



CHAPTER ccxxi.

An Act to confer further Sanitary Powers on the Magistrates and Council of the City and Royal Burgh of Glasgow as the Police Commissioners thereof and for other purposes. A.D. 1890.
[14th August 1890.]

WHEREAS an Act was passed in the twenty-ninth and thirtieth years of the reign of Her present Majesty intituled "An Act to regulate the police and statute labour of the city of Glasgow and for other purposes" (herein-after called "the Act of 1866"):

29 & 30 Vict.
cap. cclxxiii.

And whereas that Act has been amended by subsequent local Acts passed in the years 1872 1873 1875 1877 1878 1879 1882 and 1885 and by the General Police and Improvement (Scotland) Act 1862 Order Confirmation (Glasgow) Act 1877:

And whereas it is expedient that the provisions of the said Acts relating to sanitary administration in the city should be enlarged and amended:

And whereas it is expedient that the Police Commissioners should be authorised to borrow further sums of money for police purposes:

And whereas these objects 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 as follows (that is to say):—

1. This Act may be cited for all purposes as the Glasgow Police (Amendment) Act 1890 This Act and the recited Acts may be cited as the Glasgow Police Acts 1866 to 1890. Short title.

2. Sections 4 108 109 111 114 115 117 to 134 403 and 404 of the Glasgow Police Act 1866 are incorporated with and form part of [Price 1s. 3d.] Incorporation of sections of
A 1

[Ch. ccxxi.] *Glasgow Police (Amendment)* [53 & 54 VICT.]
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Glasgow
Police Act
1866.

Interpreta-
tion of terms.

this Act and the expression "police offence" where it occurs in the sections so incorporated shall include any offence punishable under this Act.

3. In this Act unless there be something in the subject or context repugnant to such construction the several words and expressions to which meanings are assigned by the Glasgow Police Acts 1866 to 1885 have the same respective meanings:

"The Police Commissioners" means the magistrates and council of the city and royal burgh of Glasgow acting under and in execution of the Glasgow Police Acts 1866 to 1890;

"The Police Acts" means the Glasgow Police Acts 1866 to 1890;

"Public Health Acts" means "the Public Health (Scotland) Act 1867" and any Acts amending the same;

"Local authority" means the local authority acting under the Public Health Acts;

"House" means a dwelling-house and includes tenements of houses schools stores factories and any buildings in which persons are employed;

"The city" means the city and royal burgh of Glasgow;

"Markets and Slaughter-houses Commissioners" means the corporation of the city acting under the Glasgow Markets and Slaughter-houses Acts 1865 1871 1877 and 1884;

"Drains" includes soil-pipes waste-pipes drain conductors traps and all connexions required in any drainage system of a house or other building;

"Medical officer" means the medical officer of health;

"Sanitary inspector" means inspector of nuisances;

"Police purposes" means any purposes of the Police Acts;

"Daily penalty" means a penalty for each day an offence continues after conviction thereof.

Definition of
Police Com-
missioners.

4. The magistrates and council of the city and royal burgh of Glasgow acting as Police Commissioners under the Police Acts shall be hereafter known and called and may be referred to in any Act of Parliament conveyance writ or other document or process action-at-law or other proceeding as "the Glasgow Police Commissioners."

Persons to
be removed
from infected
house to
reception-
house.

5. When infectious disease exists or has existed in any overcrowded house or in any house occupied or used for the purpose of sleeping in by persons in excess of the numbers allowed by this Act which cannot in the opinion of the medical officer be thoroughly cleansed and disinfected while the inmates continue to reside therein or in any house the inmates of which are unable to provide them-

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selves with clothing or bedding which is clean and free from infection while their clothing or bedding which has been exposed to infection is being washed and disinfected any magistrate may on the application of the procurator fiscal or sanitary inspector on production of a certificate signed by the medical officer that the removal from the said house of all the residents therein who are not suffering from infectious disease is necessary to prevent the spread of such disease grant a warrant to remove the said residents to the reception-house provided by the Police Commissioners who shall accommodate and maintain such persons therein for such period not exceeding fourteen days as the medical officer may consider necessary for the public safety and such warrant shall be sufficient authority for any officer of the Police Commissioners to compel the removal from the said house of the residents therein to the said reception-house and to prevent the return of any of the said residents until the said house with all their bed and body clothing has been cleansed and disinfected to the satisfaction of the medical officer or sanitary inspector.

