



CHAPTER lxxiv.

An Act to authorise the lord provost magistrates and council of the city and royal burgh of Edinburgh to construct works to purchase and acquire lands to borrow money to amend Acts and for other purposes.

A.D. 1913.

[15th August 1913.]

WHEREAS the municipal and police administration of the city and royal burgh of Edinburgh and other matters connected therewith are vested in and managed by the lord provost magistrates and council thereof (herein-after called "the Corporation") under among others the Edinburgh Municipal and Police Acts 1879 to 1910 :

And whereas for the purpose of improving the condition of certain parts of the city and opening out the same for the more convenient conduct of traffic it is expedient that the Corporation should be authorised to construct the new street and carry out the widenings alterations and improvements of the streets and places as herein-after mentioned and should be empowered to acquire lands for those purposes and for the purpose of improving streets and thoroughfares :

And whereas estimates have been prepared by the Corporation for the purchase of lands and for the construction of the works as follows (namely) :—

	£
In the purchase of lands - -	17,500
For the construction of works -	15,654

And whereas the several works included in the said estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years :

And whereas it is expedient that the Corporation should be authorised to borrow money for the construction of the works

A.D. 1913. authorised by this Act and for the purchase of lands and for the other purposes of this Act and should be empowered to levy rates and assessments:

And whereas it is expedient that the Corporation should be authorised to provide and run motor-omnibuses and make charges for the conveyance of passengers therein:

And whereas it is expedient in the interest of the public health of the city that the Corporation should be authorised to regulate the conduct of farmed-out houses within the city and provide for the registration of the same:

And whereas it is expedient that theatres within the city should be licensed by the magistrates and that the magistrates should be authorised to make regulations for the safety comfort and convenience of the public in the same:

And whereas it is expedient to amend the Edinburgh Corporation (Superannuation) Order 1906 so that the persons hereinafter mentioned should become entitled to the benefits of the said Order and that the other provisions herein-after contained in respect to the said Order should have effect:

And whereas it is expedient that the powers in this Act contained in respect to the regulation of buildings should be conferred on the Corporation and that the powers of the Dean of Guild Court of the City should be amended and extended in accordance with the provisions herein contained in that behalf:

And whereas it is expedient that the provisions of the Edinburgh Municipal and Police Acts should be amended as herein-after mentioned:

And whereas it is expedient that the Corporation should be authorised to enter into and carry out agreements with any person with respect to carrying into effect any of the purposes of this Act and that the agreements set forth in the Schedules to this Act should be confirmed:

And whereas it is expedient that the further powers herein-after mentioned should be conferred on the Corporation:

And whereas plans and sections showing the lines and levels of the works authorised by this Act and the lands proposed to be taken for the purposes thereof and also a book of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands or houses which may be taken under the powers of this Act were duly

deposited with the principal sheriff clerk of the county of Midlothian and also with the principal sheriff clerk of the county of the city of Edinburgh and the same are herein-after respectively referred to as the deposited plans sections and book of reference : A.D. 1913.

And whereas the purposes of this Act 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

1. This Act may be cited for all purposes as the *Edinburgh Corporation Act 1913* and the *Edinburgh Municipal and Police Acts 1879 to 1910* and this Act may together be cited as the *Edinburgh Municipal and Police Acts 1879 to 1913*. Short and collective titles.

2. This Act is divided into Parts as follows:—

- Part I.—Preliminary.
- Part II.—New Works and Lands.
- Part III.—Motor Omnibuses.
- Part IV.—Farmed-out Houses.
- Part V.—Theatres.
- Part VI.—Assessments Borrowing Powers and Finance.
- Part VII.—Superannuation.
- Part VIII.—Sewers and Drains.
- Part IX.—Streets.
- Part X.—Dean of Guild Court and Building Regulations.
- Part XI.—Precautions during Building Operations &c.
- Part XII.—Prevention of Fraud.
- Part XIII.—Repeal and Amendment of Acts.
- Part XIV.—Miscellaneous.

Division of Act into Parts.

PART I.

PRELIMINARY.

3. This Act shall (except as otherwise provided) commence and have effect on and from the passing of this Act which date is herein-after referred to as “the commencement of this Act.” Commencement of Act.

A.D. 1913.
—
Interpreta-
tion.

4. In this Act and for the purposes of this Act (unless there be something in the subject or context inconsistent with or repugnant to such construction) the several words and expressions to which meanings are assigned by the Edinburgh Municipal and Police Acts shall subject to the provisions of this Act have the same respective meanings and the expressions following shall have the respective meanings in this section assigned to them:—

“The city” means the city and royal burgh of Edinburgh according to the municipal and police boundaries thereof existing at the commencement of this Act;

“The Corporation” means the lord provost magistrates and council or the magistrates and council of the city;

“The Edinburgh Municipal and Police Acts” means and includes the Edinburgh Municipal and Police Acts 1879 to 1910 and this Act;

“The Act of 1879” means the Edinburgh Municipal and Police Act 1879 as amended by any subsequent Municipal Act or Order;

“The Act of 1882” means the Edinburgh Municipal and Police Extension Act 1882;

“The Act of 1891” means the Edinburgh Municipal and Police (Amendment) Act 1891;

“The Act of 1893” means the Edinburgh Improvement and Municipal and Police (Amendment) Act 1893;

“The Extension Act” means the Edinburgh Extension Act 1896;

“The Act of 1896” means the Edinburgh Improvement and Tramways Act 1896;

“The Act of 1897” means the Edinburgh Corporation Act 1897;

“The Act of 1899” means the Edinburgh Corporation Act 1899;

“The Act of 1900” means the Edinburgh Corporation Act 1900;

“The Order of 1901” means the Edinburgh Corporation Order 1901;

“The Order of 1903” means the Edinburgh Corporation (Markets Slaughter-houses &c.) Order 1903;

“The Act of 1906” means the Edinburgh Corporation Act A.D. 1913.
1906;

“The Superannuation Order” means the Edinburgh Corporation (Superannuation) Order 1906.

5. The Lands Clauses Acts are incorporated with and form part of this Act. Incorporation of Acts.

PART II.

NEW WORKS AND LANDS.

6. Subject to the provisions of this Act and to the powers of deviation granted by this Act the Corporation may in the lines and situation and upon the lands in that behalf delineated on the deposited plans and described in the deposited book of reference and according to the levels shown on the deposited sections make construct maintain and use the works in the next section of this Act mentioned or some part or parts thereof together with all necessary and proper works and conveniences connected therewith or incidental thereto and may compulsorily or by agreement enter upon purchase take appropriate and use such of the lands and property shown on the said deposited plans and described in the deposited book of reference or such part or parts thereof as may be required for those purposes. Power to make new street street widenings and other works.

7. The works in the immediately preceding section referred to are the following (that is to say):— Works

- (1) An improvement widening straightening alteration of level and reconstruction wholly within the city and city parish of Edinburgh (Work No. 1) of the street called Gardner's Crescent or parts thereof and of the access road to Rosemount Buildings and Rosebank Cottages contiguous thereto commencing in line with the south side of Morrison Street and terminating at the south end of Gardner's Crescent in line with the north main wall of the building formerly known as Saint David's Church:
- (2) A new street or road wholly within the city and city parish of Edinburgh (Work No. 2) commencing at the termination of Work No. 1 and terminating in Fountainbridge at a point forty yards or thereabouts east of the line of the east side of Freer Street:

A.D. 1913.

- (3) A lowering and alteration of level widening and improvement wholly within the city and city parish of Edinburgh (Work No. 3) of part of the existing street of Fountainbridge commencing at a point therein eighty-seven yards or thereabouts westwards from the line of the west side of Ponton Street and terminating at a point in line with or opposite to the centre of Freer Street:
- (4) A widening alteration of level improvement and reconstruction wholly within the city and city parish of Edinburgh (Work No. 4) of the existing street called Semple Street the widening being on the east side thereof commencing in line with the centre line of Morrison Street and terminating in line with the north side of Fountainbridge:
- (5) A footpath wholly within the city and city parish of Edinburgh (Work No. 5) commencing at the north-east corner or terminus of Bernard Terrace thence eastwards terminating in line with the west side of St. Leonard's Street and at a point twenty-three yards or thereabouts southwards from the line of tenement building in Spittalfield Crescent:
- (6) A widening and improvement (Work No. 6) of West Mains Road situate in the parish of Liberton and within the county of Midlothian commencing at the junction of the said road with Mayfield Road and terminating at or about the eastern end of Blackford Avenue:
- (7) A diversion of the road known as West Savile Terrace towards the western end thereof (Work No. 7) within the city and city parish of Edinburgh commencing at a point one hundred and ninety-one yards or thereabouts west from the eastern boundary of Newington Works situate in West Savile Terrace and terminating at Blackford Avenue opposite the east end of Charterhall Road.

Purchase of
lands for
works and
street im-
provements.

8. The Corporation may subject to the provisions of this Act purchase take and acquire compulsorily or by agreement and may enter upon hold use and appropriate the lands houses and property respectively shown on the deposited plans marked thereon area A and area B respectively and described in the

deposited book of reference or any part or parts of the same for the purpose of street improvements The said lands houses and other property are the following:—

A.D. 1913.

AREA A.

The houses shops lands and other property situate within the area marked "A" and delineated on the deposited plans bounded by a line commencing at the south-east corner of property No. 112 Fountainbridge and extending northwards for a distance of eighteen yards or thereabouts thence eastwards for a distance of seven yards or thereabouts thence northwards for a distance of twenty-seven yards or thereabouts along the eastern boundary of the premises belonging or reputed to belong to Messrs. John Taylor & Sons (Edinburgh) Limited thence eastwards to the western boundary of property belonging or reputed to belong to the North British Railway Company thence southwards in a straight line to the north side of Fountainbridge thence westwards along the northern side of Fountainbridge to the point of commencement.

AREA B.

The triangular piece of land situate within the area marked "B" and delineated on the deposited plans bounded on the north by the line of the deviated road Work No. 7 on the south by the north line of the existing road of West Savile Terrace and on the west by the eastern line of Blackford Avenue.

9. If there be any omission mis-statement or erroneous description of any lands or of the owners lessees or occupiers of any such lands shown on the deposited plans or specified in the deposited book of reference the Corporation after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff for the correction thereof and if it appear to the sheriff that such omission mis-statement or erroneous description arose from accident or mistake he shall certify the same accordingly and shall in such certificate state the particulars of the omission and in what respect any such matter is mis-stated or erroneously described and the decision of the sheriff in such matter shall be final.

Omission or mis-statement in plans or book of reference may be corrected.

10. The certificate of the sheriff shall be deposited in the office at Edinburgh of the principal sheriff clerk of the county of Midlothian and a duplicate thereof shall be deposited at the office of the principal sheriff clerk of the county of the city of

Certificates to be deposited.

A.D. 1913. — Edinburgh and such certificate and duplicate shall be kept by such sheriff clerks respectively along with the other documents to which they relate and thereupon the deposited plans and book of reference shall be deemed to be corrected in accordance with the certificate and the Corporation may enter on purchase take hold and use for the purposes of this Act any lands in accordance with such certificate.

Period for compulsory purchase of lands.

11. The powers of the Corporation for the compulsory purchase of lands under the provisions of this Part of this Act shall cease after the expiration of three years from the commencement of this Act.

Period for execution of works.

12. If the works described in this Part of this Act and shown on the deposited plans are not completed within ten years from the commencement of this Act then on the expiration of that period the powers hereby granted for the execution of the same shall cease except as to so much thereof as is then completed.

Power to take servitudes &c. by agreement.

13. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Corporation any servitude right or privilege (not being a servitude right or privilege of water in which persons other than the grantors have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and ground annuals or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such servitudes rights and privileges as aforesaid respectively.

Owners may be required to sell parts only of certain properties.

14. And whereas in the construction of the works by this Act authorised or otherwise in the exercise of the powers of this Act it may happen that portions only of certain properties shown on the deposited plans may be sufficient for the purposes of this Act or any of them and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in such properties described in the First Schedule to this Act and whereof parts only are required for the purposes of this Act may if such portions can in the opinion of the jury arbiter or other authority to whom the question of disputed compensation shall be submitted

be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Corporation the portions only thereof so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required and taken by them and making compensation for any damage sustained by the owners thereof or other parties interested therein by severance or otherwise.

A.D. 1913.

15. For the purposes and during the execution of the several works which the Corporation are by this Act authorised to make and maintain and subject to the provisions of this Act the Corporation may temporarily break up or cross over or under alter or stop up any streets roads highways lanes paths bridges railways canals sidings passages sewers drains watercourses gas-pipes and water-pipes and electric or telephonic apparatus which they may from time to time find it expedient for any of those purposes so to interfere with providing a proper temporary substitute before interrupting the traffic on any such street road highway lane path bridge railway canal siding or passage or the flow of water gas sewage or electricity in any such sewer drain watercourse pipe or apparatus and making full compensation to all persons injuriously affected thereby.

Power to
alter roads
&c. tempo-
rarily.

16. In executing the works authorised by this Act or any of them the Corporation may deviate laterally to any extent within the limits of deviation defined on the deposited plans provided that no part of any work extends beyond such limits and they may deviate from the levels thereof as shown on the deposited sections to any extent not exceeding three feet.

Deviation.

17. The Corporation may subject to the provisions and for the purposes of this Act take down the whole or such part as they think fit of the buildings situate on any of the lands acquired by them under the authority of this Act and sell and dispose of the materials thereof and may use lay out and appropriate such lands or any part or parts thereof in such way and manner as they may deem best for effecting such purposes and for improving the health amenity and convenience of the city and the respective districts thereof and the Corporation may by public auction or private bargain re-sell feu out or grant leases of such portions of the lands and the buildings thereon which they may acquire as aforesaid as they may think proper on such terms and subject to such conditions as they

Corporation
may take
down build-
ings and lay
out lands and
sell or let
those not
required.

A.D. 1913. — may determine and for such prices feu duties ground annuals rents or other consideration as they can obtain for the same and may in like manner sell such feu duties and ground annuals and generally may deal with the lands and buildings acquired by them as aforesaid under this Act as absolute proprietors thereof.

Power to make subsidiary works &c.

18. Subject to the provisions of this Act and within the limits defined on the deposited plans the Corporation in connexion with the new street and the widened altered diverted extended and improved streets and other works by this Act authorised or any of them and for the purposes thereof may make junctions and communications with any existing streets roads wynds closes and thoroughfares and they may from time to time remove alter either temporarily or permanently all streets roads sewers drains mains and pipes which they find it necessary or convenient for any of the purposes of this Act so to interfere with making compensation to all persons who sustain any damage by any of the works in this section referred to.

Alterations of sewers and gas and water pipes.

19. In executing any works by this Act authorised the Corporation may raise sink or otherwise alter the position of any sewer or drain watercourse water-pipe or gas-pipe belonging to or connected with any building adjoining or near to the site of any such work and also any main sewer or any other main or pipe laid down or used for carrying a supply of water or gas and also any pipe tube wire or apparatus laid down for telegraphic or other purposes and may remove any other obstruction causing as little detriment and inconvenience as circumstances admit and making full compensation for all damage caused by any such alteration.

For protection of Postmaster General.

20. The Corporation shall not raise sink or otherwise alter the position of any telegraphic line (as defined by the Telegraph Act 1878) belonging to or used by the Postmaster General except under and subject to the provisions of the Telegraph Act 1878.

Alterations consequent on changing levels of streets to be made at expense of Corporation.

21. Where by reason of the execution of any of the works by this Act authorised the level of any street is raised lowered or otherwise changed or any alteration of any step door or entrance or access into any house or building or of any pavement sewer drain or culvert adjoining or belonging to any premises in the street is rendered necessary the alteration shall be made by and at the expense of the Corporation.

