magistrates or Sheriffs as aforesaid, that such Person has been guilty of or is charged with any of the Crimes denominated the Pleas of the Crown, *videlicet*, Murder, Robbery, Rape, and wilful Fire-raising, or with the Crime of Stouthrief, or of Theft by Housebreaking, or of Housebreaking with Intent to steal, or of simple Theft to an Amount exceeding Ten Pounds, or of Theft by opening lockfast Places, or of Theft aggravated by being habit and repute a common Thief, or of having been Three Times previously convicted of Theft or of Reset of Theft to an Amount exceeding Ten Pounds, or of Reset of Theft aggravated by having been Three Times previously convicted of that Crime, or of Falsehood, Fraud, and wilful Imposition to an Amount exceeding Ten Pounds, or of Falsehood, Fraud, and wilful Imposition aggravated by having been Three Times previously convicted of any Offence of that Nature, or of Assault to the Danger of Life, or of Assault whereby any Limb has been fractured, or of Assault with any Knife or other lethal Instrument, where Effusion of Blood has followed, or of Assault aggravated by Three previous Convictions of that Crime, or of Assault with Intent to ravish, or of Attempt at wilful Fire-raising, or of culpable Homicide, or of Forgery, or of uttering forged Banks or Bankers Notes, it shall not be competent for the Prosecutor to insist further against such Person before any such Magistrate or Sheriff; and in all such Cases, and also where any such Magistrate or Sheriff shall think the Case of any Offender deserving of a higher Punishment or Fine than is authorized by this Act, or think that it requires more deliberate Investigation than can be suitably made under the summary Form hereby provided, he shall and may commit such Offender to the Gaol of *Inverness* for Examination, or further Examination, or till further Investigation, or till liberated in due Course of Law; and the Clerk of Court shall give immediate Notice of such Commitment to the Procurator Fiscal, in order that such Person or Persons may be proceeded against conformably to Law.

Sheriff and
Magistrates
to have
Power to
decern for
Expences of
Process.

CXXX. And be it enacted, That in all Cases it shall be lawful for any Magistrate, or for the said Sheriff or Sheriff Substitute, in their own proper Courts, in all Cases arising under this Act, to decern for the Expences of Process; and in case any Person prosecuted at the Instance of a private Party for any Offence under this Act shall be acquitted, it shall be lawful to any such Magistrate, or Sheriff or Sheriff Substitute, 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.

Complaints
to be brought

CXXXI. And be it enacted, That no Complaint shall be received or entertained by any such Magistrate or Sheriff as aforesaid, at the Instance

Instance of any Party, unless the same be presented within Six Months after the Offence complained of shall have been committed. within Six Months.

CXXXII. And be it enacted, That no Person shall be deemed an incompetent Witness to give Evidence in any Case under this Act by reason only of such Person being a Commissioner, or of his being liable to be assessed, or of his being employed in any Office under this Act. Witnesses competent.