6. The Police Commissioners shall maintain the present hospitals for the treatment of infectious diseases and the washing-house for washing and disinfecting bedding and clothing or other articles which have become infected and the present reception-house provided as a temporary residence for persons removed from an infected house and not suffering from infectious disease and provide the same with such means and appliances as may be required and they may enlarge the same if necessary or provide and maintain other hospitals washing-houses and reception-houses or discontinue the said hospitals washing-house and reception-house and provide other hospitals washing-houses and reception-houses and maintain the same either within or outside the city and such hospitals washing-houses and reception-houses shall be free of charge to the inhabitants of the city.

Commis-
sioners to
maintain
hospital
washing-
house and
reception-
house.

7. Where on the certificate of the medical officer or of any two registered medical practitioners it appears to the Police Commissioners that any house or part thereof is in such a filthy or unwholesome condition that health is affected or endangered thereby or that the whitewashing cleansing or purifying of any house or part thereof is requisite to prevent risk of or to check infectious disease the sanitary inspector shall give notice in writing to the occupier of such house or part thereof and to the owner thereof in cases where there is no occupier requiring them respectively to whitewash cleanse or purify the same as the case may

Houses to be
purified on
certificate of
officer of
health or of
two medical
practitioners.

A.D. 1890. — require and if the person to whom such notice is given fail to comply therewith within the time therein specified he shall be liable to a penalty not exceeding forty shillings and to a daily penalty not exceeding ten shillings and the Police Commissioners may if they think fit cause such house or part thereof to be white-washed cleansed or purified and may recover in a summary manner as damages the expenses incurred by them in so doing from the person in default.

Articles of
bed or body
clothing to
be purified.

8. Where on the certificate of the medical officer or of any two registered medical practitioners it appears to the Police Commissioners that any articles of bed or body clothing in any house or part thereof are in such a filthy or unwholesome condition that health is affected or endangered thereby or that the cleansing or purifying of any such articles is requisite to prevent risk of or to check infectious disease the sanitary inspector shall give notice in writing to the occupier of such house or part thereof requiring him to cleanse or purify such articles of bed or body clothing as the case may require and if the person to whom such notice is given fail to comply therewith within the time therein specified he shall be liable to a penalty not exceeding ten shillings for every day during which he continues to make default and the Police Commissioners may if they think fit cause any such articles of bed or body clothing in any such house or part thereof to be cleansed or purified and may recover in a summary manner as damages the expenses incurred by them in so doing from the person in default.

Wake not to
be held over
body of
person dying
of infectious
disease.

9. It shall not be lawful to hold any wake over the body of any person who has died of any infectious disease and the occupier of any house or premises who permits or suffers any such wake to take place in such house or premises and every person who knowingly attends or takes part in such wake shall be liable to a penalty not exceeding forty shillings.

Bodies of
persons
dying in
hospital &c.
of infectious
diseases to
be removed
only for
burial.

10. If any person dies from any infectious disease in any hospital or place of temporary accommodation provided by the Police Commissioners and the medical officer or the medical attendant upon such person certifies that in his opinion it is desirable in order to prevent the risk of communicating infectious disease or spreading infection that the dead body shall not be removed from such hospital or place except for the purpose of being forthwith buried it shall not be lawful for any person to remove such dead body from such hospital or place except for the last-mentioned purpose and when the dead body is taken out of such hospital or place for that pur-

pose it shall be forthwith carried or taken directly to some cemetery or place of burial and shall be forthwith there buried And any person wilfully offending against this section shall be liable to a penalty not exceeding fifty pounds. A.D. 1890.

11. It shall not be lawful to transport the body of any person who has died of any infectious disease by railway steamer or other public conveyance not being a conveyance reserved for such purposes unless and until the medical officer has certified that every precaution necessary for the public safety has been adopted to his satisfaction and any undertaker or other person who shall without such certificate knowingly remove or assist in removing and any person who shall procure or endeavour to procure the removal of such dead body without having obtained such certificate shall be liable to a penalty not exceeding ten pounds.

