



ANNO SEXTO & SEPTIMO

VICTORIÆ REGINÆ.

Cap. cv.

An Act for the Improvement of the Burgh of *Anderston* in the County of *Lanark*; for regulating the Police thereof, and of certain Lands adjacent; and for other Purposes relating thereto.
[22d August 1843.]

WHEREAS by Royal Charter, bearing Date the Twenty-fourth Day of *June* and sealed the Twenty-fifth Day of *November* in the Year of our Lord One thousand eight hundred and twenty-four, made and granted by His late Majesty King *George* the Fourth, the Town or Village of *Anderston*, comprehending Part of the Lands of *Stobcross* and *Gushet*, Part of the Lands of *Parson Croft*, and Part of the Lands of *Parsonhaugh* or *Rankinshaugh*, bounded as therein mentioned, were constituted and erected into one free and independent Burgh of Barony, to be then and in all Time coming called the Burgh of Barony of *Anderston*, with the whole Powers, Privileges, Authorities, and Jurisdictions, civil, criminal, and municipal, pertaining thereto, as therein more particularly specified: And whereas an Act was passed in the Seventh Year of the Reign of His said late Majesty King *George* the Fourth, intituled *An Act for regulating the Police of the Burgh of Anderston and Lands of Lancefield and others, adjoining the said* 7G. 4. c. 119.
[Local.] 37 I Burgh,

Burgh, in the County of Lanark, paving, cleansing, and lighting the Streets and Passages in the said District, and for erecting a Court House and Gaol therein: And whereas in Terms of the said Charter a Provost, Bailies, Treasurer, and other Officers have from Time to Time been duly elected, and the other Powers and Privileges thereby conferred have been exercised beneficially to the Inhabitants of the said Burgh: And whereas the Powers and Provisions of the said recited Act have in some respects been found advantageous, but in others to be defective and insufficient for the Purposes thereby intended: And whereas the Population, Trade, and Commerce, and the Houses and Buildings within certain Lands and Places adjacent to the said Burgh, have of late Years greatly increased, and it would be expedient to extend certain Powers conferred by the said Charter to, over, and within the said Lands herein-after specially limited and described: And whereas it would be beneficial to the Inhabitants of the said Burgh and Lands adjacent, and tend to the Improvement thereof, if the said Act were repealed, and certain of the Provisions thereof were re-enacted, with amended and additional Powers, for the better Regulation of the Police of the said Burgh and Lands adjacent, and if the same were extended to, over, and within the whole Lands herein-after limited and described; but these Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day next after the End of the present Session of Parliament, which is hereby declared to be the Commencement of this Act, certain other Parts of the said Lands called *Rankenshaugh* or *Parsonhaugh*, Part of the Lands of *Blythswood* and *Newton Hill*, the Lands of *Lancefield* and *Finni-eston*, certain other Parts of the said Lands of *Stobcross*, and other adjacent Lands, so far as the said whole Lands are included within the Boundaries herein-after described, all lying within the Barony Parish of *Glasgow*, shall be and the same are hereby annexed to and constituted Part of the said Burgh of *Anderston* for the Purposes of the said Charter; and the Lands at present comprehending the said Burgh of *Anderston*, with the whole Lands hereby annexed thereto as aforesaid, are bounded as follows; *videlicet*, on the East by the Western Boundary of the Royalty of *Glasgow*, commencing at the River *Clyde*, and proceeding Northward along the Western Boundary of said Royalty till the same reaches *Argyle Street*, thence Northward along the Western Boundary of the Lands of *Blythswood* till the same reaches the Northmost Point of certain Lands now known as the Lands of *Greenhill*, thence Westward and Southward along the Northern and Western Boundaries of the said Lands now called *Greenhill* till the same reach the Centre of *Saint Vincent Street*, thence Westward along the Centre of *Saint Vincent Street* and the *Dumbarton Road* to the Road leading to *Stobcross*, thence Southward along the Centre of the said Road to *Stobcross* Mansion House, including said House, thence in a straight Line parallel with *Finni-eston Street* to the River *Clyde*, and thence Eastward along the said River to the Boundary of the Royalty of *Glasgow*.

Upon the Commencement of the Act certain Lands to be annexed to and constitute Part of the Burgh.

Boundary of the Burgh.