CXXXIII. And be it enacted, That a Majority of the Commissioners present at any Meeting called for that Purpose shall have full Power and Authority from Time to Time to make Rules, Regulations, and Bye Laws, for the better Execution of this Act, and in general for all other Purposes connected with the Preservation of Peace and good Order, and the general Safety and Comfort of the Inhabitants, and from Time to Time, as Occasion may require, to repeal, add to, alter, and amend such Rules, Orders, and Bye Laws, or Regulations as shall appear most proper, according to the Spirit of this Act, and to enforce due Observance thereof, by fixing and declaring reasonable pecuniary Penalties not exceeding Five Pounds for each Offence, to be levied, recovered, and applied in the same Way as Penalties imposed under this Act are ordered to be levied, recovered, and applied: Provided always, that such Orders, Rules, and Bye Laws, or Regulations shall not be repugnant to or inconsistent with the Laws of *Scotland* or the Provisions of this Act, and shall be printed and distributed, and Copies thereof printed or painted in legible Characters, and put up on a Board or Boards affixed in One or more conspicuous Place or Places within the Bounds of Police, and which Board or Boards shall, when effaced or obliterated, be renewed and made legible; and provided always, that no such Orders, Rules, Bye Laws, and Regulations shall be of any Force or Effect until the same shall have been submitted to and approved of by the Sheriff; nor shall any such Order, Rule, Bye Law, or Regulation (to which a Penalty shall be attached) come into operation until it shall have been confirmed by the Sheriff; and the Sheriff shall not confirm any such Order, Rule, Bye Law, or Regulation unless Notice of the Application for such Confirmation shall have been given in One or more Newspapers circulating in the said Burgh at least One Month before such Confirmation, which Notice shall specify the Day and Hour when such Confirmation is to be given, and shall also intimate that a Copy of the proposed Orders, Rules, Bye Laws, or Regulations is hung up in the Office of the Town Clerk, open to the Inspection of all Persons without the Payment of any Fees; and any Person conceiving that he will be aggrieved thereby may be heard thereon before the Sheriff, but not so as to allow of more than One of One Party present being heard on the same Matter of Objection; nor shall any Party be entitled to be heard unless Three Days Notice in Writing shall have been given and lodged with the Town Clerk previous to the Day appointed for taking such Order, Rule, Bye Law; or Regulation into consideration. Power of Commissioners to make Rules and Regulations.

CXXXIV. And be it enacted, That if any Person or Persons shall wilfully or maliciously pull down, deface, or destroy any Board whereon such Rules, Orders, Bye Laws, or Regulations shall be painted and affixed, Penalties for destroying Boards.

affixed, such Person or Persons shall, upon Conviction, for each Offence forfeit and pay a Sum not exceeding Five Pounds.

Power of Judge to mitigate Penalties.

CXXXV. And be it enacted, That in all Cases the Sheriff or Magistrate or other Judge before whom any Complaint shall be brought under this Act shall have full Power to mitigate the Penalty or Penalties imposed by this Act, or by any such Orders, Rules, Bye Laws, and Regulations.

Summonses or Notices to Commissioners to be served at Police Office.

CXXXVI. And be it enacted, That in all Cases where it may be requisite or necessary for any Person or Party to serve any Notice upon the Commissioners, or any Citation or Summons or other legal Proceedings, such Notice or Copy Citation, if left at the Police Office with the Person in charge thereof at the Time, shall be deemed good and sufficient Service of the same.

Powers of Town Council reserved.

CXXXVII. And be it enacted, That nothing herein contained shall extend or be so construed as to extend to take away, or to diminish, alter, or affect any Rights, Titles, Dues, Payments, Powers, Privileges, Jurisdictions, or Authorities of the Provost, Magistrates, and Town Council belonging or in any way competent to them by virtue of any Royal Charters or otherwise, excepting only in so far as the same are by this Act expressly taken away, varied, or restrained, and saving and reserving to the Sheriff and Justices of the Peace of the County of *Inverness*, and all other Magistrates, all and every Jurisdiction, of whatever Kind or Nature, civil as well as criminal, which they have had or are anywise entitled to use and exercise, in the same Way and Manner as if this Act had never been passed.

Judges, Justices, and Officers of the Law to aid in executing Act.

CXXXVIII. And be it enacted, That all Sheriffs, Justices of the Peace, Judges, and Magistrates, with their Officers, Messengers at Arms, and all other Officers and Executors of the Law whatsoever, are hereby required to be aiding and assisting in putting this Act into due and lawful Execution.

Expences of Act.

CXXXIX. And be it enacted, That the Expences incurred in preparing, applying for, and obtaining this Act shall be defrayed as follows; *videlicet*, One Third by the Town Council out of the patrimonial and other Revenues of the said Burgh, and Two Thirds thereof by the Commissioners out of the Rates to be levied or Sums to be raised in virtue of this Act.

Prisoners remanded may be detained in Police Office.