Certificate required before removal of body by railway &c. of person who died of infectious disease.

12. Every parent or person having care or charge of a child who is or has been suffering from infectious disease or who resides in a house where such disease exists or has existed within a period of six months who shall knowingly or negligently permit such child to attend school without procuring and producing to the teacher or person in charge of such school a certificate from the medical officer which he shall grant free of charge or from some registered medical practitioner that such child has become free from disease and infection and that the house and everything therein exposed to infection have been disinfected to the satisfaction of the medical officer or some registered medical practitioner or the sanitary inspector shall be liable to a penalty not exceeding forty shillings.

Penalty on guardian permitting infected child to attend school.

13. Any teacher or person in charge of any school who shall knowingly permit any child to attend such school in contravention of the provisions of this Act shall be liable to a penalty not exceeding forty shillings.

Penalty on teacher permitting infected children to attend school.

14. Every person who after warning by the Police Commissioners knowingly washes or exposes or permits to be washed or exposed in a washing-house or on a washing-green provided for the common use of two or more tenants or families any bedding clothing or other articles which have been exposed to infection from any infectious disease and which have not been previous to such washing or exposure disinfected at the place provided by the Police Commissioners for the purpose or otherwise to the satisfaction of the medical officer or of some registered medical practitioner as certified by him in writing and every person who shall sell pawn

Penalty on exposing bedding &c. exposed to infection.

A.D. 1890. — or deliver to another any such bedding clothing or other articles shall be liable to a penalty not exceeding forty shillings.

Water not to be supplied from cisterns exposed to contamination.

15. Water to be used for drinking purposes or for the preparation of human food shall not be supplied from any cistern which is so placed or constructed as to be exposed to contamination and any owner who contravenes this provision after a notice by the Police Commissioners shall be liable to a penalty not exceeding forty shillings and to a daily penalty of ten shillings.

Owners &c. to permit sanitary inspector to apply smoke or other test.

16. Whenever the sanitary inspector has reasonable grounds for believing that the drains connected with any house or building are defective so as to cause risk to health he may after twenty-four hours notice and (except in the case of tenement houses) with the consent of the owner and occupier of such house or building or in the event of objection by any such owner or occupier after obtaining the warrant of a magistrate apply the smoke or other test to such drains for the purpose of discovering the defect and any owner or occupier who refuses to allow such tests to be made or to give all reasonable facilities for making such tests shall be liable to a penalty not exceeding forty shillings and if the drains be found defective the owner of the premises shall be bound immediately on an order to that effect being given by the Police Commissioners to carry out all necessary operations for removing defects of structure or doing such acts as may be requisite to prevent risk to health and failing compliance with such order the Police Commissioners may execute the work and recover the expense thereof as damages from the owner.

Milk dealers to supply information and produce invoices &c. when required.

17. Whenever it shall be certified to the Police Commissioners by the medical officer or other registered medical practitioner that the outbreak or spread of infectious disease within the city is in the opinion of such medical officer or medical practitioner attributable to milk supplied by any cowkeeper purveyor of milk whether wholesale or retail or occupier of a dairy milk store or milk shop or to milk supplied by one or other of several such cowkeepers purveyors of milk whether wholesale or retail or occupiers of dairies milk stores or milk shops—

(1) The Police Commissioners may require such cowkeeper purveyor of milk or occupier whether within or without the city to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of all his customers within the city so far as known to him and such

cowkeeper purveyor of milk or occupier shall furnish such list according to the Police Commissioners shall pay to him for every such list at the rate of sixpence for every twenty-five names contained therein but no such payment shall exceed two shillings and every person who shall wilfully or knowingly offend against this enactment shall for each such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings; A.D. 1890.

(2) The Police Commissioners may require such cowkeepers or others to furnish to them within a time to be fixed by them a full and complete list of the names and addresses of the farmers cowkeepers milk dealers or other parties from whom during a period to be specified the milk or any part of the milk which they sell or distribute was obtained and if required to produce and exhibit to the medical officer or any person deputed by him all invoices pass-books accounts or contracts connected with the consignment or purchase of milk during such period and such cowkeepers or others shall furnish such lists and produce and exhibit such invoices pass-books accounts or contracts accordingly and every person who shall wilfully or knowingly offend against this enactment shall for every such offence be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings;

(3) In any case where the person liable to any penalty under this section is not resident within the city such penalty may be sued for at the instance of the procurator fiscal before the sheriff of the county in which such person is domiciled.