II. And

II. And be it enacted, That the Territory within the said Boundaries, and all the Lands, Streets, Roads, Houses, Buildings, and Heritages therein included, shall be known and understood by the Name of the "Burgh of *Anderston*," and shall in all Time hereafter be called and known by the said Name, for the Purposes of the said Charter; and the judicial and municipal Powers and Authorities, and the Jurisdiction, civil and criminal, conferred by the said Charter on the Provost, Bailies, Treasurer, and Councillors of the said Burgh, shall be and are hereby extended to and over and shall comprehend the whole Lands and Buildings within the said Territory, and to and over the whole Inhabitants thereof.

Territory to be called the Burgh of *Anderston*.

Privileges of the Charter of the Burgh extended over the whole Territory.

III. And be it enacted, That all Persons who shall be admitted as Burgesses in the said Burgh after the passing of this Act shall be entitled to vote in the Election of the said Provost, Bailies, Treasurer, or Councillors thereof, provided they shall be at the Time Proprietors or Liferenters or Tenants and Occupiers of Heritable Subjects within the said Territory of the yearly Value of Ten Pounds Sterling at least.

Qualification of Voters.

IV. And be it enacted, That the said recited Act and the whole Powers and Provisions thereof shall, from and after the Commencement of this Act, be and the same is hereby repealed, except as to any Acts, Deeds, Matters, or Things made or done and any Offences committed before or upon the Day of the Commencement hereof, all which Acts, Deeds, Matters, and Things, and Offences, shall be dealt and proceeded with, and the Offences punished, as if the said recited Act were still in existence, and this Act had not been passed.

Repeal of recited Act.

V. And be it enacted, That every Treasurer, Collector, Clerk, Superintendent, or Master, Surveyor, Lieutenant, Agent, Officer, and Servant appointed by virtue of or acting under the Authority of the said recited Charter or Act, or any of them, shall hold and enjoy his Office and Employment, together with the Salary or Emolument thereunto annexed, until he shall be removed therefrom by the said Commissioners by virtue of this Act; and every such Treasurer, Collector, Clerk, Superintendent, or Master, Surveyor, Lieutenant, Agent, Officer, and Servant, shall have the like Power and Authority for the Purposes of this Act and for carrying the same into execution, and shall be subject and liable to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatever, as if he had been appointed by virtue of this Act: Provided always, that nothing herein contained shall affect the Rights of the present Town Clerk of *Anderston* under the said Charter.

Present Officers continued in Office

VI. And be it enacted, That all Assignments, Leases, Grants, and other Conveyances made or granted to or by any Person or Persons whomsoever by virtue of or under the Authority of the said recited Act shall be as good, valid, and effectual to all Intents and Purposes whatsoever as if the said Act had not been repealed; and all Debts contracted and all lawful Contracts entered into under the said Act, under and by virtue and in pursuance of the Directions of the said

All Conveyances executed and Debts contracted under the former Acts confirmed and secured.

Act,

Act, shall remain valid and binding upon the Commissioners hereby constituted, and shall be and the same are hereby respectively charged upon the Assessments, Rates, and Duties herein directed to be made according as the same were contracted and stood charged next previous to the Commencement of this Act.

Arrears of former Rates may be collected, Debts and Penalties recovered, and Contracts enforced.

VII. And be it enacted, That each and every Rate and Assessment made and assessed, and now due and payable, or to become due and payable, or ordered to be collected and levied, under and by virtue of the said recited Act, shall continue to be due and payable, and shall and may be collected and levied, by such Ways and Means, and under such Restrictions and Regulations, as any Rates or Assessments directed to be made in pursuance of this Act are directed in and by this Act to be collected and levied, and shall be received and applied by the Commissioners acting in the Execution of this Act to and for the Purposes of this Act; and also that all Debts and Penalties incurred and due under and by virtue of the said recited Act from any Person or Persons whomsoever shall and may be demanded and recovered from such Person or Persons, and applied by the Commissioners acting in the Execution of this Act, under the Powers and Authorities of this Act, for the Purposes of this Act; and all Rights arising out of any cautionary or other Obligations or Deeds granted in favour of the said former Commissioners, and all Contracts and Agreements heretofore entered into with any Person or Persons whomsoever, under the Authority and in execution of the said Act, shall continue and be valid and effectual, and shall and may be enforced by the Commissioners acting in the Execution of this Act, as if entered into by and with them the said Commissioners acting in the Execution of this Act.

Limits of Police.