CXL. And be it enacted, That when the Judge officiating as aforesaid shall find it necessary to remand any Prisoner or Prisoners for affording Time to find Caution in manner before expressed, or for further Examination, it shall be lawful to detain such Prisoner or Prisoners in the Police Office until such Caution shall be found, or until such further Examination shall take place, such further Examination always taking place as soon as Circumstances will permit, and without any unnecessary Delay.

Petty Offenders may be committed to Police Office.

CXLI. And be it enacted, That in all Cases of Petty Offences which shall appear to the Judge officiating in the Police Court not to require Punishment by Commitment to the Tolbooth or Gaol, it shall be
in

in the Power of the said Judge to sentence the Party having committed any such petty Offence to be confined in the Police Office for any Period not exceeding Three Days, either as the sole Punishment to be inflicted, or along with Caution to keep the Peace, or for good Behaviour, or in addition to any Fine that may otherwise be competently awarded under this Act: Provided always, that in the event of such Caution not being found or such Fine not being paid within the Period to be fixed it shall not be lawful to detain such Prisoner in the Police Office for longer than that Period; but it shall be lawful for the said Judge to order the said Party or Parties to be confined in the Tolbooth or Gaol for any further Period not exceeding Ten Days.

CXLII. And whereas the Magistrates and Town Council have for Time immemorial been in the Practice of levying and collecting certain Rates and Dues denominated Petty Customs, and applying the same to the general Purposes of the Burgh; be it enacted, That it shall and may be lawful for the Magistrates and Town Council to collect, sue for, and recover the Petty Customs, Imposts, Rates, and Duties expressed and contained in Schedule (A.) hereunto annexed, for all Goods, Cattle, Articles, Effects, and Commodities of every Description brought into the ancient and formerly extended Royalty of the Burgh, for Sale, Storage, Manufacture, Use, or Consumption, as set forth in the said Schedule, and to prevent the said Goods, Cattle, Articles, Effects, and Commodities from entering the Burgh until such Customs and Imposts are so paid, such Customs and Imposts, except as after mentioned, to be administered by the Magistrates and Town Council as Part of the ordinary Revenue of the said Burgh; and it shall be lawful to recover the said Customs, Imposts, and Rates by summary Process before the Sheriff, on the Evidence of One Witness or otherwise, in a summary Manner, in the same Way as other Rates and Assessments are hereby authorized to be recovered and levied; and it shall not be an Objection to any such Witness that he is an Officer of or in the Employment and Pay of the Magistrates and Town Council; and any Person neglecting or refusing to report to the Collector of such Customs and Imposts any Effects liable in Payment thereof as aforesaid brought into the Burgh by him shall, on Conviction before a Magistrate, forfeit and pay a Fine of Ten Shillings, besides the Amount of Customs and all Expences: Provided always, that the Magistrates and Town Council may let, as heretofore, the Right of collecting and levying the said Customs and Imposts to Tenants, and make such Rules and Regulations for the Collection of the same as to them may appear proper; provided also, that for any Goods and Commodities for which Shore Dues may have been paid at the Port of *Inverness*, or at those Parts of the *Caledonian* Canal below *Muirton* Locks, no Petty Customs shall be exigible, and that Goods, Commodities, and Effects passing through the Town, and destined for Places beyond the said Boundaries, shall not be liable in the Payment of Petty Customs.

Collection of
Petty Customs re-
served.

CXLIII. And whereas the Commissioners for making and maintaining the said *Caledonian* Canal have laid out considerable Sums of Money in constructing and maintaining a Basin and Quays above *Muirton* Locks: And whereas Differences have existed between the Magistrates and

One Moiety
of Petty
Customs on
Goods
landed at

[*Local.*]

32 R

Town

the Caledonian Canal to be paid to the Commissioners.