18. Whenever it shall be certified by the medical officer to the procurator fiscal that milk is being brought within the city from any farm dairy or place beyond the city in which any person is suffering from infectious disease or that in his opinion infectious disease is being spread or is likely to be spread by the sale or delivery of milk from any farm dairy or other place within or beyond the city and that the said milk is being sold or offered for sale in any shop or premises within the city or distributed therein from carts or otherwise at the risk of communicating such disease to the inhabitants the procurator fiscal shall apply to a magistrate or the sheriff for an order to prohibit the sale of milk so brought from and after due intimation of such order until the person affected has been removed or shall have recovered from such disease the premises have been disinfected and the bedding and clothing have been

Sale of milk from an infected farm or dairy to be prohibited.

A.D. 1890. — destroyed or thoroughly disinfected and until it is certified by the medical officer that the said premises are free from infection and in a proper sanitary condition and that the sale of milk from such place may be safely resumed and every person contravening such order shall for the first offence be liable to a penalty not exceeding five pounds and for a second and every subsequent offence to a penalty not exceeding ten pounds and the procurator fiscal shall immediately intimate to the local authority under the Public Health Acts of the parish or burgh in which such farm dairy or place is situated the facts which have come to his knowledge regarding the same in order that such further measures may be adopted in relation thereto as may be considered proper and as may be within the province of the local authority.

Power to
inspect meat
&c.

19. Any officer of the Police Commissioners or constable may at all reasonable times inspect and examine any carcase meat poultry game flesh fish fruit vegetables corn bread flour milk butter eggs or other article exposed or being conveyed for sale or deposited in any place for the purpose of sale or preparation for sale and intended or which might be used for human consumption the proof that the same was not exposed or being conveyed or deposited for any such purpose or was not intended or could not be used for human consumption resting with the party charged and if any such carcase meat poultry game flesh fish fruit vegetables corn bread flour milk butter eggs or other article appears to such officer or constable to be diseased or unsound or unwholesome or unfit for human consumption he may seize and carry away the same himself or by an assistant in order to have the same dealt with by a magistrate and should he seize the same in a public thoroughfare may require the person conveying the same to give his own name and address and that of the owner of the article seized and in default or if the officer or constable have reasonable ground for suspecting the names or addresses so given to be false may detain such person and give him into custody until his real name and address be ascertained Any person giving a false name or address to any officer authorised to demand the same under this section shall be liable to a penalty not exceeding five pounds.

Power of
magistrate
to order
destruction
of unsound
meat &c.

20. If it appears to the magistrate that any carcase meat poultry game flesh fish fruit vegetables corn bread flour milk butter eggs or other article so seized is diseased or unsound or unwholesome or unfit for human consumption he shall condemn the same and order it to be destroyed or so disposed of as to prevent it from being

exposed for sale or used for human consumption and the person to whom the same belongs or did belong at the time of exposure or conveyance for sale or in whose possession or on whose premises the same was found shall be liable to a penalty not exceeding twenty pounds for every carcase or fish or piece of meat flesh or fish or any poultry or game or for the parcel of fruit vegetables corn bread or flour or for the milk butter eggs or other article so condemned or at the discretion of the magistrate without the infliction of a fine to imprisonment for a term of not more than three months :

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The magistrate who under this section is empowered to convict the offender may be either the magistrate who ordered the article to be disposed of or destroyed or any other magistrate having jurisdiction.

21. Any person who in any manner prevents any officer or other person duly authorised by the Police Commissioners or any constable from entering any premises and inspecting any carcase meat poultry game flesh fish fruit vegetables corn bread flour milk butter eggs or other article exposed or deposited for the purpose of sale or of preparation for sale and intended or which might be used for human consumption or who obstructs or impedes any such officer or person or constable when carrying into execution the provisions of this Act shall be liable to a penalty not exceeding five pounds.

Penalty for hindering officer from inspecting meat &c.