VIII. And be it enacted, That the Powers and Provisions of this Act shall, for Purposes of Police, extend over and comprehend and be exercised within the Lands or Territory lying in the said Barony Parish of *Glasgow*, and comprised within the Limits or Boundaries herein-after described, and the whole Houses, Buildings, and Inhabitants within the same, and which said Lands or Territory are bounded as follows; *videlicet*, on the East by the Western Boundary of the Royalty of *Glasgow*, commencing at the River *Clyde*, and proceeding Northward along the Western Boundary of said Royalty till the same reaches *Argyll Street*, thence Northward along the Western Boundary of the Lands of *Blythswood* till the same reaches a Point distant One hundred Feet Southward from the Centre of *Saint Vincent Street*, thence Westward in a Line parallel to *Saint Vincent Street* till the same reaches a Point distant One hundred Feet Eastward from the Centre of *North Street*, thence Northward in a Line parallel to *North Street* till the same reaches the Centre of *Sandyford Road* or *Sauchiehall Street*, thence Westward along the Centre of *Sandyford Road* till the same reaches the Road to *Kelvin Grove*, thence Northward along the Centre of the said Road to the Line of common Boundary between the Lands of *Kelvin Bank* and *Kelvin Grove*, thence Westward and Northward along the said common Boundary till the same reaches the River *Kelvin*, thence Southward along the said River *Kelvin* to the River *Clyde*, thence

Eastward

levied under this Act for the Purposes thereof, as herein-after provided, which now affect or which may hereafter affect the Barony Parish of *Glasgow*, the said Lands shall remain a Part and Portion of the said Parish, and shall, together with the Proprietors, Tenants, Possessors, and Inhabitants thereof, continue to be liable for a Proportion of the said Burdens in the same Manner as at present, and as if this Act had not been passed: Provided always, that nothing herein contained shall affect the Provisions of an Act passed in the Second and Third Year of the Reign of Her present Majesty, intituled *An Act to amend the Mode of assessing the Rogue Money in Scotland, and to extend the Purposes of such Assessment*, and that the whole Lands within the Police Limits of this Act shall be held to be a Burgh or Town having a Police Act within the Meaning of the said last-recited Act.

Criminal
Cases to be
transmitted
to County
Fiscal.

XIV. And be it enacted, That all Criminal Cases arising or occurring within the said Limits, in which regular Precognitions are necessary with a view to Trial before the High Court or Circuit Court of Justiciary or the Sheriff of the County, shall be forthwith transmitted to the Procurator Fiscal for the County of *Lanark*, to be disposed of according to Law.

General
Saving of
Rights.

XV. Saving always and reserving to Her Majesty, and every other Person or Persons concerned, all Rights and Interests, other than the Provisions hereby made, which they had, have, or may have in the Lands comprehended in the said Limits.

Commis-
sioners ap-
pointed.

XVI. And be it enacted, That in order to facilitate the Plan of Police to be established by this Act, and assist the Execution thereof, the Provost, Bailies, Treasurer, and Councillors of the said Burgh, as so extended, for the Time being, with the Addition of Five Persons to be appointed in manner after mentioned from those Portions of the said Territory which are not within the Burgh of *Anderston*, as herein-before extended for municipal Purposes, shall always be Commissioners for carrying into effect the whole Purposes of this Act, with Power to the said Commissioners to subdivide the said whole Police Limits into Wards, and appoint One or more of their Number as Ward Commissioners therein, and to alter, vary, add to, or diminish the said Wards, as the State of the Population or other Circumstances shall to the said Commissioners appear from Time to Time to be expedient.

Commis-
sioners from
extended
Territory to
be chosen.

XVII. And be it enacted, That the Owners or Occupiers of Premises of a yearly Rent or Value of Ten Pounds within those Portions of the said Limits which are not within the Burgh of *Anderston* as now extended, and who shall be rated and entered in the Survey or Rent Roll herein-after provided to be kept, shall attend in the Court House of *Anderston* on the Day of the Election of Magistrates and Council in each Year, and then and there, immediately after the said Election has been completed, shall elect by open Vote, to be taken by the Provost of the Burgh, or in his Absence the eldest Bailie thereof, Five Persons from among themselves to be Commissioners for carrying into effect the Purposes of this Act, along with the
Provost,

Provost, Bailies, Treasurer, and Councillors of the Burgh as aforesaid; and the Persons so elected shall hold Office until the next annual Election of Magistrates and Council, but shall nevertheless be eligible to be re-elected immediately thereafter.

XVIII. And be it enacted, That, under the Direction of the said Provost or eldest Bailie, the Town Clerk of *Anderston* shall record the Votes, and sum up the same; and the Five Persons who shall have the greatest Number of Votes shall be declared by the Provost or eldest Bailie to be duly elected Commissioners. Declaration of the Election.