22. The Corporation may cause such parts of the widened altered extended or improved streets herein-before authorised to be laid out and formed as carriageways or open spaces or to be laid out and formed for foot passengers as they may think fit and may construct and provide in connexion therewith such vaults cellars arches sewers drains and other works and conveniences as they may think proper or may permit the owners or lessees of the lands or buildings on the sides of such streets to construct vaults and cellars under such streets and to hold or occupy such vaults and cellars upon such terms and conditions as may be agreed upon and upon such new and widened altered or improved streets being laid out and formed in manner above specified the provisions of the Edinburgh Municipal and Police Acts and any other Acts in force within the city for the time shall extend and apply thereto and the solum thereof shall be vested in the Corporation.

A.D. 1913.
Carriage and
foot ways
vaults cellars
&c. and
ownership
thereof.

23. When the Corporation have completed Work No. 7 (Diversion of the road known as West Savile Terrace towards the western end thereof) specified in section 7 of this Act and have opened for public traffic the new or diverted road the portion of the existing road of West Savile Terrace extending from the point where the new or diverted road joins the existing road westwards to a point thirty feet distant from the centre line of Blackford Avenue shall be stopped up and discontinued as a public street or thoroughfare and the land and soil of the said portion of the existing road so far as stopped up and discontinued as aforesaid with the exception of the road metal and kerb and water channels which the Corporation shall be entitled to appropriate and remove shall be and the same are hereby vested in the owner of the solum thereof freed and discharged from the public use thereof.

Power to
stop up
portion of
West Savile
Terrace.

24. The Corporation shall not in carrying out any of the works authorised by this Act or in the exercise of the general powers by this Act conferred themselves alter or interfere with the existing lines or levels of the mains or lines of pipes and apparatus connected therewith or any of them belonging to the Edinburgh and Leith Corporations Gas Commissioners (hereinafter referred to as "the gas commissioners") including consumers' pipes nor injuriously affect such mains lines of pipes or apparatus or interrupt the supply of gas conveyed by the same but all such alterations on or interference with the mains or pipes and apparatus connected therewith of the gas commissioners including

For protec-
tion of Edin-
burgh and
Leith Corpo-
rations Gas
Commis-
sioners.

A.D. 1913. — consumers' pipes as in the opinion of the engineer of the commissioners are necessary in consequence of the carrying out of any of the works authorised by this Act or in consequence of the exercise of the general powers by this Act conferred shall be executed by the gas commissioners at the expense of the Corporation and in all cases where works are to be executed by the gas commissioners to be paid for by the Corporation under this section the gas commissioners shall use every means in their power to have the same executed as economically and as expeditiously as possible but should any dispute arise between the parties as to the cost thereof the same shall be decided by arbitration in the manner herein-after provided and the gas commissioners shall furnish the Corporation from time to time during the progress of the works with detailed statements of labour and material employed in connexion therewith to enable the Corporation to check the same and all payments therefor shall be made by the Corporation within three months after the cost thereof has been certified by the engineer of the gas commissioners with interest at the rate of three per centum per annum from a date one month after such costs are certified and payment thereof demanded till paid and the Corporation shall before proceeding with any of the works authorised by this Act or putting into execution any of the general powers by this Act conferred whereby the gas mains or pipes or other apparatus including consumers' pipes may be interfered with or affected give at least fourteen days' previous notice of their intention so to do to the clerk to the gas commissioners and shall along with such notice submit plans and sections showing the intended alterations proposed by which any gas mains or pipes or other apparatus including consumers' pipes shall or may be affected or interfered with and said plans and sections shall be subject to the reasonable approval of the engineer to the gas commissioners.

For protection of Edinburgh and District Water Trustees.

25. The Corporation shall not in carrying out any of the works authorised by this Act or in the exercise of the general powers by this Act conferred themselves alter or interfere with the existing lines or levels of the mains or lines of pipes and apparatus or any of them belonging to the Edinburgh and District Water Trustees (herein-after referred to as "the water trustees") including consumers' pipes nor injuriously affect such mains lines of pipes or apparatus or interrupt the supply of water conveyed by the same but all such alterations on or interference with the mains or pipes and apparatus of the water

trustees including consumers' pipes as in the opinion of the engineer of the water trustees are necessary in consequence of the carrying out of any of the works authorised by this Act or in consequence of the exercise of the general powers by this Act conferred shall be executed by the water trustees at the expense of the Corporation and in all cases where works are to be executed by the water trustees to be paid for by the Corporation under this section the water trustees shall use every means in their power to have the same executed as economically and as expeditiously as possible but should any dispute arise between the parties as to the cost thereof the same shall be decided by arbitration in the manner herein-after provided and the water trustees shall furnish the Corporation from time to time during the progress of the works with detailed statements of labour and material employed in connexion therewith to enable the Corporation to check the same and all payments therefor shall be made by the Corporation within three months after the cost thereof has been certified by the engineer of the water trustees with interest at the rate of three per centum per annum from a date one month after such costs are certified and payment thereof demanded till paid and the Corporation shall before proceeding with any of the works authorised by this Act or putting into execution any of the general powers by this Act conferred whereby the mains or pipes or other apparatus of the water trustees including consumers' pipes may be interfered with or affected give at least fourteen days' previous written notice of their intention so to do to the clerk to the water trustees and shall along with such notice submit plans and sections showing the intended alterations proposed by which any water mains or pipes or other apparatus including consumers' pipes shall or may be affected or interfered with and said plans and sections shall be subject to the reasonable approval of the engineer to the water trustees.

A.D. 1913.

26. If any difference shall at any time arise between the Corporation and the gas commissioners or the water trustees or their respective engineers with respect to any of the matters referred to in the two immediately preceding sections of this Act or with reference to the time taken or required for executing any of the works or operations therein mentioned such difference shall be referred to and determined by an engineer to be agreed on by the Corporation and the gas commissioners or the water trustees as the case may be or failing such agreement to be

Differences
to be settled
by arbitra-
tion.

A.D. 1913. appointed by the sheriff on the application of either party as the case may be.

For protec-
tion of North
British
Railway
Company.

27. Where any sewer shall pass under or across or in any way affect or where the Corporation under the powers of this Act shall construct any other work affecting any railway or canal of the North British Railway Company (herein-after in this section called "the company") or any bridge tunnel or other work in connexion therewith the following provisions for the protection of such railway or canal or bridge tunnel or other work shall apply and have effect :—

- (1) Any such sewer or other work of the Corporation so far as affecting any railway or canal or bridge tunnel or other work of the company shall be executed and thereafter maintained under the superintendence and to the reasonable satisfaction of the engineer of the company and according to plans and specifications to be previously submitted to such engineer and approved by him in writing. Provided that if such engineer shall not have expressed his approval or disapproval of such plans and specifications within fourteen days after the same shall have been submitted to him he shall be deemed to have approved of them :
- (2) In the event of the Corporation and the engineer of the company differing in opinion in regard to any sewer or other work affecting the railway or canal or bridge tunnel or other work or as to the mode of carrying out such work or otherwise in relation thereto such difference shall on the application of the Corporation or of the company be referred to an engineer who failing agreement shall be appointed by the sheriff and the decision of such engineer shall be final :
- (3) Nothing contained in this section shall prejudice or affect any liability of the Corporation for compensation or damages to the company.

For protec-
tion of Cale-
donian Rail-
way Com-
pany.

28. The following provisions for the protection of the Caledonian Railway Company (herein-after in this section called "the company") shall unless otherwise agreed between the company and the Corporation apply and have effect (that is to say) :—

- (1) Before commencing any works or operations under the powers conferred on them by this Act in or over about or affecting any property or works or other subjects

belonging to or maintainable by the company or within a distance of sixty feet of said property works or other subjects the Corporation shall submit to the company for their approval plans and sections showing the nature of such works and the manner in which they are to be carried out and also (but only in so far as the said works or operations affect or are calculated to affect the said property works or other subjects) working drawings and specifications showing the design material and mode of execution thereof which approval shall not be unreasonably withheld and shall be deemed to have been given unless the company signify their disapproval within twenty-one days after submission of the said plans sections working drawings and specifications All the said works and operations shall in so far as they affect or are calculated to affect the said property works or other subjects be constructed carried on and completed in conformity only with the plans sections working drawings and specifications so approved at the sole risk and cost of the Corporation and at the sight and to the reasonable satisfaction of the company and all such works shall be maintained repaired or renewed by the Corporation in all time coming at their sole cost at the sight and to the satisfaction of the company Provided that in the event of the Corporation reconstructing altering or renewing any of the said works they shall subject as aforesaid submit plans and working drawings of such reconstruction alteration or renewal to the company for their approval and such reconstruction alteration or renewal shall be carried out only in conformity with the plans and drawings so approved all at the sole risk of the Corporation :

- (2) The Corporation shall not without the previous consent in writing of the company enter upon or interfere with any property works or other subjects belonging to or maintainable by the company further or otherwise than may be necessary for constructing and maintaining or effecting repairs to any of the said works and shall not under the powers of this Act take or acquire any lands or property of the company for the purposes of the said works :

A.D. 1913.

(3) The Corporation shall pay to and reimburse the company in all reasonable costs charges and expenses which they may incur in connexion with the approval of any plans sections working drawings and specifications which may be submitted to them for approval as aforesaid or the subsequent maintenance use alteration replacing or repair of the works by this Act authorised including (without prejudice to the said generality) any expenses which the company may reasonably incur in connexion with the employment of inspectors signalmen watchmen and others and for superintendence and all reasonable extra precautions for the safety and working of their traffic or protection of their property on account of the execution maintenance use alteration replacing or repair of the said works:

(4) All the said works and operations of the Corporation including the maintenance and any alteration replacing or repair thereof shall in so far as the same affect the property works or other subjects belonging to or maintainable by the company be constructed executed and completed by the Corporation at their sole risk and cost and so as not to injure or prejudicially alter or interfere with or endanger the structure or stability of any of the said property works or other subjects in or about which the said works may be constructed and the Corporation shall if necessary strengthen or support such property works or other subjects and should any danger injury interruption impediment or interference to or with the passage or conduct of traffic on any such railway be caused by or be in any way owing to the works or operations of the Corporation or the failure of or defect in the said works of the Corporation or be reasonably apprehended in connexion therewith the Corporation shall free of all expense to the company execute and do all such works as may be necessary to restore remove or prevent such injury danger interruption or impediment as the case may be or the company in their option and for any of these purposes may enter upon the works or property of the Corporation and execute and do all such works and things as

may be necessary to restore remove or prevent such injury danger interruption or impediment and the Corporation shall on demand repay to the company all reasonable costs and expenses incurred by them in connexion therewith Provided further that the Corporation shall pay all costs and expenses and shall make reasonable compensation to the company for all loss or damage including loss of traffic caused by such works and operations interruption impediment or interference to or with the said property works or other subjects :

A.D. 1913.

- (5) The Corporation shall also indemnify the company for all damages or compensation which may be recovered from them by reason of the interruption of traffic on their railways or by reason of any accident so far as such interruption or accident shall have been occasioned by or through the acts or default of the Corporation :
- (6) Nothing in this Act contained or which may be done in pursuance thereof shall prevent the company from maintaining repairing renewing altering or reconstructing the property works and other subjects belonging to or maintainable by them without incurring any liability to the Corporation for any loss injury damages or expenses which may arise from such maintenance repair alteration or reconstruction Provided that in the event of the company exercising any of such powers they shall do so in such manner as to cause as little damage and interference as practicable to and with the said works of the Corporation and shall (except in cases of emergency in which cases notice shall be given as soon as possible after the work has been commenced) give fourteen days' previous notice in writing to the Corporation before commencing any such operations as may affect any of the said works of the Corporation Provided that any extra expense which the company may incur in such reconstruction maintenance repair renewal alteration or reconstruction by reason of the existence of the said works of the Corporation shall be paid by the Corporation :

A.D. 1913.

(7) Any question or difference which may arise between the Corporation and the company as to the meaning of this section or as to any plans sections working drawings and specifications or as to any works or the design materials and mode of execution thereof or as to any expenses referred to in this section shall be determined by an arbiter to be agreed upon between the Corporation and the company or failing agreement to be nominated by the Board of Trade on the application of either party.

For protection of Water of Leith Purification Commissioners.

29. Nothing in this Act contained shall prejudice or affect the rights powers privileges and duties vested in the Water of Leith Purification and Sewerage Commissioners under their Acts.

Corporation empowered or may be required to underpin or otherwise strengthen houses near works.

30. And whereas in order to avoid in the execution and maintenance of the works by this Act authorised injury to the houses and buildings within one hundred feet of any of such works it may be necessary to underpin or otherwise strengthen the same Therefore the Corporation at their costs and charges may and if required by the owners or lessees of any such house or building shall subject as herein-after provided underpin or otherwise strengthen the same and the following provisions shall have effect (that is to say):—

- (1) At least ten days' notice shall unless in case of emergency be given to the owners lessees and occupiers or by the owners or lessees of the house or building so intended or so required to be underpinned or otherwise strengthened :
- (2) Each such notice if given by the Corporation shall be served in manner prescribed by section 18 of the Lands Clauses Consolidation (Scotland) Act 1845 and if given by the owners or lessees of the premises to be underpinned or strengthened shall be sent to the town clerk :
- (3) If any owner lessee or occupier of any such house or building or the Corporation as the case may require shall within seven days after the giving of such notice give a counter notice in writing that he or they as the case may be dispute the necessity of such underpinning or strengthening the question of the necessity shall

be referred to an engineer to be agreed upon or in case of difference to an engineer to be appointed at the instance of either party by the sheriff: A.D. 1913.

- (4) Such referee shall forthwith upon the application of either party proceed to inspect such house or building and determine the matter referred to him and in the event of his deciding that such underpinning or strengthening is necessary he may and if so required by such owner lessee or occupier shall prescribe the mode in which the same shall be executed and the Corporation may and shall proceed forthwith so to underpin or strengthen the said house or building:
- (5) The Corporation shall be liable to compensate the owners lessees and occupiers of every such house or building for any inconvenience loss or damage which may result to them by reason of the exercise of the powers granted by this section:
- (6) If in any case in which any house or building shall have been underpinned or strengthened on the requisition of the Corporation such underpinning or strengthening shall prove inadequate for the support or protection of the house or building against further injury arising from the execution or use of the works of the Corporation then and in every such case unless such underpinning or strengthening shall have been done in pursuance of and in the mode prescribed by the referee the Corporation shall make compensation to the owners lessees and occupiers of such house or building for such injury provided the claim for compensation in respect thereof be made by such owners within twelve months and by such lessees or occupiers within six months from the discovery thereof:
- (7) Nothing in this section contained nor any dealing with any property in pursuance of this section shall relieve the Corporation from any liability to compensate under the Lands Clauses Consolidation (Scotland) Act 1845 or under any other Act:
- (8) Every case of compensation to be ascertained under this section shall be ascertained according to the provisions of the Lands Clauses Acts.

A.D. 1913.

PART III.

MOTOR OMNIBUSES.

Power to
provide and
run motor
omnibuses.

31.—(1) The Corporation may provide maintain repair work and use (but shall not manufacture) motor omnibuses and may run the same within the city and may take demand and recover such reasonable fares and charges for the conveyance of passengers therein as may be approved by the Board of Trade or may lease or otherwise arrange for the maintenance repair working and running of such motor omnibuses.

(2) The Corporation may purchase by agreement take on lease and hold lands and buildings and may erect on any lands acquired by them omnibus carriage and motor houses buildings and sheds and may provide such plant appliances and conveniences as may be requisite or expedient for the establishment running and equipment of such motor omnibuses but the Corporation shall not create or permit any nuisance on any such lands.

(3) The Corporation may make byelaws for regulating the travelling and for the prevention of nuisances in their motor omnibuses and for the disposal of lost property found in said motor omnibuses Provided that any such byelaw shall be made subject and according to the provisions of the Edinburgh Municipal and Police Acts in regard to the making of byelaws.

(4) Every motor omnibus moved by electrical power shall be so equipped and worked as to prevent any interference with telegraphic communication by means of any telegraphs of the Postmaster-General.