22. On complaint made on oath by any officer or other person duly authorised by the Police Commissioners or any constable any magistrate may grant a warrant to any such officer or person or constable to enter any building or part of a building in which such officer or person or constable has reason for believing that there is kept or concealed any carcase meat poultry game flesh fish fruit vegetables corn bread flour milk butter eggs or other article which is intended for sale for or which might be used for human consumption and is diseased unsound or unwholesome or unfit for human consumption and to search for seize and carry away any such carcase or other article in order to have the same dealt with by a magistrate under the provisions of this Act :

Search warrant may be granted by a magistrate.

Any person who obstructs any such officer or person or constable in the performance of his duty under such warrant shall in addition to any other punishment to which he may be subject be liable to a penalty not exceeding twenty pounds.

23. Where any person is charged before any magistrate with the offence of selling or exposing or conveying for sale or of having in his possession for sale or preparation for sale any unsound or

Power to proceed against original seller of

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diseased
cattle &c.

diseased meat or any carcase meat poultry game flesh fish fruit vegetables corn bread flour milk butter eggs or other article unfit for human consumption and intended or which might be used for such consumption the procurator fiscal may if he thinks fit also proceed against the person from whom the person so charged purchased such carcase meat or things (in this section called the original seller) as if he were an offender art and part with the person so charged and as if he had committed such offence within the city provided that such carcase meat or things were unsound or diseased or unfit for human consumption at the time of the sale thereof by the original seller to the person so charged and the purchase by the person so charged or by any one on his behalf from the original seller wheresoever made or carried out shall be taken and deemed to be a sale by the original seller of the carcase meat or things in question within the city in premises kept and used for the sale of such carcase meat or things and the penalty and punishment provided by this Act shall also be applicable to and be leviable and recoverable from the original seller and all the powers authorities jurisdiction and forms of procedure given and provided by the Police Acts with reference to such offence shall be applicable to the prosecution trial and punishment of the original seller the proof that such carcase meat or things when so sold by the original seller were sound and fit for human consumption resting with the original seller.

Power to
enter byres.

24. The medical officer or sanitary inspector or any person acting under their orders provided with and if required exhibiting the authority in writing of such medical officer or sanitary inspector may from time to time within reasonable hours enter any byre or cowshed within the city or wherever situated if the milk produced therein is being sent for sale within the city and may inspect and examine any cow kept therein for the supply of milk in order to determine whether such cow suffers from any disease which might render the use of the said milk dangerous or injurious to health.

Owners of
cows to
assist the
medical
officer.

25. Every owner of any cow kept within the city for the supply of milk or wherever kept if the milk is being sent for sale within the city and every person in charge of the same shall render such reasonable assistance to the medical officer sanitary inspector or other person provided with and if required exhibiting the authority in writing of such medical officer or sanitary inspector for the purpose of inspection and examination as may be required by them and any person refusing such assistance or obstructing the inspection shall be liable in a penalty not exceeding five pounds and such

penalty may be sued for and recovered before the sheriff of the county in which such person is domiciled. A.D. 1890.

26. Every dairyman or keeper of a byre or cowshed whose milk is sold within the city who after intimation has been made to him by the Police Commissioners that any cow in his possession kept for the supply of milk for human consumption suffers from tuberculosis or any disease which might render the use of such milk for human consumption dangerous or injurious to health shall retain such cow in his possession shall unless the contrary be proved be presumed to have sold the milk produced by such cow for human consumption and shall be liable in a penalty not exceeding five pounds and such penalty may be sued for and recovered before the sheriff of the county in which such person is domiciled at the instance of the procurator fiscal. Intimation to be given of diseased cows.

27. Every person who knowingly sells or suffers to be sold or used for human consumption within the city the milk of any cow which is suffering from tuberculosis or any disease which might render the use of such milk dangerous or injurious to health shall be liable to a penalty not exceeding ten pounds for each offence and in any case where the person liable to a penalty under this section is not resident within the city such penalty may be sued for and recovered before the sheriff at the instance of the procurator fiscal. Penalty for selling milk of diseased cows.