XIX. Provided always, and be it enacted, That in the event of any duly qualified Voter being dissatisfied with the said Declaration of Election, it shall be competent to him to appeal therefrom against the Party or Parties objected to by lodging a Note of his Objection with the Sheriff of the County of *Lanark* within Twenty-four Hours after such Declaration; and the said Sheriff shall thereupon order the said Objector, and the Persons or Person objected against, and the said Provost or eldest Bailie, to attend before him at a Diet to be held within Three Days of such Election, and shall proceed to examine into the said Election, and hear Parties *vivâ voce* thereon, and thereupon determine upon whom the Election has fallen, and his Determination shall be reduced to Writing, and served on the said Provost, and the same shall be final and binding upon all Parties, and not be subject to review of any kind. Appeal to the Sheriff.

XX. And be it enacted, That in all Questions touching the Right of voting the said Survey or Rent Roll shall be the only Evidence of the Right of Parties so to vote. Rent Roll sole Evidence of Voters Right.

XXI. And be it enacted, That the Provost, Bailies, Treasurer, and Councillors of the said Burgh, elected or to be elected under the said Charter and the said recited Act, and in Office at the Commencement of this Act, shall be the first Commissioners under this Act, and shall continue in Office until the first annual Election of the Magistrates and Council and Commissioners immediately subsequent to the Commencement of this Act, and shall and may whilst in Office have and exercise the same Powers and Authorities, and be subject in all respects to the Provisions of this Act, in the same Manner as if they held their respective Offices under and by virtue of this Act. First Commissioners under the Act.

XXII. And be it enacted, That the Commissioners under this Act shall have full Power and Authority to assess, levy, manage, and apply the Monies herein-after directed to be levied for the Purposes of this Act in such Manner as to them shall seem meet, to regulate the paving, causewaying, lighting, cleansing, watching, and patrolling the Streets, the making and maintaining Common Sewers, and the several Matters of Police for which Provision is hereby made; to appoint and dismiss the Superintendents, Collectors, Treasurers, Surveyors, Clerks, and other Servants to be employed in the Execution of this Act, and to grant and allow to them such Salaries, Wages, and Allowances as to the said Commissioners shall seem fit; General Powers and Duties of the Commissioners.
and

and generally to execute and perform all other the Powers and Authorities, Matters and Things, by this Act vested in them, and committed to their Charge.

Commis-
sioners not
to be con-
cerned in any
Contract.

XXIII. And be it enacted, That no Commissioner under this Act, whether *ex officio* or elective, shall be entitled to contract with the said Board for any Goods or Furnishings to be made or supplied, or for Work to be done to or for the said Board, or be concerned directly or indirectly in any Contract with or participate in any Manner in the Profits of any Work to be done for or Furnishings to be made to the Board, and on contravention hereof he shall not only forfeit and pay a Penalty of One hundred Pounds for each Offence, to be recovered in the same Manner as the other Penalties under this Act, but he shall also cease to be a Commissioner, and the Vacancy thereby created shall be filled up in manner hereinafter provided in regard to occasional Vacancies occurring by Death or otherwise, and all Contracts made in contravention hereof shall be void and null.

Commis-
sioners may
exercise the
Powers of
Constables.

XXIV. And be it enacted, That the said Commissioners shall have and may exercise all the Powers which by the Law of *Scotland* belong to the Office of Constable within the Limits of this Act, and shall have a general Superintendence of their respective Wards, and take all Measures necessary for preserving the general Peace, Order, and Comfort of the Inhabitants thereof.

Provision as
to refusing
to accept
Office.

XXV. And be it enacted, That in case of any of the said Commissioners not labouring under such bodily Infirmity as shall render him incapable of executing the Duties of a Commissioner, and not being above Seventy Years of Age, shall refuse to act as a Commissioner under this Act, without assigning a full and reasonable Cause, he shall forfeit the Sum of Ten Pounds Sterling, to be levied in manner herein-after directed, and applied for the Purposes of this Act, but the Person paying the same shall be exempted from acting as a Commissioner for the Three succeeding Years: Provided always, that it shall be lawful to the remaining Commissioners, at any Meeting specially called for the Purpose; to supply any Vacancy which may arise from any Person refusing to act as aforesaid, or from any Commissioner elected resigning, dying, or becoming disqualified or incapable of acting, by nominating and appointing other qualified Persons in room of any such Commissioner, and any Person so appointed shall hold Office so long only as the Person in whose Room he may be appointed might have done.