Town Council and the said Commissioners as to the Right of the said Magistrates and Town Council to exact Petty Customs on Goods coming into the Burgh of *Inverness* from the said Canal, and such Differences were referred to the Arbitration of the Lords Commissioners of Her Majesty's Treasury and to the Board of Trade, and have been adjusted upon certain Terms; be it enacted, That the Magistrates and Town Council shall pay over to the said Commissioners One Moiety of the Petty Customs leviable under or by virtue of this Act on all Goods, Cattle, Articles, Effects, and Commodities which may be landed at the Canal and brought into the Burgh, free from all Costs of Collection; and proper Accounts shall be kept by the said Magistrates and Town Council of all such Petty Customs, which Accounts shall be open to the Inspection of the said Commissioners, their Agents or Secretary.

Proceedings not to be void for Want of Form.

CXLIV. And be it enacted, That no Order, Judgment, Record of Conviction, or other Proceeding whatsoever concerning any Prosecution by virtue of this Act shall be quashed or vacated by any Misnomer or Informality; and all Judgments and Sentences pronounced by the Sheriff or Magistrates, or any of them, under this Act, shall be final and conclusive, unless appealed from in manner herein provided, and shall not be subject to Review by Advocation, Suspension, and Liberation or Reduction, or in any way whatever, other than is hereby provided for.

Appeal to Circuit Court of Justiciary.

20 G. 2. c. 43.

CXLV. And be it enacted, That if any Person shall feel aggrieved by any Sentence pronounced by the Sheriff or Magistrates under this Act, it shall be lawful for such Person to appeal to the Circuit Court of Justiciary to be held at *Inverness* or elsewhere for the District, in the Manner and under the Rules, Limitations, and Conditions contained in the Act passed in the Twentieth Year of the Reign of His Majesty King George the Second, intituled *An Act for taking away and abolishing Heritable Jurisdiction in Scotland*, and for other Purposes: Provided always, that no such Appeal shall operate as a Stay of Execution, except on Consignation of such Money and Expences as may have been awarded in the Hands of the Clerk, and on sufficient Caution for the Appearance of the Party, and Payment of such further Expences as may be awarded in the said Court of Justiciary, all in Terms of the said last-recited Act.

Act of 3 & 4 W. 4. c. 46. not to extend to this Act.

CXLVI. And be it enacted, That the Act passed in the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*, shall not extend to or affect in any manner of way the Provisions of the present Act; and the Assessments authorized to be levied under the present Act shall be in lieu and in full of all Assessments which might be levied within the Bounds of the said Royal Burgh of *Inverness* under the said last-recited Act, any thing therein to the contrary notwithstanding.

Saving Rights of the *Inverness Gas and Water Company*.

CXLVII. Provided always, and be it enacted, That nothing herein contained shall alter, prejudice, or diminish any of the Rights, Powers, or Privileges vested in the *Inverness Gas and Water Company* by the "*Inverness Gas and Water Act, 1847*," and the several Acts therewith incorporated.

CXLVIII. And

CXLVIII. And whereas by the Practice and Usage of the Burgh of *Inverness* Freemen Burgesses of the Burgh have only paid One Half of Petty Customs, and it is right that such Practice and Usage should cease; be it enacted, That from and after the passing of this Act the said Practice and Usage shall for ever hereafter be done away with and abolished.

Exemption
in favour of
Freemen
Burgesses
abolished.

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

Interpreta-
tion of Act.

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

Words importing the Masculine Gender only shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall include Corporation, whether aggregate or sole:

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

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

The Word "Lands" shall extend to Tenements and Heritages of every Tenure or Description:

The Words "Proprietor" and "Owner" shall include all Persons holding under Leases for Ninety-nine Years or upwards:

The Word "Jail," "Gaol," or "Prison" shall be held to include every legalized Prison or other Place of Confinement:

The Word "Sheriff" shall mean the Sheriff of the County of *Inverness*, and shall include his Substitutes:

The Word "Procurator Fiscal" shall include Procurator Fiscals Depute:

The Word "Commissioners" shall mean the Commissioners elected and acting under the Authority of this Act:

The Word "Magistrate" shall include Provost, Bailie, and the Officer appointed by the Town Council of *Inverness* to discharge the Duties of Dean of Guild in the Dean of Guild Court of the Burgh:

The Words "Magistrates and Council" shall mean the Magistrates and Council of *Inverness* elected under this Act:

The Word "Town Clerk" shall mean the Town Clerk of the Burgh, and shall include the Town Clerk Depute:

The Word "Burgh" shall mean the Burgh of *Inverness* as in this Act defined:

The Words "within the Limits of this Act," or "within the said Limits," or Words to that Effect, shall include the whole Boundaries to which this Act extends.