(5) The Corporation shall subject to the provisions and conditions of the Conveyance of Mails Act 1893 perform in respect of the motor omnibuses provided under this section all the services in regard to the conveyance of mails which are prescribed by the said Act in the case of a tramway as defined by that Act and authorised as in that Act stated.

(6) In this section the expression “motor omnibus” means any stage carriage moved by mechanical power contained in or carried along with such carriage.

(7) The Corporation shall not during the currency of the existing lease of the Corporation tramways work use or run or lease or otherwise arrange for the working and running of

motor omnibuses within the city except with the consent in writing of the Edinburgh and District Tramways Company Limited. A.D. 1913.

PART IV.

FARMED-OUT HOUSES.

32. The Corporation may by resolution declare any house or part of a house not being a common lodging-house or a bonâ fide hotel to be a "farmed-out house" if such house or part of a house furnished or unfurnished is let or used or held for the purpose of being let or used as a one-roomed house or a number of separate one-roomed houses where—

Power to declare house to be a farmed-out house.

(1) Either (a) any rent or consideration therefor is paid or payable by the persons using such one-roomed house or any of such separate one-roomed houses on or before entry or within forty-eight hours thereafter or (b) there are four or more such one-roomed houses entering by a common stair or passage and let or permitted by the same keeper to be used as aforesaid; and

(2) The medical officer of health gives a certificate that such house either from its construction or the manner in which it is or is proposed to be used requires special supervision in the interests of public health.

The expression "farmed-out house" where occurring in this Part of this Act shall mean any house or part of a house which the Corporation shall have declared by resolution as aforesaid to be a farmed-out house :

And the expression "keeper" of a farmed-out house shall mean the owner tenant sub-tenant or other person who has or acts in the care and management of such a house.

33. The Corporation shall not pass any resolution declaring a house or part of a house to be a farmed-out house under this Part of this Act until the owner and tenant of such house or part of a house shall after one week's written intimation from the Corporation have had an opportunity of being heard by the Public Health Committee of the Corporation and showing cause against such resolution being passed and the Corporation may if they see cause in any case decline to pass the resolution The Corporation shall give intimation of the passing of any

Notice to be sent.

A.D. 1913. — resolution under the provisions of the immediately preceding section to the owner and tenant of any house or part of a house to which the resolution applies and to the keeper of the farmed-out house.

Appeal under
Part IV. of
Act.

34. Any owner tenant or keeper of such house or part of a house aggrieved by such resolution may within a period of one month from the date of intimation of the passing of such resolution appeal to the sheriff against such resolution and the sheriff shall thereafter hear parties and may take such means as he may consider proper for obtaining further evidence or information and either dismiss the appeal or if he considers that in the circumstances the resolution should not have been passed declare the resolution to be void and of no effect and his decision shall be final as regards the said resolution. Provided always that the Corporation may if they think fit after the expiry of one year pass another resolution under the provisions of this Part of this Act declaring such house or part of a house to be a farmed-out house.

Revocation
of resolution.

35. The Corporation may at any time voluntarily or shall on the application of the owner or keeper of a registered farmed-out house on cause shown revoke any resolution passed as aforesaid. In the event of the Corporation refusing an application by the owner or keeper of a registered farmed-out house for revocation of any such resolution the applicant may within one month from the date of such refusal appeal to the sheriff against the same and the sheriff after hearing parties and after such further procedure as he thinks necessary may either dismiss the appeal or grant the application and revoke the resolution and his decision shall be final as regards that application.

Power of
entry.

36. The medical officer of health may at all reasonable times enter any house or part of a house which he has reason to believe is liable to be declared a farmed-out house under the section of this Act the marginal note of which is "Power to declare house to be a farmed-out house" and the owner tenant sub-tenant factor agent or occupier shall give him free access to the house and every part thereof.

Registration
of farmed-
out houses.

37. The Corporation shall register every house or part of a house declared to be a farmed-out house and shall fix the maximum number of lodgers or occupiers to be kept in such house and in each apartment thereof and they shall cause to

be entered in the register the name and residence of the keeper of such farmed-out house The Corporation shall also enter in such register the situation of such house the number of rooms therein the number of lodgers or occupiers authorised to be kept therein and in each apartment thereof and any other particulars they may deem necessary. A.D. 1913.

38. Where any house or part of a house has been registered as a farmed-out house and where any person has been registered as a keeper of a farmed-out house application shall be made to the Corporation for the renewal of such registration as from the fifteenth day of May in every year and such application for renewal shall be lodged with the Corporation not later than the fifteenth day of March in each year but such application shall not be refused except on the ground that the sheriff has in the meantime granted an order under the next succeeding section for the removal from the register of the farmed-out house or the keeper thereof. Renewal of registration.

39. The Corporation may at any time apply to the sheriff for an order of removal from the register of any farmed-out house or of the keeper thereof on the ground that the owner tenant sub-tenant or keeper of such house has been convicted of any contravention of any of the byelaws made under this Part of this Act and the sheriff after hearing parties and taking into consideration the nature of the contravention may grant or refuse such order as he thinks fit. Removal from register.

40. It shall not be lawful to keep or use as a farmed-out house any house or part of a house declared to be a farmed-out house under the provisions of this Part of this Act or to receive or retain any lodgers or occupiers therein unless the registration of such farmed-out house be renewed and continued under the provisions of this Part of this Act. Houses not to be used as farmed-out houses unless registered.

41. A copy of an entry made in a register kept under this Part of this Act purporting to be certified by the person having the charge of such register to be a true copy shall be received in all courts and on all occasions whatsoever as evidence and shall be *prima facie* proof of all things therein registered without the production of the register or of any document act or thing on which the entry is founded or proof of the signature and every person applying at a reasonable time shall be furnished by the person having such charge with a certified copy of any such entry on payment of twopence. Copy of register to be evidence.

A.D. 1913.
Byelaws in
respect of
farmed-out
houses.

42. The Corporation may make byelaws respecting farmed-out houses within the city and in such byelaws may make provision as follows:—

- (1) For prescribing the procedure to be adopted in making application for the renewal of the registration of any such house and the keeper thereof:
- (2) For fixing the maximum number of persons who may occupy or use each room in such farmed-out house:
- (3) For enforcing sufficient watercloset accommodation and other appliances and means of cleanliness in proportion to the number of lodgers and occupiers and also for proper drainage of such houses:
- (4) For promoting the cleanliness lighting and ventilation of such houses:
- (5) For making provision in respect of the inspection of such houses and the conditions and restrictions under which such inspection may be made:
- (6) For prohibiting the keeper of such house from permitting any sub-tenant to occupy any apartment or room to which entry can only be had from another apartment or room occupied by a different sub-tenant.

Confirmation
of byelaws.

43. Byelaws made by the Corporation respecting farmed-out houses under this Part of this Act shall not take effect unless and until they have been submitted to and confirmed by the sheriff who is hereby empowered to allow modify or disallow the same as he may think proper nor shall any such byelaws be confirmed—

Unless notice of intention to apply for confirmation of the same has been given in one or more of the local newspapers circulated within the city one month at least before the making of such application; and

Unless for one month at least before any such application is considered a copy of the proposed byelaws has been kept at the office of the town clerk and has been open during office hours thereat to inspection without charge.

Any person aggrieved by any proposed byelaw or by any proposed alteration of a byelaw may within such last-mentioned month forward notice of his objection to the sheriff who shall consider the same before granting confirmation. The town clerk shall on the application of any ratepayer furnish him with a

copy of such proposed byelaws or any part thereof on payment of sixpence A byelaw when confirmed by the sheriff shall not require confirmation allowance or approval by any other authority. A.D. 1913.

44. A copy of all byelaws made by the Corporation respecting farmed-out houses under this Part of this Act shall be furnished gratis to every keeper of a farmed-out house and such keeper shall be bound to keep a copy thereof hung up in some conspicuous place in each room in which lodgers are received. Copy of byelaws to be furnished.

45. When a person in a farmed-out house is ill with any infectious disease the Corporation may without further warrant than this Act cause such person to be removed to hospital on the certificate of the medical officer of health or of any legally qualified medical practitioner that the disease is infectious and that the patient may be safely removed but if removal be considered dangerous to life by the medical officer of health or such medical practitioner and is so certified no lodger or occupier shall be admitted to such farmed-out house until it is certified free from infection and the Corporation may so far as they think requisite for preventing the spread of the disease cause any clothes or bedding used by such person to be disinfected or destroyed and shall pay to the owners of the clothes and bedding so disinfected or destroyed reasonable compensation for the injury or destruction thereof. Removal of persons from farmed-out house.

46. The keeper of a farmed-out house shall at all times when required by the medical officer of health give him free access to such house and every part thereof. Free access to be given.

47. If any person shall contravene any of the provisions of this Part of this Act or of any byelaw made by the Corporation under the powers of this Part of this Act he shall be liable to a penalty not exceeding five pounds and in the case of a continued offence to a further penalty not exceeding forty shillings for each day such contravention continues. Penalty.

48. Where a keeper of a farmed-out house is convicted of a third or any subsequent offence under any byelaws made under this Part of this Act it may be adjudged as the punishment or part of the punishment of such offence that he shall not at any time within three years or any shorter period after such conviction keep or have or act in the care or management of a farmed-out house. Keeper of farmed-out house convicted of offences.

A.D. 1913.

PART V.

THEATRES.

Theatres to
be licensed
by magis-
trates.

49. It shall not be lawful for any person to keep or use or to permit to be kept or used any house or premises within the city as a theatre or place for the public performance of stage plays or other theatrical representations entertainments or exhibitions (herein-after referred to as a "theatre") into which admission is obtained by payment of money or for money consideration without a licence from the magistrates which licence the magistrates may from time to time grant subject to such conditions as they may attach thereto and such licence shall continue in force for any period not exceeding one year unless the same shall be in the meantime forfeited by the magistrates and any person who shall offend against this enactment shall be liable in a penalty not exceeding twenty pounds for every day on which such theatre shall have been kept open by him for the purpose foresaid without licence as aforesaid and the provisions of the Theatres Act 1843 in so far as the same grants power to justices of the peace to license theatres shall not apply within the city Provided that the provisions of this section shall not prejudice any powers pertaining by statute to the Lord Chamberlain.

Fee for
theatre
licence.

50. A fee shall be payable for each theatre licence not exceeding three pounds three shillings and no such licence shall be granted to any person unless he is the actual and responsible manager of such theatre and the name and residence of the manager shall be printed on every playbill or other public notice announcing any representation at such theatre.

Magistrates
may make
byelaws and
regulations
for theatres.

51. The magistrates may from time to time make byelaws and regulations for the safety comfort and convenience of the public in theatres licensed as aforesaid and for maintaining order therein for the prevention or regulation of smoking for regulating the times at and during which theatres may remain open and for prohibiting the opening thereof on Sundays and any person contravening any of those byelaws and regulations or any condition attached to any theatre licence granted as aforesaid shall be liable to a penalty not exceeding ten pounds.

Penalty for
breach of
byelaws or
regulations.

52. In case of the breach of any such byelaws or regulations or conditions by the holder of any theatre licence the magistrates after hearing such holder may declare the said licence to be

forfeited or may suspend the same for any period and during such suspension the theatre to which the suspension applies shall be deemed to be unlicensed and the person who shall keep or use the same and also the manager thereof in addition to any other penalty he may incur shall be liable to a daily penalty not exceeding five pounds for each day on which any such theatre shall remain open during such period of suspension.

A.D. 1913.

PART VI.

ASSESSMENTS BORROWING POWERS AND FINANCE.

53. The Corporation are hereby authorised to impose assess and levy within the city and recover apply and use for the execution of the works authorised by this Act and for carrying out the other powers objects and purposes of this Act or any of them and for the acquisition of lands and heritages and servitudes or other property which may be required in connexion therewith the burgh assessments under their control and so far as in force for the time being within the city or so much of the said assessments as may be necessary for such purposes in the way and manner and by the same means as are provided in the *Edinburgh Municipal and Police Acts*.

Power to
apply burgh
assessment.

54. Subject to the provisions of this Act the Corporation are hereby authorised to borrow money for executing the works authorised by this Act and for carrying out the other powers objects and purposes of this Act or any of them and for the acquisition of lands and heritages servitudes and other property which may be required in connexion therewith on the security of the burgh assessments before mentioned under their control to be levied and applied and used as in this Act provided And they shall provide a sinking fund for the repayment of the sums so borrowed and sections 81 (Power to borrow money for the purposes of this Act) 82 (Power to borrow on cash credit) 83 (Mortgages to be recorded and assignations to be registered) 84 (Sinking fund) 86 (Borrowing power for current expenses) 87 (Powers may be enforced by appointment of judicial factor) 88 (Powers and duties of judicial factor) 89 (Magistrates and council not to be personally liable) of the Act of 1879 as to borrowing money are as amended and extended by the *Edinburgh Municipal and Police Acts* thereafter passed and this Act and so far as in force for

Application
of provisions
of Act of
1879 as to
borrowing
money.

A.D. 1913. — the time being within the city incorporated herewith and the powers and provisions therein contained as so amended and extended shall be held to apply to the purposes of this Act and to the money borrowed under the authority of this Act as if such sections as so amended and extended were re-enacted in this Act Provided that all moneys borrowed by the Corporation under the provisions of Part III. (Motor Omnibuses) of this Act shall be repaid within a period not exceeding five years from the date of the original loan.

Borrowing
power for
current ex-
penses for
electric
lighting
undertaking.

55. In order to raise such money as may be necessary to defray the current annual expenditure for the purposes of the electric lighting undertaking of the Corporation until the revenues from said undertaking are charged and collected the Corporation may borrow during the currency of any year from the fifteenth day of May in one year to the fifteenth day of May in the succeeding year on the security of the burgh assessments and such revenues in such way and manner as they may deem most expedient any sum or sums not exceeding in whole two third parts of the estimated amount of such revenues for the year then current from any bank or banking company or other company or person on such terms and conditions and in such form as may be agreed on between the parties Provided always that such sum or sums so borrowed shall as nearly as may be be paid off and extinguished at or before the fifteenth day of May concluding the year to which such borrowing applies.

Audit of
Corporation
accounts.

56. In the event of a vacancy occurring in the office of auditor of the Corporation accounts the Corporation shall appoint an auditor being a chartered accountant or a member of the Incorporated Society of Accountants and Auditors to be approved by the Secretary for Scotland and such auditor shall hold his office and perform the duties thereof subject to such terms conditions and instructions as the Corporation may with the approval of the Secretary for Scotland prescribe and the Corporation shall submit the Corporation accounts together with their books and the proper vouchers in support of the same to the auditor and shall give him every reasonable facility for carrying out the audit Provided that the present auditor shall perform the duties of his office subject to such instructions as the Corporation may with the approval of the Secretary for Scotland prescribe.

PART VII.

A.D. 1913.

SUPERANNUATION.

57.--(1) Notwithstanding anything contained in section 3 (Interpretation) of the Superannuation Order the expression "official" or "servant" where it occurs in that Order shall subject to the provisions of this Act extend and apply to—

Superannua-
tion allow-
ances.

- (A) James Matthews John Renton David Mackay John Macdonald Armour and Duncan Alexander Matheson who were formerly in the employment of the Edinburgh and District Water Trustees and have now been transferred to the employment of the Corporation;
- (B) Officials or servants in the permanent and exclusive service of the board of management of the Edinburgh College of Art of which the Corporation are the governors and who are in receipt of a salary or wages; and
- (C) Officials or servants in the permanent and exclusive service of the Edinburgh Public Libraries Committee established under the Public Libraries Consolidation (Scotland) Act 1887 and who are in receipt of a salary or wages:

Provided that for the purposes of this section the said board of management of the Edinburgh College of Art and the Public Libraries Committee respectively shall be deemed to be the employers and liable for all such obligations under the superannuation scheme established under the said Order as the Corporation would be liable for if such officials or servants had been officials or servants of the Corporation within the meaning of the superannuation scheme prior to the passing of this Act Provided further that the period of service of the before-named persons in the employment of the said water trustees prior to their transfer to the employment of the Corporation shall be for the purposes of the superannuation scheme reckoned as employment in the service of the Corporation and the services of the officials and the servants in the employment of the fore-said board of management of the college of art and the public libraries committee respectively prior and subsequent to the fifteenth day of May one thousand nine hundred and seven shall be reckoned for the purposes of said scheme as employment in the service of the Corporation.