28. If any dwelling-house is used for the purposes of sleeping in by a greater number of persons than in the proportion of one person of the age of ten years or upwards for every four hundred cubic feet of space or of one person of an age less than ten years for every two hundred cubic feet of space contained therein (exclusive of lobbies and closets and of recesses not perfectly clear from the floor to within two feet of the ceiling and from wall to wall) or by a greater number of persons than is marked thereon in pursuance of the provisions of section 378 of the Glasgow Police Act 1866 which is incorporated herewith as amended by this section every person so using or suffering it to be used shall be liable to a penalty not exceeding twenty shillings for every day or part of a day during which it is so used or suffered to be used and any persons authorised by the Police Commissioners and exhibiting their authority if called upon so to do may from time to time enter such dwelling-houses if they believe that the provisions of this section are being contravened. Penalty for overcrowding.

29. Every person who proposes to alter the structure of any existing dwelling-house or to adapt or use for human habitation Alterations on existing buildings

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A.D. 1890. — any building not being a dwelling-house or to alter the mode of occupancy of any existing dwelling-house in such a manner as to increase the number of houses or occupiers shall make application to the dean of guild court for a warrant for that purpose and shall be subject to the provisions of the Act of 1866 in regard to the erection alteration and use of buildings whether he is the sole proprietor or not or whether the alterations be or be not such as to affect the exterior dimensions thereof.

Watercloset
accommoda-
tion.

30. If and when required by the Police Commissioners the owner of every house within the city into which water has not already been introduced shall provide an ample supply of water convenient for such house to the satisfaction of the Police Commissioners and shall fit up in some window recess or other well-lighted and ventilated place a sink with a sufficient waste-pipe disconnected from the sewer and if and when so required every owner of houses which consist of not more than two apartments shall also provide to the satisfaction of the Police Commissioners adequate and suitable watercloset or other latrine accommodation as may be so required convenient to such houses and every owner of a house which consists of more than two apartments shall provide to the satisfaction of the Police Commissioners such adequate and suitable watercloset accommodation as may be deemed advisable by them in all cases with proper soil-pipes and all such sinks waste-pipes soil-pipes and waterclosets shall be properly supplied with water trapped and ventilated so as to prevent any leakage or effluvium therefrom and all sinks waste-pipes soil-pipes and waterclosets already existing or which may be fitted up under the provisions hereof shall be kept in complete repair. Provided always that the Police Commissioners shall from time to time give notice in writing to owners of houses which are not in conformity with these provisions requiring them within a period to be specified to make the necessary alterations under a penalty not exceeding five pounds and a further daily penalty not exceeding forty shillings.

Removal of
lobby doors.

31. No two or more dwelling-houses which contain less than two thousand cubic feet of air space each shall have access from an inside lobby or vestibule which is separated from the common stair landing by an outside door and if any owner of such dwelling on receiving a notice in writing from the sanitary inspector to remove the outside door thereof refuses to conform to the notice within a reasonable time the Police Commissioners may grant an order for its removal and recover from such owner in a summary manner as damages the costs of such removal.

32. If the medical officer the sanitary inspector and the master of works of the city shall certify in writing to the Police Commissioners that any house or building or part of a house or building is unfit for human habitation the Police Commissioners may by their order affixed conspicuously upon such house or building declare that the same is not fit for human habitation and it shall not after a date in such order to be specified be inhabited and every person who shall after the date or time mentioned in such order let or occupy or continue to let or occupy or suffer to be occupied such house or building or part of such house or building shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings Provided always that before pronouncing any such order the Police Commissioners shall require the owner to show cause against the said certificate within such time as they may consider reasonable and shall give such owner an opportunity of being heard before them and if he appear shall hear him and such evidence as he may adduce Provided also that if at any time after such order has been made the Police Commissioners shall be satisfied that such house or building or part of such house or building has been rendered fit for human habitation they may revoke or vary the said order and the same shall thenceforward cease to operate or be modified accordingly For the purposes of this section the Police Commissioners may act by a committee of their number and the quorum of the committee shall not be less than five :

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Houses unfit
for human
habitation.

Any person aggrieved by any order under this section may within five days from the date of intimation thereof appeal to the sheriff and the sheriff shall with all reasonable dispatch and if practicable within seven days after the presentation of the appeal dispose of the same with or without expenses and his decision shall be final and not subject to review but the confirmation of any such order by the sheriff shall not prevent the Police Commissioners if they are satisfied the house or building or the part of the house or building to which such order relates has been rendered fit for human habitation from revoking or varying such order.