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

Public Act.

The

The SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

PETTY CUSTOMS.

| | £ | s. | d. |
|--|---|----|----|
| Ale, Beer, and Porter - for every 26 Imperial Gallons | 0 | 0 | 3 |
| Animals — For every Horse or Bull - - - | 0 | 0 | 4 |
| Each Ass, Mule, Ox, or Cow - - - | 0 | 0 | 2 |
| Each Colt, Filly, or Stirk, not above Two Years old | 0 | 0 | 2 |
| Calf, Sow, Hog, Sheep, Goat - - - | 0 | 0 | 1 |
| Lamb, and Kid - - - - - | 0 | 0 | 0½ |
| N.B. Animals when slaughtered to be double the above. | | | |
| All Spirits brought into the Town - each Imperial Gallon | 0 | 0 | 1 |
| Bark - - - - - per Cwt. | 0 | 0 | 1 |
| Barley, Milled - - - - - per 3 Cwt. | 0 | 0 | 4 |
| Bottles, per Gross, Quarts - - - - - | 0 | 0 | 4 |
| Pints - - - - - | 0 | 0 | 2 |
| Brass and Copper - - - - - per Cwt. | 0 | 0 | 2 |
| Bricks and Tiles - - - - - per 1,000 | 0 | 1 | 0 |
| Butter - - - - - per Stone of 24 lbs. | 0 | 0 | 1 |
| Under 12lbs. - - - - - | 0 | 0 | 0½ |
| Caravans and Shows — each Foot occupied by the longest Side, | | | |
| per Day - - - - - | 0 | 0 | 2 |
| Cheese - - - - - per Stone, of 24 lbs. | 0 | 0 | 0½ |
| Cabbages - - - - - each Cart | 0 | 0 | 2 |
| Turnips - - - - - per Ton | 0 | 0 | 6 |
| Kail Plants - - - - - per 1,200 | 0 | 0 | 1 |
| Carts with Wheels - - - - - each | 0 | 1 | 0 |
| Wheels - - - - - per Pair | 0 | 0 | 3 |
| Charcoal - - - - - for each Ton | 0 | 0 | 4 |
| Chests of Wood, to hold a Boll of Meal - - - - - | 0 | 0 | 1 |
| Cloth - - - - - per 12 Yards | 0 | 0 | 1 |
| And less in proportion below 12 Yards. | | | |
| Ditto, above 12 yards - - - - - per Barrel Bulk | 0 | 0 | 3 |
| Linen, or Tweelling - - - - - per 20 Yards | 0 | 0 | 1 |
| And less in proportion below 20 Yards. | | | |
| Ditto - - - - - per Barrel Bulk | 0 | 0 | 3 |
| Cloth, Harn, Sacking, or Ticking - - - - - per 20 Yards | 0 | 0 | 1 |
| And less in proportion below 20 Yards. | | | |
| Ditto - - - - - per Barrel Bulk | 0 | 0 | 3 |
| Hair Cloth, per 12 Yards - - - - - ditto | 0 | 0 | 1 |
| Coverings for Beds - - - - - each | 0 | 0 | 1 |
| Carpets, Rugs, Blankets, Plaids, &c. - - - - - per Barrel Bulk | 0 | 0 | 3 |
| Coals, Scotch - - - - - per Ton | 0 | 0 | 4 |
| English - - - - - ditto | 0 | 0 | 4 |
| Cinders - - - - - ditto | 0 | 0 | 3 |
| Cogs, Plates, Trenchers, and Ladles of Wood - per Barrel Bulk | 0 | 0 | 3 |
| Eggs - - - - - per Dozen | 0 | 0 | 0¼ |
| Fire Wood - - - - - per Horse Load | 0 | 0 | 1 |