A.D. 1913.

(2) The provisions of this section shall not apply to James Henry and James Langskill Archibald who have been transferred from the employment of said water trustees to the employment of the Corporation nor to Hew Morrison Charles Gordon and John Longmuir Donald who are in the employment of the said public libraries committee nor to any person named or included in the description in the immediately preceding subsection who shall intimate to the town clerk of Edinburgh within three months from the commencement of this Act that he elects to remain outside the provisions of the superannuation scheme established under the Superannuation Order.

(3) In so far as the provisions of subsection (1) of this section apply to the persons before named in subsection (1) (A) transferred from the employment of the Edinburgh and District Water Trustees to the employment of the Corporation there shall be paid to the treasurer of police of Edinburgh for behoof of the Corporation superannuation fund a sum equivalent to five per centum upon the salaries or wages of such of said persons as do not avail themselves of the option expressed in subsection (2) of this section from the fifteenth day of May one thousand nine hundred and seven to the dates when they respectively entered the service of the Corporation with interest at three per centum on the instalments of such sum as if the same had been paid in annual instalments on the fifteenth day of May. Provided that such sum shall be paid in the following manner that is to say That the said water trustees out of the rates rents and other revenues collected by them shall in respect of the provisions of this section in so far as the same are applicable to the persons before named in subsection (1) (A) who do not avail themselves of the option expressed in subsection (2) contribute to the superannuation fund two and a half per centum on the amount of the salaries of such persons for the period from the fifteenth day of May one thousand nine hundred and seven to the dates when they respectively entered the service of the Corporation with interest as aforesaid to the date of payment and that the persons not availing themselves of such option shall over and above the usual contributions in terms of the Superannuation Order contribute to said superannuation fund during the five years following the date of the commencement of this Act by equal annual instalments two and a half per centum on the amount of the salaries received by them during the period from the fifteenth day of

May one thousand nine hundred and seven to the dates when they respectively entered the service of the Corporation with interest as aforesaid to the respective dates of payment. A.D. 1913.

(4) In so far as the provisions of subsection (1) of this section apply to the officials and servants of the foresaid board of management of the Edinburgh College of Art and the Public Libraries Committee respectively there shall be paid to the treasurer of police of Edinburgh for behoof of the Corporation superannuation fund a sum equivalent to five per centum upon the salaries or wages of such of said officials or servants as do not avail themselves of the option expressed in subsection (2) of this section from the fifteenth day of May one thousand nine hundred and seven to the commencement of this Act with interest at three per centum on the instalments of such sum as if the same had been paid in annual instalments on the fifteenth day of May. Provided that sum shall be paid in the following manner that is to say That such board of management and public libraries committee respectively shall in respect of the provisions of this section in so far as the same are applicable to their respective officials or servants who do not avail themselves of the option expressed in subsection (2) contribute to the superannuation fund two and a half per centum on the amount of the salaries of such persons for the period from the fifteenth day of May one thousand nine hundred and seven to the commencement of this Act with interest as aforesaid to the date of payment and that such officials and servants not availing themselves of such option shall over and above the usual contributions in terms of the Superannuation Order contribute to said superannuation fund during the five years following the date of the commencement of this Act by equal annual instalments two and a half per centum on the amount of the salaries received by them during the period from the fifteenth day of May one thousand nine hundred and seven to the commencement of this Act with interest as aforesaid to the respective dates of payment.

58. In the case of an official or servant being temporarily unable to perform his duties through sickness or disablement and not receiving any wages or remuneration during such period or only receiving remuneration or wages at a reduced rate or for part of the period the Corporation may either treat the period of sickness or disablement for the purposes of the superannuation scheme as continuous service and in that case the

Temporary
sickness or
disablement.

A.D. 1913. — contributions of both parties shall be at the full rate accordingly or suspend the contributions during the period of sickness or disablement in which case such period shall not be reckoned as service for the purpose of the superannuation scheme.

PART VIII.

SEWERS AND DRAINS.

Sewer to
be formed
before build-
ing.

59. No house or building requiring drainage shall be erected fronting or having an access from any private street until a sufficient sewer has been constructed to the satisfaction of the Corporation in such private street by the superior or owner of such private street or until provision has been made to the satisfaction of the Corporation for the construction of a sewer to receive the drainage of such house or building.

Corporation
may require
sewers to be
constructed
of larger
dimensions
than pro-
posed by
owner.

60. When a sewer is proposed to be laid or constructed by any person for the drainage of his lands or of any houses or buildings erected or to be erected thereon and the said sewer is to be laid or constructed along any street laid out or to be laid out upon such person's lands the Corporation may require the said sewer to be formed of larger diameter than that required for such drainage and laid at such levels as may be required for the effectual drainage of other lands houses buildings or streets and the additional cost beyond the cost of a sewer sufficient for the effectual drainage of such person's lands in order to meet the requirements of the Corporation shall be paid by the Corporation as such additional cost shall failing agreement be determined by the engineer of the Local Government Board for Scotland whom failing by an engineer to be appointed by said board on the application of either party and immediately upon the completion thereof such sewer shall vest in and be maintained by the Corporation as a public sewer Provided always that as a condition of allowing any person or persons other than the owner through whose lands such sewer is constructed or his feuars to make use of such sewer for the drainage of his or their lands or of the houses and buildings to be erected thereon the Corporation shall be entitled to recover from such person or persons the additional cost of such sewer effeiring to his or their lands paid by the Corporation as aforesaid without interest and the owner through whose lands the sewer is constructed shall notwithstanding the provisions of this section be entitled to recover from his feuars or others making connexions with the said sewer the cost (so

far as not repaid to him by the Corporation) incurred by him in constructing such sewer. A.D. 1913.

61. No house or building shall be erected upon a lower level than will allow the drainage to pass into a sufficient sewer then in existence and no floor of a new or existing house or building and no cellar vault or chamber requiring drainage shall be formed or constructed at a lower depth than will admit of the drainage of the same passing to the satisfaction of the burgh engineer into a sufficient sewer then in existence The Corporation shall not be liable for any flooding of a floor cellar or vault constructed contrary to the provisions of this section.

No building to be erected upon a lower level than will permit of sufficient drainage.

62.—(1) The Corporation may for the purpose of providing ventilation for the existing sewers or drains or for such sewers or drains as may hereafter be constructed acquire by agreement lands and premises or wayleaves thereover and may construct all ventilating shafts furnaces and other means of ventilating the sewers and other works which may from time to time be found necessary.

Ventilation of sewers or drains.

(2) The Corporation may arrange with the owners of any suitable buildings having furnaces and chimney shafts so situated as to be available for the ventilation of the adjacent sewers and drains for such ventilation and may fix such ventilators pipes or shafts into on or against all such buildings or premises as to them may seem proper and as may be agreed on making reasonable compensation to the owners or occupiers thereof in respect of structural damage done or material injury occasioned to such buildings.

63. No waste or live steam hot water condensing water or other liquid of a temperature exceeding one hundred and ten degrees Fahrenheit and no grease petrol or other deleterious offensive combustible or explosive substance shall be discharged or permitted to pass or enter into any sewer within the city or any drain or branch or tributary sewer connected with any sewer vested in the Corporation except with the consent of the burgh engineer and subject to such conditions as he may prescribe.

Discharge of live steam hot water or deleterious substances into a sewer.

Every person who is guilty of a contravention of the provisions of this section shall be liable to a penalty not exceeding ten pounds and to a further penalty of five pounds for every day or part of a day during which such offence continues.

64. If any house or building and its pertinents within the city be at any time not drained by a sufficient drain or pipe

Drainage of houses or buildings.

A.D. 1913. communicating with some sewer to the satisfaction of the Corporation and if there shall be such means of drainage within one hundred yards of any part of such house or building the Corporation may require the owner of such house or building to construct or lay therefrom and maintain a covered branch drain or pipe of such materials of such size at such level and with such fall as they think necessary for the drainage of such house or building. If there shall be no such means of drainage within such distance the Corporation may require the owner to construct or lay from such house or building a covered branch drain or pipe as aforesaid and lead the same into a covered cesspool or tank to be constructed by such owner and suitably placed to the satisfaction of the Corporation and such drain or pipe and cesspool or tank shall be constructed cleansed and kept in complete repair to the satisfaction of the Corporation so as effectually to prevent any leakage or effluvium therefrom until a sewer is provided within one hundred yards of such house or building when the Corporation shall make a drain to connect with such new-made sewer and shall demolish and fill up any such cesspool and if any owner fails to commence the construction or repair of such branch drain and where necessary of such cesspool or tank within three weeks from the date of such requisition or to complete the same within six weeks of that date or within such longer periods as the Corporation may in their requisition determine the Corporation may themselves construct or repair or complete the construction or repair of such branch drain and where necessary of such cesspool or tank. All expenses incurred by the Corporation under this section shall be recoverable from the owner of such house or building as a debt at common law. No cesspool shall be constructed within one hundred feet of any dwelling-house or within two hundred feet of any well or spring of water without the consent in writing of the Corporation.

Drains and cesspools to be kept in good order by owners.

65. All branch drains as well within as without the premises to which they belong and all cesspools shall be under the survey and control of the Corporation and shall be reconstructed or altered repaired and kept in proper order at the costs and charges of the owners of the premises to which the same belong or for the use of which they are constructed or continued.

Inspection of drainage of houses or buildings.

66. The burgh engineer may and when requested by the medical officer of health or the chief sanitary inspector shall inspect the drainage of any house or building within the city and for that purpose may at all reasonable times in the day-

time enter upon any premises with such assistants or workmen as may be necessary and cause the ground to be opened where he thinks fit doing as little damage as may be and if such drainage be found to be in proper order and condition he shall cause the ground to be closed and made good as soon as practicable and any expense incurred shall in that case be defrayed by the Corporation. If the drainage of any house or building upon inspection is found to be in disrepair or to be constructed contrary to the requirements and regulations of the Corporation or contrary to the provisions of this Act the Corporation may require the owner of such house or building to repair or reconstruct such drainage or any part thereof in such manner and to such extent as they may think necessary for the effectual drainage of the house or building.

A.D. 1913.

67. No branch drain which has been newly laid or constructed and no existing branch drain which has been opened for repairs or for any purpose whatever shall be covered up before the same has been inspected and tested by the burgh engineer which inspection and test shall be made within twenty-four hours after notice has been received by the burgh engineer from the owner or agent or builder of the drain and any such owner agent or builder who covers up or causes to be covered up any such branch drain without giving such notice to the burgh engineer shall be liable to a penalty of five pounds and the burgh engineer may order such branch drain to be uncovered for the purpose of inspection and test at the expense of the owner agent or builder by whose instructions the drain was covered.

Notice to
be given
before drains
covered up.

PART IX.

STREETS.

68.—(1) The Corporation may from time to time place maintain alter and remove in any public street such raised paving or places of refuge with such pillars rails or other fences either permanent or temporary as they may think fit for the purpose of protecting passengers and traffic either along the street or on the footways from injury danger or annoyance or for the purpose of making the crossing of any street less dangerous to passengers or of facilitating the access to or exit from tramway cars or motor omnibuses.

Refuges &c.
in streets.

A.D. 1913.

(2) The Corporation may from time to time provide maintain alter and remove in any public street which has a greater width than eighty feet enclosures or pleasure grounds with such fences gates seats and erections as they may think fit and plant the same with trees shrubs flowers or grass.

Statues and monuments.

69. The Corporation may from time to time erect or authorise the erection in any street public park or public place within the city of any statue or monument and may maintain the same and also any statue or monument erected within the city before the commencement of this Act and may remove to another site any statue or monument which has been taken over or is maintained by them.

Carrying off rain-water from bridges.

70. Where any railway aqueduct or canal is carried by means of a bridge over any footpath street or court the owner thereof shall erect place and maintain to the reasonable satisfaction of the Corporation a screen under such bridge to carry off the rain-water or the moisture that flows from or percolates through such bridge to prevent the same falling on persons passing along such footpath street or court and any such owners failing to so erect place and maintain such screen within a time not less than twenty-one days to be specified in a notice from the Corporation to the owner shall be liable to a penalty of forty shillings for every day that default is made.

Distance buildings may be kept back from centre line of street.

71. Where any ground whether belonging to one or to more than one proprietor abuts on an existing street and is at the commencement of this Act for a continuous distance of one hundred yards or upwards along the street either unbuilt upon or not occupied by buildings of a greater height than fifteen feet within a maximum distance of thirty feet from the centre line of the street it shall not be lawful to erect any house or building after the commencement of this Act within the said distance from the centre line of the street without the written consent of the Corporation Provided that this section shall not apply to an existing street the plans of which have been approved of by the Corporation under the provisions of the Edinburgh Municipal and Police Acts within ten years prior to the commencement of this Act Provided further that this section shall not apply to the frontage to Morningside Road of the unbuilt-on ground forming part of the Falconhall Estate belonging to the Merchant Company Education Board.

72. It shall not be lawful without the written consent of the Corporation to erect or bring forward any house or building in any street or any part of such house or building beyond the front main wall of the house or building on either side thereof in the same street nor to build any addition to any house or building beyond the front main wall of the house or building on either side of the same Provided that where such front main wall is more than fifteen feet back from the street it shall be lawful to erect or bring forward any house or building up to fifteen feet from the street Provided further that it shall not be lawful in any event to erect or bring forward any house or building in any street so as to encroach upon the footpath or carriageway of such street Provided also that the provisions of this section shall not apply to any house or building to which the provisions of the immediately preceding section are applicable.

A.D. 1913.
Buildings
not to be
brought
forward.

73. No person shall in any new street or intended street commence to erect any new house or building or to excavate for the foundations thereof until such street or such portion thereof as shall be necessary for forming a proper approach to such house or building shall have been defined by posts and kerb or in some other sufficient manner to indicate the approved line and level thereof and where any such street or portion thereof has been so defined no new house or building fronting thereon shall be occupied until such street or portion thereof as aforesaid shall have been properly bottomed and made up with such suitable material as the Corporation may approve of and properly rolled down drained and levelled to the satisfaction of the city road surveyor and any person who shall offend against the provisions of this section shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding twenty shillings.

Level of
street to be
approved
before foun-
dation of
buildings
commenced.

74. Section 63 (Power to disapprove or to approve subject to conditions of plans and sections of proposed new street or court) of the Act of 1906 shall be read as if the following words were inserted immediately after subsection (4) of the said section (that is to say):—

Rounding off
of corners of
new streets.

“ (5) Provision that the corner of any such new street or
“ court at its junction with any other street or court
“ shall be rounded off or bevelled or splayed in such
“ manner and to such extent as the Corporation
“ may require but the extent of such rounding

A.D. 1913.

“ bevelling or splaying shall be according to the
“ following scale (that is to say):—

“ (i) Where the corner of such street forms a
“ junction at an angle of from 45 degrees upwards
“ the boundary wall or parapet enclosing such
“ angle shall be kept back a distance of not more
“ than 12 feet from the point of intersection of
“ the lines of the sides of the two streets forming
“ such angle :

“ (ii) Where the corner of such street forms a
“ junction at an angle of not less than 35 degrees
“ and under 45 degrees the boundary wall or
“ parapet enclosing such angle shall be kept back
“ a distance of not more than 14 feet from the
“ point of intersection of the lines of the sides of
“ the two streets forming such angle :

“ (iii) Where the corner of such street forms a
“ junction at an angle of less than 35 degrees the
“ boundary wall or parapet enclosing such angle
“ shall be kept back a distance of not more than
“ 20 feet from the point of intersection of the
“ lines of the sides of the two streets forming
“ such angle :

“ Provided always that in the formation of the
“ junction of streets according to the foregoing scale
“ the line joining up the two tangent points so
“ defined may be either a straight line to form a
“ splayed junction or rounded off to the satisfaction
“ of the Corporation.”