33. The Police Commissioners may from time to time make such byelaws as they think fit for the following purposes viz. :—

Power to
make bye-
laws.

- (1) For the regulation of cemeteries ;
- (2) For the cleansing of common stairs sinks lobbies passages and waterclosets by the tenants in rotation ;
- (3) For the cleansing of unoccupied cellars and roofs of out-houses by owners ;

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(4) For the inspection of any carcase meat poultry game flesh fish fruit vegetables corn bread flour milk butter eggs or other article of food brought into the city and for the treatment and disposal of such as are unsound ;

(5) For the appointment of meat and food inspectors and regulating their powers and duties ;

(6) For the collection removal and disposal of the city manure :

Byelaws
may be
enforced by
imposition of
penalties.

Provided that such byelaws shall before coming into operation be confirmed by the Secretary for Scotland and may be enforced by penalties imposed by any such byelaws not exceeding five pounds for each offence and provided further that such byelaws shall be so framed as to allow the magistrate before whom any penalty imposed thereby is sought to be recovered to order the whole or part only of such penalty to be paid or to remit the whole penalty.

Dust &c.
collected to
be vested in
the Commis-
sioners.

34. The dust night soil dung ashes rubbish filth and manure (excepting always stable and byre dung mill dust and the ashes of any kiln engine furnace or baker's oven or the clinkers of any stove and the refuse of any breweries tanworks or chemical or other works or from building operations and trade refuse from manufactories or workshops) within the city elsewhere than on any quay or street of which the solum belongs to the trustees of the Clyde Navigation or to the Markets and Slaughter-houses Commissioners (herein called "the city manure") shall be vested in the Police Commissioners who shall have power to sell and dispose of the same as they think proper and the money arising therefrom shall be applied to the police purposes of the Police Acts.

Penalty for
depositing
other refuse
than city
manure in
dustbins &c.

35. Any person who deposits or causes to be deposited in any ashpit box bin or other receptacle provided for the deposit of the city manure any refuse or material other than city manure as herein-before defined shall be liable to a penalty not exceeding ten shillings for each such offence.

Removal
of dust
ashes and
other refuse.

36. The Police Commissioners may cause carts having a proper covering to prevent the escape of the contents thereof to pass through any street or district every morning or at such other times and between such hours as may be fixed by them for the purpose of collecting and removing the city manure from the lands and premises in and adjoining such street or district and may by public notice in one or more newspapers published and circulated in the city or by handbills posted or delivered in such street or district require the occupiers of lands and heritages within and adjoining such street or district to cause all their dust ashes and

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other material composing the city manure to be deposited in a suitable dust-box provided by them and to be approved of by the inspector of cleansing and placed daily on the outer side of the foot pavement opposite the lands and heritages occupied by them or at such other place near thereto as the inspector of cleansing shall appoint at the times and between the hours fixed as aforesaid and when such service is in operation in any such street or district the Police Commissioners may direct any ashpit in connexion with the lands and heritages in or adjoining such street or district to be shut up or removed and every occupier failing to comply with such notice or any person who interferes with such dust-boxes or their contents or who throws down or places on any public or private street or court close lobbies staircases waterclosets cellar roof or the roof of any outhouse any dust ashes filth or refuse shall be liable to a penalty not exceeding ten shillings for each offence.

37. The Police Commissioners may erect or continue public waterclosets privies and urinals in any of the public streets and may place movable or fixed boxes for the temporary deposit of street sweepings in any of the public streets or foot pavements and in such situations as shall in the opinion of the Police Commissioners cause the least inconvenience or nuisance and may defray the expense thereof and of keeping the same in good order.

Power to Commissioners to provide public privies and urinals.

38. The Police Commissioners may require owners to abolish privy cesspits or privies combined with ashpits and to provide instead pail closets or such other latrine accommodation and refuse receptacles as the Police Commissioners may approve of:

Providing for abolition of privies &c.

Any person who after the expiry of one month from the date of his having been served with written notice to make any such alterations neglects or refuses to carry it into effect shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings.