| | | £ | s. | d. |
|--|-------|---|----|----|
| Fish: fresh Salmon, Grilse, or Trout | - | 0 | 0 | 1 |
| Trout, below 6 lbs. | - | 0 | 0 | 2 |
| Large Fish, or dried Cod, Skate, or Ling | - | 0 | 0 | 2 |
| Middle sized ditto | - | 0 | 0 | 0½ |
| Small ditto | ditto | 0 | 0 | 2 |
| Small dried Haddocks | - | 0 | 0 | 1 |
| Each Creel of Grey Fish | - | 0 | 0 | 1 |
| of Herrings | - | 0 | 0 | 1 |
| Highland ditto | - | 0 | 0 | 1 |
| Oysters | - | 0 | 0 | 4 |
| Flour, when brought into Town | - | 0 | 0 | 2 |
| Fowls, each: Cock, Hen, Capon, Drake, or Duck | - | 0 | 0 | 0½ |
| Or per Dozen | - | 0 | 0 | 4 |
| Chickens or Pigeons, per Pair | - | 0 | 0 | 0½ |
| Or per Dozen | - | 0 | 0 | 2 |
| Each Turkey or Goose | - | 0 | 0 | 1 |
| Fruit: Gooseberries, Currants, Rasps, and other small Fruit | - | 0 | 0 | 0¼ |
| Pears and Apples | - | 0 | 0 | 1 |
| Peaches, Plums, Cherries, and Geanes | - | 0 | 0 | 1 |
| Furniture, Household | - | 0 | 0 | 3 |
| Game and Water Fowl | - | 0 | 0 | 0½ |
| Hares | - | 0 | 0 | 0½ |
| Hares | - | 0 | 0 | 4 |
| Rabbits | - | 0 | 0 | 0¼ |
| Deer and Roe | - | 0 | 0 | 6 |
| Grain: Wheat, Pease, Beans, and Rye | - | 0 | 0 | 3 |
| Bear and Barley | - | 0 | 0 | 2 |
| Oats, and all other Sorts of Grain | - | 0 | 0 | 2 |
| Hay, | - | 0 | 1 | 0 |
| Hides, raw | - | 0 | 0 | 2 |
| Ditto, barked | - | 0 | 0 | 2 |
| Honey | - | 0 | 0 | 2 |
| Ironwork brought into the Town | - | 0 | 0 | 2 |
| Ploughs | - | 0 | 0 | 6 |
| Drill ditto | - | 0 | 0 | 4 |
| Harrows | - | 0 | 0 | 3 |
| Lime, Slacked | - | 0 | 0 | 4 |
| Shells | - | 0 | 0 | 8 |
| Malt, ground or unground | - | 0 | 0 | 3 |
| Meal, when brought to the Town, each Imperial Boll of 140 lbs. | - | 0 | 0 | 1 |
| Nets: all Sorts of Fishing Nets | - | 0 | 0 | 4 |
| Nuts, Hazel | - | 0 | 0 | 2 |
| Oil | - | 0 | 0 | 3 |
| Onions | - | 0 | 0 | 2 |
| Pease and Beans in Pod or Green | - | 0 | 0 | 2 |
| Peats | - | 0 | 0 | 1 |
| Potatoes | - | 0 | 0 | 4 |
| Riddles, Ringes, and Sieves | - | 0 | 0 | 2 |
| Rye Grass | - | 0 | 0 | 3 |
| Salt | - | 0 | 1 | 0 |
| Seeds, Lint and Hemp | - | 0 | 0 | 1 |
| Shoes for Sale on Street or Stall | - | 0 | 0 | 1 |
| Boots | - | 0 | 0 | 3 |
| Boots and Shoes in Packages | - | 0 | 0 | 3 |
| Skins: Goat, Dog, and Cat Skins, in Fleece | - | 0 | 0 | 4 |
| Roebuck | - | 0 | 0 | 3 |
| Sheep | - | 0 | 0 | 1 |
| Kid, Lamb, and Fomart | - | 0 | 0 | 0½ |
| Hare | - | 0 | 0 | 1 |