Quorum of
Commis-
sioners for
ordinary
Business;
but a Ma-
jority re-
quired for
certain Pur-
poses.

XXVI. And be it enacted, That any Nine of the said Commissioners shall be a Quorum for transacting ordinary Business; but no Assessment shall be made or imposed, nor the Superintendent of Police, Collector, or Clerk appointed, nor their Salaries fixed, except at Meetings where a Majority of the Commissioners who have accepted of these Offices are present: Provided always, that all the Commissioners shall be summoned to attend every Meeting of the said Commissioners by written or printed Notices delivered to them personally, or left at their Dwelling Places, Twenty-four Hours at
least

least previous to such Meeting; and that the Provost or eldest Bailie present, or in the Absence of such the eldest Councillor, shall preside at all the Meetings of the said Commissioners; and such Preses shall have both a deliberative and a casting Vote in all Matters and Questions which shall come before them.

Chairman of Meetings.

XXVII. And be it enacted, That Four Meetings of said Commissioners shall be held annually on the First *Monday* in the Months of *August, November, February, and May*, at Ten of the Clock in the Forenoon, for putting this Act into execution; the said Meetings of the Commissioners to be held in the Court House of *Anderston*, or in such other Place within the said District as shall be appointed by the said Commissioners; and the Commissioners shall be summoned to attend the said quarterly Meetings, in manner before mentioned, Twenty-four Hours at least previous to the Time of meeting.

Quarterly Meetings to be held.

XXVIII. And be it enacted, That the said quarterly Meetings held by virtue of this Act may be adjourned from Time to Time to the same or any other Place within the said District as may be deemed expedient; provided that the like Notice be given of the Time and Place when such adjourned Meetings are to be held as would be requisite to be given of the Meeting of which it is an Adjournment; and provided that no Business shall be transacted at any adjourned Meeting which might not have been transacted at the Meeting of which it is an Adjournment.

Meetings may be adjourned.

XXIX. And be it enacted, That the said Provost, or any One of the said Bailies, or in his or their Absence the Councillor who may have presided at the last Meeting of the Commissioners, shall, when required to do so by a Writing under the Hand of any Three of the said Commissioners, appoint a Special Meeting of the said Commissioners to be held within Forty-eight Hours after such Requisition, and shall cause all the Commissioners to be summoned to such Meeting in manner foresaid, and which Requisition, and the Notices for calling such Special Meetings, shall set forth the Nature of the Business for which the same are called; and it shall also be in the Power of the said Provost and Bailies, or in their Absence the eldest Councillor present at any Meeting as aforesaid, to appoint other Meetings of the Commissioners to be held at such Places and Times, and within the said District, as may to them seem necessary for the above Purposes, the whole Commissioners being always summoned to attend the same Twenty-four Hours previous to such Meeting.

Special Meetings may be called upon Requisition.

Other Meetings may be appointed to be held.

XXX. And be it enacted, That it shall and may be lawful to and for the said Commissioners to appoint Committees of their own Number for carrying the Purposes of this Act into execution,

Committees authorized.

XXXI. And be it enacted, That the said Commissioners shall have full Power and Authority and they are hereby authorized and required, at a General Meeting to be held upon the First *Monday* occurring Three Weeks after the Commencement of this Act, and upon the Third *Monday* of *June* annually thereafter, or at any adjourned Meeting to be held by them, to prepare Estimates of the

Estimates to be prepared annually.

Sums of Money to be expended for the various Purposes of this Act for the then current Year, and thereupon to ascertain, lay on, and impose the Assessments, Rates, and Duties after specified according thereto.

Assessment
for Police
Purposes.