39. The expression "lodging-house" in the Glasgow Police Act 1866 shall from and after the passing of this Act mean a house or part thereof in which any person is lodged by the night at a rate not exceeding sixpence per night for each person whether the same be payable nightly or weekly or at any period not longer than a fortnight and shall include any place where emigrants are lodged and all boarding-houses for seamen irrespective of the rate charged for lodgings or boarding the expression "lodging-house keeper" shall mean the occupier of such lodging-house who lodges such person and the word "lodger" shall mean any person so lodged.

Definition of lodging-house lodging-house keeper and lodger.

[Ch. ccxxi.] *Glasgow Police (Amendment)* [53 & 54 VICT.]
Act, 1890.

A.D. 1890.

Power to
borrow.

40. In addition to the moneys which the Police Commissioners are authorised to borrow by the Police Acts they may from time to time borrow any moneys which they may from time to time require not exceeding in the whole thirty thousand pounds on the security of the police assessments leviable in virtue of the Police Acts and they shall apply the same in paying the expenses of this Act and in carrying into execution the police purposes of the Police Acts so far as such purposes are properly chargeable against capital and the Police Commissioners may from time to time re-borrow any moneys which have been repaid by them otherwise than by means of the sinking fund herein-after referred to.

Provision as
to sinking
fund.

41. The Police Commissioners shall after the first day of June one thousand eight hundred and ninety-one annually set apart a sum not less than two pounds ten shillings per centum on the amount for the time borrowed by them under the authority of this Act and they shall apply the same as a sinking fund in paying off the principal sum so borrowed.

Provisions of
Glasgow
Corporation
Loans Act
1883 to
apply.

42. For the purposes of the Glasgow Corporation Loans Act 1883 (herein-after called "the Loans Act") the power by this Act granted to the Police Commissioners to borrow shall be deemed a borrowing power within the meaning of section 7 of the Loans Act and to have been transferred to and vested in and to apply to and be exerciseable by the Corporation as if that borrowing power had been a borrowing power of the Police Commissioners at the commencement of the Loans Act and the provisions of that Act shall be applicable and shall apply to the borrowing powers by this Act granted to the Police Commissioners :

Provided always that any agreement which may be made or entered into between the Corporation and the Commissioners of Inland Revenue as to composition for stamp duty shall be in accordance with the provisions of the Customs and Inland Revenue Act 1887.

Saving
existing
annuities and
securities.

43. Nothing in this Act contained shall prejudice any bonds annuities debentures mortgages or assignments in security granted by the Police Commissioners under authority of the Police Acts or any of them and subsisting at the date of the passing of this Act and such bonds annuities debentures mortgages and assignments shall be and remain in full force and as valid and effectual in all respects as if this Acts had not been passed.

Saving
provisions
of Anatomy
Acts.

44. Nothing in this Act shall affect the provisions of the Anatomy Acts 1832 and 1871 And all bodies of persons deceased

[53 & 54 VICT.] *Glasgow Police (Amendment)* [Ch. ccxxi.]
Act, 1890.

without having relatives shall be disinfected and shall be removed and buried according to the provisions of the said Acts unless the inspector appointed under the said Acts shall give any general or special direction to the contrary.

A.D. 1890.

45. Sections 349 351 352 and 379 of the Act of 1866 are hereby repealed.

Repeal of
sections of
Act of 1866.

The repeal shall not affect—

- (A) The past operation of any enactment hereby repealed nor anything duly done or suffered under any enactment hereby repealed; or
- (B) Any right privilege obligation or liability required accrued or incurred under or in accordance with any enactment hereby repealed; or
- (C) Any penalty forfeiture or punishment incurred in respect of any offence committed against any enactment hereby repealed; or
- (D) Any power investigation legal proceeding or remedy in respect of any such right privilege obligation liability penalty forfeiture or punishment as aforesaid and any such power investigation legal proceeding and remedy may be exercised and carried on as if this Act had not passed.

46. The costs charges and expenses of and incident to the preparing for obtaining and passing of this Act as the same shall be taxed by the taxing officer of the House of Lords or the House of Commons and of carrying the same into execution shall be paid by the Police Commissioners out of the funds rates revenues and assessments they are authorised to raise.

Costs of Act.

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