[Local.]

| | | £ | s. | d. |
|--|-------------------|---|----|----|
| Skins Fox | - - - - - | 0 | 0 | 8 |
| Otter | - - - - - | 0 | 0 | 2 |
| Matrick | - - - - - | 0 | 0 | 1 |
| Deer | - - - - - | 0 | 0 | 1 |
| Slates, Sizeable | - - - - - | 0 | 0 | 6 |
| Countesses | - - - - - | 0 | 1 | 0 |
| Duchesses and Imperials | - - - - - | 0 | 1 | 6 |
| Stalls on Street for Chapmen during Fairs, and for Shows | | | | |
| | each running Foot | 0 | 0 | 1 |
| Stones, Millstones, Common | - - - - - | 0 | 2 | 6 |
| Burrs | - - - - - | 0 | 5 | 0 |
| Grindstones | - - - - - | 0 | 0 | 2 |
| Rubble | - - - - - | 0 | 0 | 1 |
| Hewn Ashlars | - - - - - | 0 | 0 | 2 |
| Rough ditto | - - - - - | 0 | 0 | 1 |
| Rubble, Causeway | - - - - - | 0 | 0 | 1 |
| Causeway Stones, dressed | - - - - - | 0 | 0 | 1 |
| Pavement Flags | - - - - - | 0 | 0 | 4 |
| Curb | - - - - - | 0 | 0 | 4 |
| Grave Stones, Marble | - - - - - | 0 | 5 | 0 |
| Home ditto | - - - - - | 0 | 2 | 6 |
| Scythe Stones | - - - - - | 0 | 0 | 2 |
| Tallow and Grease, Butter | - - - - - | 0 | 0 | 3 |
| Tar | - - - - - | 0 | 0 | 3 |
| Wood, Foreign; Calliper Measure | | | | |
| Batons | - - - - - | 0 | 1 | 2 |
| Boards, Oak, or Wainscot | - - - - - | 0 | 1 | 6 |
| Boards, Paling | - - - - - | 0 | 0 | 9 |
| Deals | - - - - - | 0 | 1 | 2 |
| Fire Wood | - - - - - | 0 | 0 | 6 |
| Handspikes | - - - - - | 0 | 0 | 9 |
| Laths | - - - - - | 0 | 0 | 9 |
| Masts, Yards, or Bowsprits | - - - - - | 0 | 1 | 2 |
| Oak Planks | - - - - - | 0 | 1 | 6 |
| Oars and Oar Rafters | - - - - - | 0 | 1 | 6 |
| Rickers Boat Hooks | - - - - - | 0 | 1 | 6 |
| Fir | - - - - - | 0 | 1 | 2 |
| Oak | - - - - - | 0 | 1 | 6 |
| Pine | - - - - - | 0 | 1 | 6 |
| Hardwood | - - - - - | 0 | 1 | 6 |
| Ufers | - - - - - | 0 | 1 | 2 |
| Wainscot Logs | - - - - - | 0 | 1 | 6 |
| Delivered by Weight; viz. | | | | |
| Barwood | - - - - - | 0 | 2 | 0 |
| Boxwood | - - - - - | 0 | 2 | 0 |
| Brazil Wood | - - - - - | 0 | 2 | 0 |
| Camwood | - - - - - | 0 | 2 | 0 |
| Ebony | - - - - - | 0 | 2 | 0 |
| Fustic | - - - - - | 0 | 2 | 0 |
| Lignumvitæ | - - - - - | 0 | 2 | 0 |
| Logwood | - - - - - | 0 | 2 | 0 |
| Mahogany | - - - - - | 0 | 2 | 0 |
| Nicaragua Wood | - - - - - | 0 | 2 | 0 |
| Red Wood | - - - - - | 0 | 2 | 0 |
| Sassafras | - - - - - | 0 | 2 | 0 |
| Rosewood | - - - - - | 0 | 2 | 0 |
| Wood, Home; viz. | | | | |
| Fir | - - - - - | 0 | 0 | 9 |
| Hard Wood | - - - - - | 0 | 1 | 2 |