Duration of
approval of
plans of new
streets.

75. In the event of a new street of which plans and sections have prior to the commencement of this Act been approved by the Corporation under the provisions of the Edinburgh Municipal and Police Acts not being formed or laid out or only being partially formed or laid out within ten years from the commencement of this Act or where such approval has been given after the commencement of this Act within five years from such approval the approval granted by the Corporation to such plans and sections shall thereupon lapse as regards the said new street or portion thereof not laid out or formed and it shall be necessary before such new street or portion thereof is formed or laid out to submit a new application to the Corporation for approval of plans and sections of

such new street and any person who acts contrary to the provisions of this section shall be liable to the penalties provided for in section 43 (Penalty for forming streets and courts contrary to Act) of the Act of 1891. A.D. 1913.

76.—(1) Where in any private street or court houses or permanent buildings have been erected on one-fourth or more of the ground fronting or abutting on the same or where such ground has been otherwise than temporarily enclosed and laid out to at least the said extent and where the carriageway and footpavement or footpath of such street or court or any of them or any part thereof have not been sufficiently levelled made up constructed channelled paved and put in a complete and efficient state of repair to the reasonable satisfaction of the Corporation the Corporation may as and when they think fit by notice call upon the owners of the lands and heritages fronting or abutting on such street or court to free the carriageway and any footpavement or footpath thereof or any of them or any part thereof from obstruction and to properly level make up construct channel pave and complete the same in such way and manner and with such materials as the Corporation may prescribe and to the reasonable satisfaction of the Corporation within a time to be specified in such notice and in case any such notice is not complied with within the time so specified therein the Corporation may themselves at any time thereafter cause any such carriageway or footpavement or footpath or any part thereof to which such notice applies to be freed from obstruction and to be properly levelled made up constructed channelled paved and completed in such way and manner and with such materials as the Corporation may think fit and the costs and expenses which may be incurred by them in connexion therewith shall be recoverable as a debt from the owner or owners in default. Private streets how to be completed.

(2) Notwithstanding anything contained in section 34 of the Act of 1891 (Vesting of private streets in magistrates and council) the majority of the owners of lands and heritages fronting or abutting upon a private street or court or the superior or owner of the ground on which such street or court has been formed shall not be entitled to require the Corporation to declare the carriageway and the footpavements and footpaths or any of them of such street or court to be vested in them until the same have been sufficiently levelled made up constructed channelled paved and completed in such way and

A.D. 1913. manner and with such materials as the Corporation may approve
— of and to the reasonable satisfaction of the Corporation.

Appeal.

77. Any person aggrieved by any order deliverance notice or requisition under section 35 (Temporary repairs on private streets &c.) of the Act of 1891 section 46 (Buildings erected on certain made-up ground) of the Act of 1891 section 87 (8) (Ventilation of enclosed spaces) of the Act of 1896 and the section of this Act the marginal note whereof is (Private streets how to be completed) or any of them may appeal by way of summary application to either division of the Court of Session or in the time of vacation to the Lord Ordinary officiating on the bills which application shall be presented within fourteen days after the date of the intimation of any such order deliverance notice or requisition and any such appeal shall extend to any act to be done or suffered or any costs or the liability therefor to be incurred or recovered under any of such sections and the division of the said court to which the application shall have been made or in the time of vacation the Lord Ordinary officiating on the bills shall hear parties and determine the matter of the appeal with or without expenses Provided always that except by way of appeal under the provisions of this section it shall not be competent for any person upon or against whom any order deliverance notice or requisition is pronounced or served or any person deriving right from him to found upon or plead against the Corporation any objection to such order deliverance notice or requisition or to resist or oppose any demand or action at the instance of the Corporation for recovery of any costs or expenses paid or incurred by them under any of such sections.

PART X.

DEAN OF GUILD COURT AND BUILDING REGULATIONS.

Enclosed
beds.

78.—(1) No person shall build any house which shall have an enclosed bed or a bed recess which is not open in front from floor to ceiling for three-fourths of its length but such recess shall be deemed to be open although it is crossed by a carrying beam close to the ceiling.

(2) The Dean of Guild Court may on the application of the procurator fiscal require the owner of an existing house to open up to the extent set forth in the immediately preceding subsection any enclosed bed or bed recess in such house and in the

event of such owner failing to carry out the order of the Dean of Guild Court within one month he shall be liable in a penalty not exceeding five pounds and to a daily penalty of twenty shillings so long as such order is not carried out. A.D. 1913.

(3) When any application is made to the Dean of Guild Court for any alteration of an existing house the Dean of Guild Court may as a condition of granting warrant for such alteration require the owner of such house to open up to the extent set forth in subsection (1) of this section any enclosed bed or bed recess in such house.

79. No person shall build any tenement of houses or increase the number of houses in any existing tenement so that more than nine separate houses therein shall enter from one common stair or passage within the tenement or more than twelve separate houses shall enter from a common stair or balcony outside the tenement and the width of such common stairs passages balconies and stair landings shall in no case be less than four feet finished size in the clear and no person shall without the consent in writing of the Corporation increase the number of houses in any existing tenement where at the passing of this Act there are in such tenement more than nine separate houses entering from one common stair or passage within the tenement or more than twelve separate houses entering from a common stair or balcony outside the tenement. Number of houses in a tenement.

80.—(1) Every building used or intended to be used as a hotel restaurant hospital boarding-house common lodging-house farmed-out house or school shall be provided with such means of escape in the case of fire for the persons dwelling or employed therein or resorting thereto as the Dean of Guild Court may reasonably require on application being made to said court by the procurator fiscal. Means of escape from buildings in case of fire.

(2) Nothing contained in this section shall be deemed to interfere with the operation of section 14 (Provision of means of escape in case of fire) and section 15 (Byelaws for means of escape from fire) of the Factory and Workshop Act 1901 or of any Act amending the same.

(3) Any person who shall fail to provide within one month or such longer period as the Dean of Guild Court may allow such means of escape in the case of fire as the Dean of Guild Court may order shall be liable to a penalty not exceeding five

A.D. 1913. — pounds and to a daily penalty not exceeding forty shillings so long as the order of the Dean of Guild Court is not carried out.

Back greens
courts &c. to
be flagged.

81.—(1) The Corporation may require the owner or owners of any back green or open ground attached to a tenement or block of buildings containing eight or more houses or of any court passage or area used in common by the occupiers of such tenement to flag asphalt concrete or pave such back green or open ground court passage or area or any part or parts thereof and make a drain through or along the same or such part thereof as the Corporation require all to the satisfaction of the burgh engineer and keep such flagging asphaltting concreting or paving and drain in good repair.

(2) If such owner or owners shall for one month after notice in writing from the Corporation fail in any respect to comply with the provisions of subsection (1) of this section he or they shall be liable to a penalty not exceeding five pounds and to a daily penalty not exceeding forty shillings and the Corporation may themselves if they think fit do the work and recover the expense incurred by them in that behalf from such owner or owners.

PART XI.

PRECAUTIONS DURING BUILDING OPERATIONS &C.

Bars to
be erected
across streets
during
repairs or
alterations
and lights
placed at
night.

82. The Corporation shall during the construction or repair of any street or court and during the construction or repair of any sewers drains or other public works for which they are responsible take proper precaution against accident by shoring up and protecting the adjoining houses or buildings and may prevent any such street or court from being used as a common passage or thoroughfare while any such work is carried on and the Corporation shall cause any sewer or drain or such other work during the construction or repair thereof to be lighted fenced and guarded during the night so as to prevent accidents and every person who uses such street or court while so stopped as a common passage or thoroughfare or extinguishes any light without the authority or consent of the Corporation shall for every such offence be liable to a penalty not exceeding five pounds.

Hoardings
&c. to be set
up during
repairs.

83. Every person intending to erect or take down any house or building or alter or repair any house or building where any street or court or any part thereof may be obstructed or rendered

A.D. 1913.

inconvenient by means of such works shall obtain from the Corporation a permit in terms of the immediately succeeding section to occupy temporarily a portion of such street or court for the purpose of depositing building materials or erecting staging or scaffolding or otherwise in connexion with his operations and such permit being obtained shall put up and maintain to the satisfaction of the city road surveyor for such time as is specified in such permit or any extension thereof granted by the Corporation hoardings barricades or fences in order to separate the house or building from such street or court with convenient platforms and handrails if there be room enough to serve as footways for passengers outside of such hoardings barricades or fences and also substantial overhead coverings all of such description materials and dimensions and in such positions as the city road surveyor may direct and such person shall in all cases cause such hoardings barricades or fences and other works to be sufficiently lighted from sunsetting to sunrising and until such hoardings barricades or fences and other works are erected to the satisfaction of the city road surveyor and while and so long as they are not maintained as aforesaid the city road surveyor shall be entitled to prohibit and stop all operations in connexion with the erection taking down altering and repairing of such house or building and may take precautions by the appointment of watchmen or otherwise to ensure that such operations shall not be resumed until such hoardings barricades or fences and other works are erected and maintained as aforesaid and the city road surveyor shall be entitled to call upon any police officer or constable to render such assistance as may be required to enable him to carry the provisions of this section into effect and every such person who puts up any such hoarding or barricade or fence or other works without previously obtaining such permit so to do or who after obtaining such permit fails to put up and maintain as aforesaid during the time aforesaid and keep lighted from sunsetting to sunrising such hoardings barricades or fences and other works or who does not remove the same at the expiry of the period specified in such permit or of any extension thereof as aforesaid shall for every such offence be liable in a penalty not exceeding five pounds and a further penalty not exceeding forty shillings for every day while such default is continued.

84. In any case where in terms of the provisions of the Edinburgh Municipal and Police Acts the authority or consent

Permit for operations on streets.

A.D. 1913. — of the Corporation is required for any operations upon any street court footpavement or footpath or for the temporary occupation of any part of such street court footpavement or footpath such authority or consent may be granted by the Corporation by the issue of a permit which shall be signed by the town clerk or the city road surveyor or other officer for which permit a charge of two shillings and sixpence shall be made Provided that (1) any such permit shall be granted only for such time and shall be subject to the provisions regarding hoardings fences and other protective works specified in the Edinburgh Municipal and Police Acts where such provisions are applicable and shall also be subject to such further terms and conditions as the Corporation or the city road surveyor may prescribe (2) any person obtaining any such permit shall in erecting and maintaining such hoardings fences or other works or any of them or in carrying out any other term and condition of such permit obey any orders regarding the same that the Corporation or the city road surveyor may issue to him (3) the Corporation may on such grounds as to them shall seem reasonable grant an extension of the period originally prescribed in any such permit subject to the terms and conditions on which such permit was originally granted or on such modified or further terms and conditions as they may think proper and (4) the powers conferred by this section shall not prejudice or affect any of the rights and powers vested in the Dean of Guild Court of issuing warrants for the erection of hoardings and other structures for advertising purposes or of approving or disapproving of any crane scaffolding staging or shoring and no permit issued by the Corporation in terms of this section shall come in place of or entitle the person by whom or on whose behalf such operations are being carried out to dispense with the necessity of obtaining a warrant or approval of the Dean of Guild Court where such is required by any of the provisions of the Edinburgh Municipal and Police Acts.

PART XII.

PREVENTION OF FRAUD.

Penalty on committing frauds in weight of bread.

85. All bakers and dealers in bread shall on all bread made or exposed by them for sale (except fancy bread or rolls) impress thereon in large and distinct figures the imperial weight of such bread and any person who shall expose or offer for sale or sell any bread not so impressed shall be liable to a penalty not exceeding forty shillings for each offence and any person who

shall sell or offer or expose for sale any bread which shall be deficient or under the weight so impressed shall be liable to a penalty not exceeding forty shillings for each offence and it shall be lawful for the purposes of this section for any inspector of weights and measures to enter any premises where bread is exposed or kept for sale. A.D. 1913.

86. Any inspector of weights and measures or any police officer or constable may at all reasonable times enter any building or other place within the city in which any article is sold or is made up or kept or exposed for sale by weight or measure or in which articles are sold or are set apart or kept or exposed for sale in numbers or in which any article is weighed or measured or any articles are numbered with a view to their being bought or sold and require such articles to be weighed measured or numbered in his presence or he may stop any vehicle or any person carrying or in charge of any basket from which such articles are sold or kept or exposed for sale on any public or private street and require such article or articles to be weighed measured or numbered in his presence and if the weight measure or number thereof when so ascertained does not correspond with the weight measure or number thereof which has been represented by the person who has sold or made up or kept or exposed the same for sale or who has weighed measured or numbered the same with a view to purchase or sale such inspector or police officer or constable may seize impound and convey such article or articles to the nearest police station or to an office provided for the purpose by the Corporation and the person who has sold or made up or kept or exposed the same for sale or who has incorrectly weighed measured or numbered the same with a view to purchase or sale shall be liable to a fine not exceeding five pounds and for any subsequent offence ten pounds and in every case of conviction the magistrate or judge of police may declare such article or articles in so far as belonging to such person to be forfeited and to be dealt with and disposed of in such manner as the magistrate or judge of police may direct Provided that this section shall not be applicable to the sale or exposure for sale of bread. Penalty for deficient weight measure or number of articles sold &c.

PART XIII.

REPEAL AND AMENDMENT OF ACTS.

87. Section 19 of the *Edinburgh Slaughter-houses Act* 1850 sections 179 192 and 258 of the *Act of 1879* section 62 of the *Repeal.*

A.D. 1913. — Act of 1891 section 52 of the Act of 1891 and the provision in lieu thereof contained in section 80 of the Act of 1900 section 89 of the Act of 1896 section 73 of the Act of 1897 and section 58 of the Order of 1901 are hereby repealed.

Amendment
of Acts.

88. The Act of 1879 the Act of 1891 the Act of 1899 and the Order of 1903 are hereby amended as follows:—

- (1) Section 300 of the Act of 1879 shall be read as if the words “or by the clerk to the magistrates” were inserted after the word “them” occurring therein:
- (2) Section 323 of the Act of 1879 shall be read as if the words “and judges of police” were inserted after the word “magistrates” occurring therein:
- (3) Section 65 of the Act of 1891 shall be read as if the words “and for specifying what shall constitute and
“ operate as a forfeiture or revocation of any licence
“ granted in terms of said immediately preceding
“ section” were inserted after the word “carriage” first occurring therein:
- (4) Section 48 of the Act of 1899 shall be read as if the words “(3) Any person contravening or failing to
“ comply with any of the provisions of this section
“ or of any order or requirement issued in terms
“ thereof by the Dean of Guild Court shall be guilty
“ of an offence and shall for each such offence be
“ liable to a penalty not exceeding five pounds and
“ to a further penalty not exceeding forty shillings
“ for every day such offence is continued after con-
“ viction thereof which penalty and further penalty
“ shall be without prejudice to the enforcement of
“ compliance with the provisions of this section or
“ of any such order or requirement in any manner
“ or way which would be competent by law if no
“ such penalty was provided for Any such penalty
“ or further penalty may be sued for and recovered
“ at the instance of the procurator fiscal of the Dean
“ of Guild Court before said court” were inserted at the end of the said section:
- (5) Section 51 of the Act of 1899 shall be read as if the words “or the Dean of Guild Court” occurring therein were omitted therefrom:

- (6) Section 52 of the Act of 1899 shall be read as if the words "except in the case of penalties which may be sued for and recovered at the instance of the procurator fiscal of the Dean of Guild Court before the said Court" were inserted after the word "may" occurring in the said section: A.D. 1913.
- (7) Section 11 of the Order of 1903 shall be read as if the words "in addition to rents for separate booths" and the proviso at the end of the said section were omitted therefrom:
- (8) Section 47 of the Order of 1903 shall be read as if the words "or other" were inserted after the words "independent supply of electrical" occurring in the portion of the said section relating to stand-by supply of electrical energy.