| | £ | s. | d. |
|---|---|----|----|
| Wood, Home; viz. | | | |
| Planks and Deals, Fir - - - per 50 Cubic Feet | 0 | 0 | 9 |
| Planks and Deals, Hardwood - - - ditto | 0 | 1 | 2 |
| Cart-wheel Spokes - - - per 60 Pieces | 0 | 0 | 4 |
| Pit Props, 6 Feet long, 3 Inches Diameter, small End per Dozen | 0 | 0 | 2 |
| Pit Props, other Sizes in proportion | | | |
| Cabers - - - per Dozen | 0 | 0 | 1 |
| Lath - - - per 1,000 Superficial Feet | 0 | 0 | 9 |
| Stings, Hazel and Oak - - - per Barrel Bulk | 0 | 0 | 0½ |
| Pipe Staves - - - per 100 | 0 | 1 | 2 |
| Hogshead ditto - - - per 120 | 0 | 0 | 9 |
| Barrel ditto - - - ditto | 0 | 0 | 4 |
| Wool, British - - - per 24 lbs. | 0 | 0 | 0½ |
| Foreign - - - ditto | 0 | 0 | 1 |
| Scoured Yarn - - - per 12 lbs. | 0 | 0 | 1 |
| Unscoured ditto - - - ditto | 0 | 0 | 0½ |
| Yarn of every Description, exceeding 12 lbs. per Barrel Bulk | 0 | 0 | 3 |

Sugar, Wine, Tea, and all other Goods and Articles not specially enumerated in the above Schedule to pay at the Rate of Three-pence per Barrel Bulk.

SCHEDULE (B.)

By virtue of an Act made in the _____ Year of the Reign of
intituled _____

I, *A. B.* [*here state whether Treasurer or Collector*] of the Commissioners of Police for the Burgh of Inverness, and by Authority of the said Commissioners, in consideration of the Sum of [*here insert the Sum in Words*], instantly advanced and paid to me on account of the said Commissioners, and for the Purposes of the said Act, by *C. D.* of *E.*, do hereby bind and oblige the said Commissioners for the Time being, out of the first and readiest of the Monies to be raised under the annual Assessments by the said Act authorized to be imposed and levied, to pay at the Term [*insert Term of Payment*], to the said *C. D.*, his Executors or Assignees, the said Sum of [*here state the Sum*], with the Interest thereof, at the Term of [*insert Term of Payment of Interest*], at the Rate of [*insert Rate of Interest*] per Centum per Annum from the Date hereof till the said Sum is paid; and for the further Security of the said *C. D.* I do hereby assign to him, his Executors or Assignees, such Proportion of the said Monies to be raised under the said annual Assessment as shall be equivalent to the said Sum so now paid to me, and the Interest to become due thereon as aforesaid, from the Date hereof till the Term of Payment; and I further hereby grant, assign, and make over to the said *C. D.* and his foresaids the Heritable Property vested in the said Commissioners, in further Security of the said Principal and Interest; and I consent to the Registration hereof in the Books of Council and Session, or other Books competent, for Preservation, that all competent Diligence may pass and be directed hereon in Form as effeirs, and thereto constitute
my Procurators.

In witness whereof I have subscribed these Presents, written by
this _____ Day of _____, in the Year

before these Witnesses

A. B.

K. L., Commissioner.

M. N., Commissioner.

SCHEDULE (C.)

I *C. D.* do transfer this Bond, with all Right, Title, or Interest which I have under the same, to *E. F.*, his [*or her or their, as the Case may be,*] Executors and Assignees. In witness whereof I have subscribed these Presents, written by _____ at _____ the _____ Day of _____ before these Witnesses,

(Signed) *C. D.*

K. L. Witness.

M. N. Witness.

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