PART XIV.

MISCELLANEOUS.

89. The agreement set forth in the Second Schedule to this Act made between Colonel Robert Gordon Gordon Gilmour and the lord provost magistrates and council of the city of Edinburgh is hereby confirmed and shall have effect according to the true intent and meaning thereof and the price stipulated for under article second of the said agreement shall be paid to the said Colonel Robert Gordon Gordon Gilmour as if he were a proprietor in fee simple. Confirmation of agreement with Colonel Gordon Gilmour.

90. The agreement set forth in the Third Schedule to this Act made between the lord provost magistrates and council of the city of Edinburgh and the Caledonian Railway Company and the North British Railway Company is hereby confirmed and shall have effect according to the true intent and meaning thereof. Confirmation of agreement with Caledonian and North British Railway Companies.

91. The agreement set forth in the Fourth Schedule to this Act made between the Corporation of Edinburgh and the North British Railway Company is hereby confirmed and shall have effect according to the true intent and meaning thereof. Confirmation of agreement with North British Railway Company.

92. The agreement set forth in the Fifth Schedule to this Act made between Colonel Robert Gordon Gordon Gilmour and the lord provost magistrates and council of the city of Edinburgh is hereby confirmed and shall have effect according to the true intent and meaning thereof. Confirmation of agreement with Colonel Robert Gordon Gordon Gilmour.

A.D. 1913.

As to election of representatives of Corporation on Leith Dock Commission.

93. From and after the commencement of this Act and notwithstanding anything in section 3 (New commissioners to be appointed in place of commissioners appointed under 7 George 4 c. 105) of the Act 1 and 2 Vic. cap. 55 and in the Leith Harbour and Docks Act 1875 contained any one or more of the three commissioners to be elected by the Corporation as Commissioners for the Harbour and Docks of Leith may if the Corporation see fit be a member or members of the Corporation.

Power to alter date of annual meeting of contributors to Royal Infirmary of Edinburgh.

94. Notwithstanding anything contained in the Royal Charter granted by His Majesty King George the Second and dated the twenty-fifth day of August one thousand seven hundred and thirty-six incorporating the Royal Infirmary of Edinburgh or in the Edinburgh Royal Infirmary Act 1870 when in any year the first Monday of January is a public holiday the annual meeting for the election of managers and the annual meeting of the General Court of Contributors of the said Corporation may be held on any day between the first and the seventh days of January in such year both days inclusive and may be adjourned to such other day either within or beyond that period as the meeting may determine and when in any year the said annual meetings are to be held as herein provided on a date other than the first Monday of January then in that event such date shall be fixed by the General Court of Contributors at their annual meeting or any adjournment thereof in January of the previous year and shall be duly advertised at least a fortnight before the date fixed as aforesaid and any business transacted at a meeting fixed as herein provided shall be as binding and effectual as if transacted on the date prescribed by the said Royal Charter and Act of Parliament Provided that if the said General Court of Contributors fail to fix the date for the next annual meeting as herein provided the date may be fixed by resolution of the board of managers at any ordinary meeting of managers in the previous year but not later than the first meeting of managers in the month of December in the previous year Provided further that any omission to advertise the date of a meeting fixed as hereinbefore provided shall not invalidate anything done at such meeting when held.

Restriction on advertising vehicles.

95.—(1) In any of the following streets within the city that is to say Princes Street North Bridge North Bridge Street and Lothian Road it shall not be lawful for any person to use or cause to be used any vehicle or movable board or

structure whatever be its form or construction for the purpose exclusively or principally of displaying advertisements or to carry or cause to be carried by any person for advertising purposes any board placard picture print or notice. A.D. 1913.

(2) Subject to the provisions of subsection (1) of this section it shall not be lawful for any person to use or cause to be used in any street within the city any vehicle or movable board or structure whatever be its form or construction for the purpose exclusively or principally of displaying advertisements (other than a board or placard carried by one man) unless such person shall have previously obtained a licence from the Corporation empowering him so to do which licence and the vehicle board or structure to which the same applies shall by number or otherwise have corresponding marks of identification. Subject to the terms of subsection (3) of this section the Corporation shall be entitled to refuse any application for such a licence or to grant the same for such time and subject to such terms and conditions as they may think fit.

(3) Any person aggrieved under subsection (2) of this section by the refusal of the Corporation to give a licence or by the terms or conditions attached to such licence may appeal to the sheriff by lodging with the sheriff-clerk of the county of Midlothian a note of appeal within fourteen days after intimation of the resolution of the Corporation to refuse the licence which note of appeal shall state the grounds of such appeal and be signed by the appellant or his counsel or agent and the sheriff shall order a copy of the note of appeal to be served on the Corporation and appoint them within six days after such service to lodge answers thereto and shall thereafter hear parties and may if he so requires take such means as he may consider proper for obtaining further information and either dismiss the appeal or if he finds that the Corporation in refusing the licence have not reasonably exercised their discretion under this Act he may grant the licence for a period not exceeding one year and shall pronounce such order regarding expenses as he may deem just.

(4) Any person who acts in contravention of the provisions of this section or who violates or fails to implement the conditions of any licence granted to him in pursuance of such provisions shall be guilty of an offence and shall for each such offence be liable in a penalty not exceeding five pounds and in a further penalty not exceeding forty shillings for every day such offence is continued after conviction thereof.

A.D. 1913.

Penalty on
persons com-
mitting cer-
tain offences.

96. Every person who shall commit any of the following offences within the city shall be liable to a penalty not exceeding forty shillings (that is to say):—

- (1) Every person who in any street public park or public place uses any profane obscene abusive or indecent language to the annoyance of any person or who uses any threatening abusive or insulting words or behaviour calculated to provoke a breach of the peace or whereby a breach of the peace is or may be occasioned :
- (2) Every person who shall lay or throw or cause to be laid or thrown upon any street court seashore or public place any glass pottery nails wire thorns or other articles or things having sharp edges or points :
- (3) Every person who distributes in any street or court handbills pamphlets leaflets or other printed matter or things excepting those relating to political meetings or purposes.

Corporation
may make
byelaws for
certain pur-
poses.

97. The Corporation in addition to the powers conferred upon them by the Edinburgh Municipal and Police Acts may from time to time make byelaws for all or any of the following purposes (that is to say):—

- (1) For regulating the hawking selling or offering or exposing for sale in streets and public places of goods or articles of any description whatever other than newspapers :
- (2) For regulating the conveyance of manure offal or other noxious matter or thing through the streets of the city and for prescribing the time and the routes for such conveyance :
- (3) For the construction and arrangement of the drainage of buildings and of soil pipes and waste pipes and the construction and position of waterclosets slop sinks and rain-water pipes and rhones.

Recovery of
penalties.

98. Except where otherwise provided in this Act any penalty imposed by this Act or by any byelaw made in pursuance of the provisions of this Act shall be recoverable at the instance of the procurator fiscal in the burgh court.

Settlement of
compensation
by single
arbiter.

99. In all cases of disputed compensation under the Edinburgh Municipal and Police Acts or any Public General Act whereby the Corporation is entitled to acquire land compulsorily

under the Lands Clauses Acts or whereby any compensation payable by the Corporation falls to be determined under the last-mentioned Acts it shall unless both parties concur in the appointment of a single arbiter in terms of such Acts be in the power of either party to apply to the Secretary for Scotland to appoint a single arbiter to determine the compensation to be paid and it shall not be competent thereafter to have the same determined by arbiters oversman sheriff or jury acting under the said last-mentioned Acts The said arbiter upon appointment shall be deemed to be a sole arbiter within the meaning of the Lands Clauses Acts and the provisions of those Acts with regard to arbitration shall apply accordingly and subject to the provisions of section 49 (Arbitration costs to be taxed) of the Act of 1899 the arbiter shall notwithstanding anything in those Acts determine the amount of the expenses in the arbitration and such determination shall be final The remuneration of such arbiter shall failing agreement be fixed by the Secretary for Scotland The expression "land" in this section includes water and any right or servitude to or over land or water Provided that this section shall not apply in any case where the Act or Order authorising the acquisition of land or determining the compensation as aforesaid makes special provision for the appointment of a single arbiter or to lands delineated on the plans and described in the books of reference respectively deposited in connexion with any of the said Acts or Orders passed prior to the commencement of this Act which the Corporation has under the said Acts or Orders or any of them been authorised to acquire compulsorily.

100. Nothing in this Act shall affect prejudicially any estate right power privilege or exemption of the Crown or shall subject to the provisions of this Act any lands buildings or works vested in or occupied by the Crown or any department of His Majesty's Government except to such extent as His Majesty or such department may voluntarily agree.

101. All costs charges and expenses attending the preparation obtaining and passing of this Act and incidental thereto shall be paid out of the common good or burgh assessments or any money to be borrowed under this Act And if any such costs are paid out of borrowed money the amount thereof shall be repaid within the period of five years from the commencement of this Act.

A.D. 1913.

The SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

SCHEDULE OF LANDS AND BUILDINGS OF WHICH PORTIONS ONLY
MAY BE TAKEN WITHOUT TAKING THE WHOLE.

Parish.	Numbers on deposited Plans.
City Parish of Edinburgh - - -	2 5 7 12 13 14 15 16 17 20 21 22 23 24 25 26 33 34 36 37 40 42 43 47.
Parish of Liberton - - - -	44.

THE SECOND SCHEDULE.

AGREEMENT between Colonel ROBERT GORDON GORDON GILMOUR of Liberton and Craigmillar C.V.O. C.B. D.S.O. of the first part (herein-after called "the first party") and the LORD PROVOST MAGISTRATES AND COUNCIL OF THE CITY OF EDINBURGH of the second part (herein-after called "the second parties").

WHEREAS the first party is heir of entail in possession of the entailed lands and barony of Liberton and the second parties are the road authority within the city of Edinburgh :

Whereas it is expedient that the streets known as Blackford Avenue and West Mains Road in the city of Edinburgh should be widened as after mentioned :

And whereas the first party has agreed (subject to the authority of Parliament being obtained as herein-after provided) to sell to the second parties for the purpose of making each of the said streets sixty feet in width two strips of ground herein-after described forming parts of the said entailed lands and barony and that on the terms and conditions after specified :

Therefore the parties hereby agree as follows:—

First—Subject to the conditions after written the first party binds himself and so far as he is able to do so the heirs of entail succeeding to him in the said lands and barony of Liberton to sell to the second

parties (first) a strip of ground on the south side of West Mains Road averaging forty feet or thereby in width and extending to seven thousand three hundred and seventeen superficial yards or thereby which strip of ground is shown in pink upon the plan annexed and signed as relative hereto and (second) a strip of ground on the north and north-east sides of Blackford Avenue and the north side of West Mains Road and extending to four thousand seven hundred and eighty-one superficial yards or thereby which last-mentioned strip of ground is shown in blue upon the said plan and has an average width of thirty-one feet and two-thirds of a foot or thereby so far as ex adverso of the said existing street of Blackford Avenue and when thrown into said street will have the effect of making the new frontage of the lands belonging to the first party so far as ex adverso of the unbuilt-on frontage of the lands of Mortonhall to said street a distance of forty feet from the centre line of the street of Blackford Avenue as existing in one thousand eight hundred and seventy-seven and indicated on the Ordnance Survey of that year.

A.D. 1913.

Second—The price to be paid by the second parties to the first party or his foresaids for the said strips of ground shall be two hundred and sixty-seven pounds two shillings and eleven pence which sum the second parties shall pay to the first party or his foresaids one month after parliamentary sanction has been obtained as after mentioned in exchange for a valid disposition of the said strips of ground by the first party or his foresaids in favour of the second parties. The said strips of ground shall be conveyed free of all feu duties casualties duplicands ground annuals minister's stipend and other similar burdens. The second parties shall pay to the first party interest on the said price at the rate of four per centum per annum from the expiry of the said period of one month until payment.

Third—The second parties shall be bound at their own expense and (except as after mentioned) without having any claim in respect thereof against the first party or his feuars or others deriving right from him to form the said strips of ground as part of said streets of West Mains Road and Blackford Avenue respectively with a suitable curve at the junction of said streets as shown upon the said plan. Such roads shall each consist of a carriageway and a footpath on either side thereof with relative water channels and the second parties shall after the same shall have been formed maintain the said carriageway and water channels in all time coming and the said footpaths till paved as after mentioned. When any part of the ground fronting either of the said streets as widened is built upon or permanently laid out the first party or his foresaids shall forthwith be bound to lay the portion of the footpath on the side of such road next to and ex adverso of the part of said ground so built upon or laid out with cement paving having relative stone kerb all to the satisfaction of the second

A.D. 1913. parties' road surveyor for the time being and the second parties shall thereafter maintain the same.

Fourth—The said road widenings shall be carried out from time to time as feuing along these roads proceeds or in the option of the second parties at such earlier time or times either before or after parliamentary sanction has been obtained as after mentioned as they shall determine but in the event of either of the said road widenings or any part thereof being proceeded with at any time other than during the progress of feuing along the said roads the second parties shall be bound (first) to pay and settle and free and relieve the first party of all claims for unexhausted manures loss of crop seed and labour or otherwise (excepting only claims for reduction of rent which shall be settled by the first party) competent to the tenant of West Mains Farm or other tenant in respect of the said strips of ground or such parts thereof as are taken possession of by the second parties and (second) to erect a sufficient fence along the said road as widened which fence so far as enclosing the piece of ground used as a garden in connexion with West Mains farmhouse shall consist of a stone and lime wall eight feet high with suitable cope.

Fifth—In respect that the first party holds the said lands and barony under the fetters of an entail the second parties shall be bound to insert a clause or clauses in the Provisional Order or Bill to be next promoted by them in Parliament empowering the first party or the heirs succeeding to him in the said entailed lands and barony to carry out this agreement and to use their best endeavours to get the said clause or clauses carried into law declaring that in the event of the second parties breaking ground in connexion with the widening of either of the said roads before parliamentary sanction is obtained as aforesaid they shall be bound to consign the said purchase price in the head office of the Royal Bank of Scotland in the joint names of the parties hereto pending the said parliamentary sanction being obtained when the price with accrued interest shall be paid over to the first party or his foresaids.

Sixth—The small portion (coloured green on said plan) of the solum of the existing West Mains Road which will be cut off from the new line of street by the formation of the curve at the junction of the said streets as herein-before specified shall be retained by the first party and his foresaids free of all burdens so far as the second parties are concerned.

Seventh—The expenses of this agreement (including surveyors' fees) and of the disposition to be granted as aforesaid and of any expenses incurred by the first party in connexion with the said Provisional Order or Bill so far as it affects this agreement but that to an

extent not exceeding five pounds five shillings shall be paid by the A.D. 1913.
second parties.

Eighth—The parties hereto consent to the registration hereof for preservation and execution.

IN WITNESS whereof these presents written on this and the two preceding pages by John Taylor clerk to Sir Thomas Hunter writer to the signet town clerk of Edinburgh are executed in duplicate as follows videlicet They are subscribed by the said Colonel Robert Gordon Gordon Gilmour at The Inch Midlothian on the twentieth day of March one thousand nine hundred and twelve before these witnesses Major General the Honourable William Sholto Douglas Home and Charles Hilham footman to the said Colonel Robert Gordon Gordon Gilmour and the same are subscribed by the Right Honourable Sir William Slater Brown Lord Provost of Edinburgh and the said Sir Thomas Hunter in name and by authority of the said Lord Provost magistrates and remanent members of council present in council at Edinburgh on the tenth day of April and year last mentioned before these witnesses William Gray Miller and Donald Cameron both clerks to the said Sir Thomas Hunter.

WM. S. D. HOME Witness. ROB. GILMOUR.

CHARLES HILHAM Witness.

WM. G. MILLER Witness. W. S. BROWN Lord Provost.

DON. CAMERON Witness. THOMAS HUNTER Town Clerk.

THE THIRD SCHEDULE.

AGREEMENT between the LORD PROVOST MAGISTRATES AND COUNCIL OF THE CITY OF EDINBURGH (herein-after called "the Corporation") of the first part the CALEDONIAN RAILWAY COMPANY (herein-after called "the Caledonian Company") of the second part and the NORTH BRITISH RAILWAY COMPANY (herein-after called "the North British Company") of the third part.

WHEREAS by the Edinburgh Corporation (Markets Slaughter-houses &c.) Order Confirmation Act 1903 the Corporation were authorised to provide new corn and cattle markets and slaughter-houses on certain lands at Gorgie in the city of Edinburgh:

A.D. 1913.

— And whereas said corn and cattle markets and slaughter-houses have been completed and are in use and it is desirable to arrange for railway facilities in connexion therewith :

And whereas the Corporation have constructed the branch railway and sidings and other works delineated and coloured red on the Plan No. 1 annexed and sealed as relative hereto connecting the said markets of the Corporation at Gorgie with the railway of the North British Company near Gorgie Station (herein-after referred to as "the Gorgie Markets Branch") and the cost of the Gorgie Markets Branch so far as situated within the boundary of the lands belonging to the North British Company (shown said boundary coloured green on said plan) has been or will be borne by the North British Company and the cost of the remainder of the Gorgie Markets Branch has been borne by the Corporation :

And whereas the Caledonian Company have constructed the branch railway and sidings and other works delineated and coloured red on the Plan No. 2 annexed and sealed as relative hereto connecting the said market with the railway of the Caledonian Company at Slateford Station (herein-after referred to as "the Slateford Branch") and the cost of the Slateford Branch so far as situated within the boundary of the lands belonging to the Caledonian Company (shown said boundary coloured green on said plan) has been or will be borne by the Caledonian Company and the cost of the remainder of the Slateford Branch so far as not exceeding the sum of five thousand pounds has been or will be borne by the Corporation :

And whereas it will be convenient and is expedient that the North British Company should work the traffic of and over the Gorgie Markets Branch and that the Caledonian Company should work the traffic of and over the Slateford Branch :

Therefore the parties hereto have agreed and do hereby agree as follows:—

First—The North British Company and the Caledonian Company respectively shall during the continuance of this agreement have the exclusive right to work and run over and shall work and maintain the Gorgie Markets Branch and the Slateford Branch respectively without payment in either case to the Corporation in respect of the land or works provided by or at the cost of the Corporation. The traffic to be worked over and upon the said branch railways shall consist of all traffic arising or terminating in or at the said markets the slaughter-houses cattle marts warehouses stores and other premises established or to be established therein or in connexion therewith and passing or destined to pass to from over upon or beyond the respective systems of the railway companies. The foregoing obligation as to maintenance shall not extend to or include damage to the said branch railways by mineral workings on land belonging to the Corporation but such damage shall be repaired at the cost of the Corporation.

Second—If at any time during the currency of this agreement any new or additional lines sidings or other works accommodation or appliances upon the property of the Corporation are reasonably required by the railway companies or either of them for the proper efficient and safe working of the said branch railways or the traffic thereon as aforesaid (other than such works accommodation or appliances as are required for the maintenance of the said branch railways) the same shall be provided by the Corporation at their own cost in accordance with plans and specifications to be previously approved of by the engineers of the railway companies respectively Any dispute in this connexion between the parties or any two or more of them (including any dispute between the two railway companies as to whether any such new line or other work or appliance is required) shall be referred to arbitration as herein-after provided. A.D. 1913.

Third—Unless otherwise agreed between the railway companies the siding and other accommodation provided or that may be provided in terms of this agreement in connexion with the system of the one railway company shall be such as will permit of the same kind of traffic being dealt with as it shall be possible to deal with at the sidings and other accommodation provided or that may be provided as aforesaid in connexion with the system of the other railway company and no other.

Fourth—The Gorgie Markets Branch and the Slateford Branch respectively shall for all purposes of traffic and tolls rates and charges and facilities and as between the railway companies and the Corporation and all persons sending or receiving traffic over the same be held to belong to the railway companies respectively and to form part of their respective undertakings and the rates payable for all traffic to from and upon the Gorgie Markets Branch shall be the North British Company's Gorgie Station rates without rebate of any kind and no higher rates or charges and the rates payable for all traffic to from and upon the Slateford Branch shall be the Caledonian Company's Gorgie Station rates without rebate of any kind and no higher rates or charges subject to the special arrangement and condition that the railway companies may in respect of any merchandise consigned in lots of less than one ton make reasonable additional charges in proportion to the weight of the consignment and may in respect of merchandise comprised in Classes A and B of the railway companies' statutory classifications exclusive of manure (street stable farmyard in bulk) draff lime for disinfecting purposes moss litter mangel tan and turnips make charges not exceeding twopence per ton over and above the said station rates.

Fifth—The railway companies shall comply with all regulations in force from time to time as to cleaning and whitewashing the cattle-pens and cleaning the sidings at the Gorgie Markets Branch and the

A.D. 1913. — Slateford Branch respectively and the live stock wagons dealt with thereat. An adequate supply of water for cleaning the said sidings pens and wagons shall be brought to the respective loading and washing banks and wagon cleaning sidings by the Corporation who shall also provide all necessary appliances and fittings for lighting the said branch railways including the loading and washing banks and wagon cleaning sidings. The charges for water and the cost of the lighting shall be paid by the railway companies respectively. The Corporation and the railway companies shall co-operate in applying to the water and lighting authorities where these authorities are different from the Corporation for special reduced charges for water and lighting. The railway companies shall be at liberty to procure at their own expense a water supply from other sources than the public water supply and the Corporation shall be bound to grant free of charge all way-leaves for pipes and other works reasonably necessary for that purpose through the land from time to time belonging to the Corporation and in such direction or route as failing agreement may be settled by arbitration as herein-after provided.

Sixth—In the event of any property of the Corporation occupied by the railway companies respectively at or connected with the said branch railways being during the currency of this agreement damaged or destroyed by fire or by any cause outwith the control of the railway companies respectively the same shall be renewed or rebuilt by the Corporation to the reasonable satisfaction of the railway companies respectively.

Seventh—The Corporation reserve right to lay down and connect with the said branch railways or either of them all lines or sidings necessary for affording to any future works or other premises on ground presently belonging to the Corporation railway connexion with the systems of each of the railway companies. Such lines and sidings shall be subject to the reasonable approval of the railway companies respectively as to lay-out construction and maintenance or otherwise and the railway companies shall not be bound to work maintain or repair such lines and sidings but they shall respectively be bound to work traffic to or from their respective systems arising or terminating at such lines and sidings.

Eighth—The Corporation shall forthwith provide at their own expense the ground required for the construction of a through line connecting the systems of the Caledonian and North British Railway Companies by means of the Gorgie Markets Branch and the Slateford Branch and on such provision being made said through line shall be constructed by the Caledonian Company as shown coloured brown on Plan No. 3 annexed and sealed as relative hereto and the

Corporation shall pay one half of the cost thereof or the sum of one thousand five hundred pounds whichever sum shall be less and the railway companies shall bear equally between them the balance of the cost. The railway companies shall if required by the Corporation provide and maintain a level crossing or in the option of the Corporation two level crossings over said through line to permit of convenient access to or from the land on each side of the line presently belonging to the Corporation. The position of said level crossing or crossings shall be agreed on or settled by arbitration and the expense of providing the same (including any works relative thereto) and the cost of any crossing keeper shall be borne by the Corporation.

Ninth—The said through line so far as between the Slateford Branch and the point marked X on said Plan No. 3 shall be deemed to be a part of the Slateford Branch and so far as between the Gorgie Markets Branch and said point X shall be deemed to be part of the Gorgie Markets Branch and the Caledonian Company shall have right to run over and use free of charge the Gorgie Markets Branch and the North British Company shall have right to run over and use free of charge the Slateford Branch to the extent that may be necessary for working traffic to and from any private lines and sidings that may be connected with either of said branches and shall be entitled to charge in respect of traffic to and from the junction of such private lines or sidings with the Gorgie Markets Branch or the Slateford Branch the rates provided for in Article 4 hereof.

Tenth—Neither of the railway companies shall be entitled—except with the consent of the Corporation and of the other company on such terms as may be arranged or failing agreement be determined by arbitration as after mentioned—to work any traffic on or over the Gorgie Markets Branch or the Slateford Branch except such as arises or terminates in or at the said markets and slaughter-houses cattle marts warehouses stores and other premises established or to be established therein or in connexion therewith or in or at any future works or other premises established or to be established on any part of the ground at Gorgie presently belonging to the Corporation or to use the said branch railways for any purpose other than the traffic above mentioned.

Eleventh—This agreement shall endure for the period of twenty-five years from first January one thousand nine hundred and eleven. It shall be in the option of any of the parties hereto to ask for a revision of the agreement as from first January one thousand nine hundred and twenty-one for the purpose of adapting the terms of the agreement to any change of circumstances on giving one year's previous notice in writing to each of the other parties. There shall be similar options to revise at the end of every five years thereafter on a like

A.D. 1913. notice In the event of revision being called for and the parties failing to agree the matters in difference shall be determined by arbitration as herein-after provided.

Twelfth—All questions in dispute which may arise between the parties or any two of them in relation to this agreement or to the scope intent and meaning thereof or to the carrying out of the same including (without prejudice to said generality) any question as to the reasonableness of any new works or appliances required by the railway companies or either of them any question as to the wayleaves before referred to and any question as to terms of revision shall be referred to the decision of a single arbiter to be appointed if not agreed on by the parties by the Board of Trade on the application of any of the parties.

Thirteenth—This agreement may be scheduled to any Provisional Order hereafter promoted by either of the railway companies or by the Corporation and is subject to such alterations as the Secretary for Scotland or Parliament may make thereon. All parties undertake to use their best endeavours to obtain parliamentary sanction hereto. Should any alteration be made on this agreement by the Secretary for Scotland or Parliament which in the opinion of Sir Alfred Cripps K.C. M.P. is material thereto any of the parties may withdraw therefrom.

IN WITNESS whereof these presents consisting of this and the three preceding pages are together with the relative plans numbers one two and three annexed executed in triplicate by the parties hereto as follows videlicet They are sealed with the common seal of the said Caledonian Railway Company and subscribed for and on their behalf by Henry Erskine Gordon and Sir Charles Bine Renshaw Baronet two of their directors and by John Blackburn their secretary all at Glasgow on the twenty-eighth day of April one thousand nine hundred and thirteen before these witnesses John Smeaton and John Richmond both clerks to the said Company in their secretary's office in Glasgow They are subscribed by the Right Honourable Robert Kirk Inches Lord Provost and Sir Thomas Hunter writer to the signet town clerk both of Edinburgh in name and by authority of the said Lord Provost magistrates and remanent members of council present in council at Edinburgh on the twenty-ninth day of said month of April and year last mentioned before these witnesses George Hannah and Donald Cameron both clerks to the said Sir Thomas Hunter and they are sealed with the common seal of the said North British Railway Company and subscribed for and on their behalf by William Whitclaw and Henry Torrens Anstruther two of their directors and by John Cathles their secretary all at Edinburgh on the ninth day of

May and year last mentioned before these witnesses Thomas Henry Short and John Paul both clerks in the head office of the said Company in Edinburgh. A.D. 1913.

GEO. HANNAH
Witness.

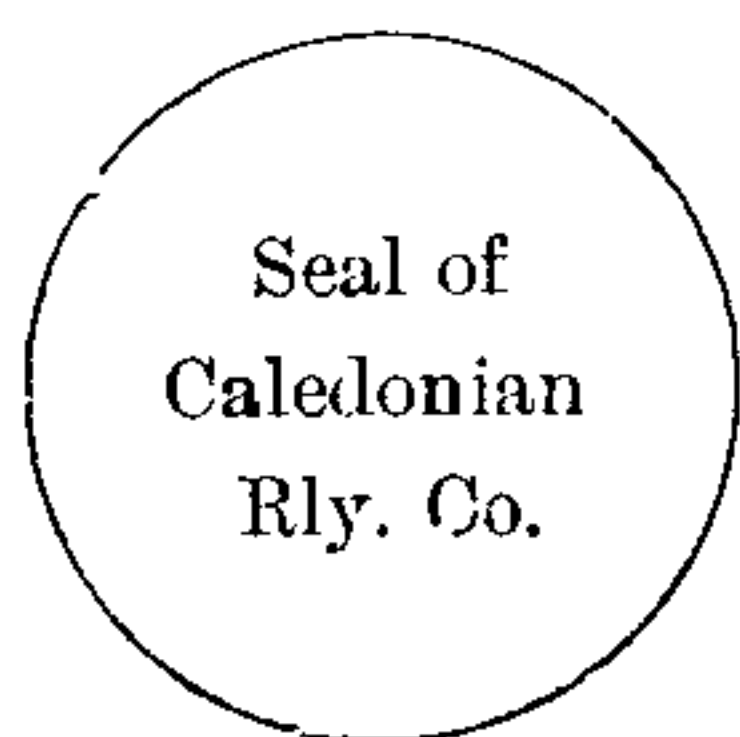
DON CAMERON
Witness.

J. SMEATON Wit-
ness.

JOHN RICHMOND
Witness.

THOS. H. SHORT
Witness.

JNO. PAUL Wit-
ness.



ROBERT K. INCHES Lord
Provost.

THOMAS HUNTER Town Clerk.

H. E. GORDON Dr.

C. BINE RENSHAW Dr.

J. BLACKBURN Secy.

WILLIAM WHITELAW Director.

H. T. ANSTRUTHER Director.

J. CATHLES Secy. N.B. Rly.
Co.

THE FOURTH SCHEDULE.

AGREEMENT between the CORPORATION OF EDINBURGH (herein-after called "the Corporation") and the NORTH BRITISH RAILWAY COMPANY (herein-after called "the Company") regarding the Union Canal and its basins belonging to the Company in the city of Edinburgh.

First—Subject to the authority of Parliament the Company shall as soon as conveniently may be and not later than five years after parliamentary sanction has been obtained (A) close the canal north of the Fountainbridge crossing and also south of the Fountainbridge crossing as far as the point marked T on the plan annexed and signed as relative hereto or in the option of the Company as far as any other point between the said point T and the east end of Lower Gilmore Place and fill up the two basins known as Port Hopetoun and Port Hamilton and terminate the canal at the said point T or other point as aforesaid and any new basin or terminal works which the Company may construct shall be constructed in such a way as to permit of their being emptied and the water changed from time to time and the Company shall take all reasonable steps with a view to maintaining the water in any new basin in a pure condition (B) surrender to the

A.D. 1913. Corporation for the purpose of highway formation widening and improvement (subject to the rights of the present lessees and tenants) those strips of land coloured and hatched red on the said plan A to B A to C D to E F to G and H to J When the Company proceed to develop the frontages to Lothian Road and Morrison Street the new building line to these main thoroughfares will be along the lines indicated upon the said plan and marked thereon K to L to M and the Company will then surrender to the Corporation for the purpose of widening Lothian Road and Morrison Street the strips of land coloured red on the said plan B to X and X to C The Company or their successors shall be entitled to extend the basement of any buildings fronting the streets as so widened or formed (Morrison Street Lothian Road Fountainbridge Semple Street and the said new street F to G) under the widenings for a distance not exceeding ten feet beyond the front building line and to put pavement lights therein not exceeding three feet in width to the satisfaction and under the supervision of the Corporation The top of any basement which may be so extended shall leave sufficient room between it and the surface of the road or pavement (not being less than two feet without the consent of the Corporation nor more than two feet without the consent of the Company) to allow the Corporation to lay therein such wires pipes and drains as the Corporation may from time to time desire but so as not to interfere with any pavement light The cost of all the said street formations and widenings (not including the pavement lights or any structural work underneath) and the formation and renewal of the footpaths or pavements thereon shall be borne by the Corporation In the widening or improvement of Fountainbridge between the said points D and E the levels shall be such as will secure a satisfactory and workable gradient for the access to the new canal terminus and relative works and shall not without the consent of the Company be more than four feet below the existing lands The Company shall be entitled to connect an outlet from the canal at the point T or other point as aforesaid with the sewers of the Corporation in Fountainbridge but the use of such outlet shall be subject to such reasonable regulation and control as the Corporation may from time to time prescribe or exercise and to the reasonable directions of the burgh engineer.

Second—The Corporation shall grant wayleave to the Company to lay down and maintain a conduit or conduits or lines of pipes from the point T on the said plan (or other terminus as aforesaid) to join the existing pipes laid from Port Hamilton and Port Hopetoun in connexion with water supplies from the canal through such of the streets as may be necessary or desirable at the sight of the Corporation and the levels of Fountainbridge shall be such as will permit the said conduit or conduits or lines of pipes to pass under it in a satisfactory way.

Third—The Corporation for any interest they may have shall consent to the Company if and when they may consider it necessary or expedient so to do acquiring under compulsory powers or by agreement such portions of ground adjacent to the canal at any point or points between the south side of Fountainbridge and the bridge carrying Harrison Road over the canal as may be required for the formation of any works for the accommodation of the Company's business connected with the canal provided that this shall not apply to any interference with streets without the special consent of the Corporation. A.D. 1913.

Fourth—The Corporation shall as soon as conveniently may be after the passing of an Act authorising the Company to close the foresaid portions of the canal and confirming this agreement and at latest before the Company has made the termination of the canal at the point T (or other point) as aforesaid and closed Port Hopetoun and Port Hamilton form at their own expense a new road between Fountainbridge and Gardner's Crescent (connecting through Gardner's Crescent with Morrison Street) and a widening of Semple Street (A to C on the said plan) subject to the convenience of the Company so long as the ground affected may be required by them before the said ultimate date of removal For the purpose of the said street formations and widenings and improvements of levels the Company will afford reasonable facilities.

Fifth—The Corporation shall be entitled in their option within the period of six years after the passing of an Act authorising the Company to close the portions of the canal as aforesaid and confirming this agreement (but not until the Company have closed the portion of the canal north of Fountainbridge crossing) to form a new street not exceeding sixty feet in width extending from Morrison Street to Fountainbridge as shown by dotted black lines on the said plan or in such other convenient line or lines west thereof as may be agreed upon between the Corporation and the Company and the Company shall surrender to the Corporation for the formation of said new street the land in the line thereof now belonging to them The provisions in article 1 hereof as to basement extensions pavement lights and the cost of formation and pavements being borne by the Corporation shall apply to the said new street if made.

Sixth—The Company shall on the closing of the canal north of Fountainbridge crossing as aforesaid remove the drawbridge and foot-bridge at present there and re-erect the same at the expense of the Corporation and at the sight and to the satisfaction of the Corporation's engineer in place of the bridge at present at Leamington Road and in connexion therewith shall widen the canal and strengthen extend or reconstruct the canal walls and other works and in so far as these

A.D. 1913. — are necessary for the purpose of erecting and supporting the bridge the expense thereof shall be borne by the Corporation and upon such re-erection the obligations at present upon the Company with regard to the maintenance and working of the said bridges at Fountainbridge shall be transferred and apply to the maintenance and working of such re-erected bridges. The said bridges shall be re-erected in such position and manner as to permit of access by carts to the drawbridge from the property of the Company on both sides of the canal and east and west of the said re-erected bridges.

Seventh—The Corporation shall after the passing of an Act authorising the Company to close the portions of the canal as aforesaid and confirming this agreement (and subject to the proviso after written) pay to the Company in respect of the foresaid areas of ground to be surrendered by the Company for the street formations and widenings and as a contribution to the loss to be sustained by the Company through being deprived of the said canal basins and towards meeting the costs and expenses of the removal and filling up of the present basins and the formation of new terminal accommodation the following sums in manner after written videlicet ten thousand pounds six months after the passing of the said Act ten thousand pounds two years after the passing of the said Act and (subject to the contingency after mentioned) five thousand pounds six years after the passing of the said Act provided that the said sum of five thousand pounds shall not be payable unless in the event of the Corporation having then availed themselves of the option to form the through road from Fountainbridge to Morrison Street mentioned in article fifth hereof. If the Corporation have not then availed themselves of the last-mentioned option the said instalment of five thousand pounds shall not be payable and the option of the Corporation shall lapse.

Eighth—The Company shall in a Provisional Order to be promoted by them in November one thousand nine hundred and twelve apply to Parliament for confirmation of this agreement and for powers—

- (a) To close the canal north of the Fountainbridge crossing and also south of the Fountainbridge crossing as aforesaid and fill up the said two basins known as Port Hopetoun and Port Hamilton and terminate the canal at the point marked T on the said plan or other point as aforesaid:
- (b) To hold possess and enjoy the whole or any part or parts of their property between Fountainbridge Lothian Road and Morrison Street and to develop and improve the said property or any part or parts thereof and to expend money for such purposes; and
- (c) To sell feu excamb or lease as they may think fit the whole or any part or parts of their said property:

- (d) To hold possess and enjoy the whole or any part of their property between the said new terminus of the canal and Fountainbridge or adjacent to the canal between its terminus and the bridge carrying Harrison Road over the canal for any purpose of the Company's business connected with the canal and at Leamington Road and between that road and the terminus of the canal to alter the line of the canal to alter or strengthen the walls of the canal and to construct such new basin or basins and other works on the property of the Company as they may think fit for the accommodation of the Company's canal business. A.D. 1913.

Ninth—All questions and disputes which may arise between the parties hereto in relation to this agreement or to the scope intent or meaning thereof or to the carrying out of the same shall be referred to Sir Alfred Cripps K.C. whom failing to the Dean of the Faculty of Advocates Edinburgh for the time being as sole arbiter and his decision shall be final.

Tenth—This agreement is subject to such alterations as Parliament may think fit to make thereon and shall be scheduled to the foresaid Provisional Order to be promoted by the Company and both parties undertake to use their best endeavours to obtain the granting of the said Provisional Order so far as applicable to the subject of this agreement and parliamentary confirmation hereto Declaring that in the event of Parliament making any alteration hereon or on the terms of the Provisional Order to be promoted by the Company in so far as relating to the canal which in the opinion of the said Sir Alfred Cripps whom failing of the said Dean of Faculty is material either party shall be entitled to resile from this agreement and the Company shall be entitled not to proceed with the Provisional Order.

In witness whereof these presents consisting of this and the five preceding pages are together with the relative plan executed in duplicate as follows videlicet They are signed by the Right Honourable Sir William Slater Brown lord provost and Sir Thomas Hunter writer to the signet town clerk both of Edinburgh in name and by authority of the Corporation present in council at Edinburgh on the thirty-first day of October one thousand nine hundred and twelve before these witnesses William Gray Miller and Robert Linton both clerks to the said Sir Thomas Hunter and they are signed by Alexander Bruce Gilroy and Harry George Younger two of the directors and by John Cathles the secretary of the Company at Edinburgh on the first day of November and year last mentioned before these witnesses Thomas Henry Short and John Paul both clerks in the head office Edinburgh of the Company and are sealed with the common seal of the Company at Edinburgh on the day month

A.D. 1913.

and year last mentioned in presence of the said Thomas Henry Short and John Paul.

WM. G. MILLER

Witness.

ROBERT LINTON

Witness.

THOS. H. SHORT

Witness.

JNO. PAUL

Witness.

W. S. BROWN Lord

Provost.

THOMAS HUNTER Town

Clerk.

A. B. GILROY Director.

HARRY GEO. YOUNGER

Director.

JNO. CATHLES Secy. N.B.

Rly. Co.

Seal of
N.B. Rly.
Co.

THE FIFTH SCHEDULE.

AGREEMENT between Colonel ROBERT GORDON GORDON GILMOUR of Liberton and Craigmillar C.V.O. C.B. D.S.O. (herein called "the first party") of the first part and the LORD PROVOST MAGISTRATES AND COUNCIL OF THE CITY OF EDINBURGH (herein called the "the second parties") of the second part.

WHEREAS the second parties are promoting in the present session of Parliament a Provisional Order to construct certain works to purchase and acquire lands and for other purposes :

And whereas by the said Order the second parties ask authority to execute the following work viz:—

"A diversion of the road known as West Savile Terrace and towards the western end thereof (Work No. 7) within the city and city parish of Edinburgh commencing at a point one hundred and ninety-one yards or thereabouts west from the eastern boundary of Newington Works situated in West Savile Terrace and terminating at Blackford Avenue opposite the east end of Charterhall Road and the closing and appropriation of existing road within the said limits":

And whereas the second parties further ask authority to take and acquire compulsorily or by agreement the triangular piece of land situated within the area marked "B" and delineated on the deposited plans bounded on the north by the line of the deviated road (Work No. 7) on the south by the north line of the existing road of West Savile Terrace and on the west by the eastern line of Blackford Avenue :

And whereas the first party is heir of entail in possession of the entailed lands and barony of Liberton through part of which West Savile Terrace runs :

And whereas the said proposed diversion of West Savile Terrace and the proposed acquisition of the said area marked "B" on the deposited plans will affect the rights and interests of the first party as heir of entail aforesaid : A.D. 1913.

Therefore the parties hereby agree as follows :—

First—The second parties shall as soon as possible and in any event not later than three years after the passing of the Bill confirming the said Order acquire from Sir Thomas Dick Lauder Bart. the land required for the diversion of West Savile Terrace so far as passing through his property as the line and extent of said diversion are shown on the plan annexed and signed as relative hereto and they shall carry out the diversion at their own cost and without having any claim of any kind against the first party or his feuars in the ground adjoining the same. The diverted road shall consist of a carriageway and a footpath on either side thereof with relative water channels and the second parties shall after the same shall have been formed maintain the said carriageway and water channels in all time coming and the said footpaths till paved as after mentioned. They shall further erect along the sides of the diverted road a good and sufficient fence and maintain the same until the adjoining ground is feued or permanently laid out. When any part of the ground fronting the said diverted street on the south side is built upon or permanently laid out the first party shall be bound to lay the portion of the footpath on the side of such street next to and ex adverso of the part of said ground so built upon or laid out with cement pavement having relative cement or stone kerb all to the satisfaction of the second parties' road surveyor for the time being and the second parties shall thereafter maintain the same.

Second—The second parties shall further acquire from the said Sir Thomas Dick Lauder the triangular piece of ground shown in pink on the plan subscribed as relative hereto being part of the area marked "B" on the said deposited plans and shall reconvey the same under deduction of so much thereof as they may require for the widening of Blackford Avenue to sixty feet free from all burdens and restrictions to the first party.

Third—The second parties shall fill up with hard clean material the depressions or hollows in the part of area "B" to be conveyed to the first party as aforesaid so as to bring up the surface to the level of the foresaid diverted road. They shall further take down to such depth as may be necessary the boundary wall between the first party's property and the area to be conveyed as aforesaid and build up the wall or erect an unclimbable iron fence at the west end of the disused portion of West Savile Terrace leaving therein a suitable iron gate.

Fourth—Notwithstanding the provisions contained in the draft Provisional Order the second parties shall not acquire compulsorily

A.D. 1913. — from the first party that part of the said area "B" which belongs to the first party and further the solum of West Savile Terrace as now existing from the point of the proposed deviation to Blackford Avenue as proposed to be widened shall notwithstanding the said Order remain in the possession of the first party to be used by him as he may think proper the second parties to have right to appropriate and remove the road metal kerb and water channels of the aforesaid portion of West Savile Terrace but not the iron railing which shall remain the property of the first party.

Fifth—The first party shall convey to the second parties (1) for the purposes of the diversion of the said road the strip delineated in blue and marked "A"—"B" upon the said plan (2) for the purpose of widening the street of Blackford Avenue the small area of ground coloured purple upon the said plan and (3) for the purpose of widening the said street of West Savile Terrace to sixty feet a strip of land on the south side of West Savile Terrace sixteen feet broad or thereby delineated on the said plan in green. The said widening of West Savile Terrace shall be carried out and thereafter maintained by the second parties at their own expense without having any claim against the first party or his feuars or others deriving right from him. They shall form and maintain a footpath on the widened part with relative water channel and fences all as provided for in article first with regard to the diverted portion of the said street and the first party shall lay the said footpaths with cement paving when the ground adjoining the same is feued or permanently laid out all as provided for in article first in regard to the footpath therein mentioned. They (the second parties) shall further settle and pay and free and relieve the first party of all claims for unexhausted manures loss of crop seed and labour or otherwise (excepting only claims for reduction of rent which shall be settled by the first party) competent to the tenant of West Mains Farm or other tenant in respect of the widening of West Savile Terrace to sixty feet as if the land required therefor had been compulsorily acquired under the said Provisional Order. The work of widening the street shall be fully completed as soon as possible after the second parties obtain possession of the ground.

Sixth—In respect that the first party holds the said lands and barony under the fetters of an entail the second parties shall be bound to insert a clause or clauses in the said Provisional Order empowering the first party or the heir succeeding to him in the said entailed lands and barony to carry out this agreement or otherwise to schedule this agreement to the said Provisional Order and to insert a clause therein confirming the agreement.

Seventh—The expenses of this agreement (including surveyors' fees) and of any disposition to follow hereon and also any expenses

incurred by the first party in connexion with the said Provisional Order so far as it affects this agreement up to a limit of ten pounds ten shillings shall be paid by the second parties. A.D. 1913.

Eighth—In the event of Parliament making any alteration hereon or on the terms of the Provisional Order to be promoted by the Corporation in so far as relating to this agreement which in the opinion of the Dean of the Faculty of Advocates for the time being is material either party shall be entitled to resile from this agreement and the second parties shall not be entitled to proceed with that part of the Provisional Order which relates to the subject of this agreement.

Ninth—The parties hereto agree to registration hereof for preservation and execution.

In witness whereof these presents written upon this and the two preceding pages by James Clark clerk to Messrs. Dundas and Wilson clerks to the signet Edinburgh (the words ("the second parties") being interlined so as to be read after the word "they" in the forty-third line of page second before subscription) are together with a duplicate hereof and together also with the foresaid plan hereto annexed executed by the parties hereto as follows videlicet They are subscribed by the Right Honourable Robert Kirk Inches lord provost of Edinburgh and Sir Thomas Hunter LL.D. writer to the signet town clerk of Edinburgh in name and by authority of the said lord provost magistrates and remanent members of council present in council at Edinburgh on the fourth day of February nineteen hundred and thirteen before these witnesses William Gray Miller and Donald Cameron both clerks to the said Sir Thomas Hunter and they are also subscribed by the said Robert Gordon Gordon Gilmour (who subscribes with his usual signature of "Rob Gilmour") at number five Belgrave Place London upon the tenth day of said month of February and year last mentioned before these witnesses Charles Hilham and John Huggett both his footmen.

CHARLES HILHAM Witness ROB GILMOUR.

JOHN HUGGETT Witness

WM. G. MILLER Witness ROBERT K. INCHES Lord Provost.

DON. CAMERON Witness THOMAS HUNTER Town Clerk.

Printed by EYRE and SPOTTISWOODE, LTD.,

FOR

FREDERICK ATTERBURY, Esq., C.B., the King's Printer of Acts of Parliament.

And to be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LTD., 29, BREAMS BUILDINGS, FETTER LANE, E.C., and
54, ST. MARY STREET, CARDIFF; or
H.M. STATIONERY OFFICE (SCOTTISH BRANCH), 23, FORTH STREET, EDINBURGH; or
E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN;
or from the Agencies in the British Colonies and Dependencies,
the United States of America, the Continent of Europe and Abroad of
T. FISHER UNWIN, LONDON, W.C.