XXXII. And be it enacted, That the Commissioners shall be and they are hereby empowered and required, at their said Meeting to be held on the First *Monday* occurring Three Weeks after the Commencement of this Act, and upon the Third *Monday of June* annually thereafter, or upon such other Day as said Meeting may be adjourned to, in order to raise a Fund for Police Purposes, to ascertain and lay on an Assessment for such Purposes, including the Expence of maintaining, within the Limits of this Act, an adequate Police Force for the Prevention and Detection of Crime, and for guarding, watching, lighting, and cleansing the Streets and other Thoroughfares, providing and maintaining suitable Fire Engines and Weighing Establishments, so far as not otherwise provided for by this Act, Lock-up Houses, Houses for the Reception of Fire Engines, and also Salaries, Wages, or Remuneration to a Superintendent, Collectors, or Treasurers, Clerks, Surveyors, Officers, Watchmen, Firemen, and other Persons employed in the Execution of this Act; that is to say, an annual Assessment not exceeding One Shilling in the Pound Sterling upon all Renters, Occupiers, or Possessors of Dwelling Houses, Shops, Warehouses, Counting-houses, Timber Yards, Depôts, and other Yards, Works, Cellars, Stables, Factories, Markets, and all other Premises and Buildings, and Pertinents thereof, within the Limits of this Act, of the yearly Rent of Three Pounds Sterling and upwards, rented and valued as herein-after provided, which annual Assessment shall be calculated for the current Year from *Whitsunday* to *Whitsunday* annually, upon the aggregate or accumulated Rent of each Person's Possession, and shall be payable at the Time and in the Proportions to be appointed by the Commissioners.

Assessment
for Statute
Labour.

47 G.3. c. 45.

XXXIII. And in order to enable the Commissioners to pave and causeway or lay with Road Metal the Streets, Squares, Lanes, and Passages within the Limits of this Act, as herein-after provided, be it enacted, That they shall be and are hereby authorized and empowered, so far as they are not already entitled to do so, to levy, recover, and receive from all Persons or Property assessed and liable for the same the Assessment for Statute Labour Conversion Money leviable within the said Limits by the Trustees of Statute Labour Roads in the Barony Parish of *Glasgow* or others, under and by virtue of an Act of the Forty-seventh Year of the Reign of His late Majesty King *George* the Third, Chapter Forty-five, intituled *An Act for amending an Act of the Twelfth Year of His present Majesty, for repairing and widening several Roads through the County of Lanark, and for building a Bridge over the River Clyde at or near a Place called the Howford in the said County, and for making more effectual and converting the Statute Labour within the said County, and for repairing and regulating the Roads within the same*, and the Powers and Provisions of the said recited Act shall be and the same are hereby made applicable to and shall be enforced by the Commissioners under this Act, for the Purposes of assessing and levying the Statute Labour Conversion

sion Money within the Police Limits aforesaid, as effectually as if the Provisions thereof had formed a Part of this Act.

XXXIV. And be it enacted, That the Statute Labour Trustees of the Barony Parish shall be authorized and empowered to levy and recover all Arrears of Assessment imposed under the Provisions of the said Act, Forty-seventh *George* Third, Chapter Forty-five, which may not have been recovered at the passing of this Act.

Barony
Parish Trus-
tees to levy
Arrears.

XXXV. And be it enacted, That the Commissioners shall annually pay the Sum of Twenty Pounds Sterling to the Trustees of the Statute Labour of the said Barony Parish, as a Composition for the Right hereby conferred of levying and applying as aforesaid the Statute Labour Conversion Money within the said Limits.

Compensa-
tion to Ba-
rony Statute
Labour
Trustees.

XXXVI. And be it enacted, That the said Commissioners shall also be and are hereby empowered and required to assess upon the Renters, Occupiers, or Possessors of the Subjects before mentioned, along with the foresaid annual Assessment for Police Purposes, and according to the Rules and Proportions before specified, such farther Sum as shall be ascertained from Time to Time by the Commissioners, or by a competent Court of Law, to be necessary for indemnifying Proprietors and Possessors of Houses and other Property within the Limits of this Act for any Loss or Damage sustained by them in consequence of any Riot or Tumult.

For Riot
Money.

XXXVII. Provided always, That the said Assessment for Police Purposes shall not be levied from such Occupiers, Possessors, or Renters of any Part or Place of the said Limits as do not receive the Benefit of watching and lighting, and that the said Commissioners shall not be obliged to extend those Benefits to those Parts of the Limits where the said Assessment is not levied.

Exemptions
from Assess-
ment.

XXXVIII. And be it enacted, That the said Commissioners, at their first or any subsequent Meeting, for putting this Act in execution, shall appoint a proper Person or Persons for ascertaining the free Rent of all such Houses, Buildings, and other Heritages, liable to be assessed under this Act, occupied by Tenants, and the Rents at which the same are worth to be let by the Year, if occupied by Proprietors or Life-renters or others, with Power to such Person or Persons to enter upon and survey all such Houses, Shops, Buildings, and other Heritages, the Survey to be made previous to the First Day of *September* annually; and the Person or Persons so to be appointed, after making the same, shall leave for every Occupier at his or her Dwelling House, or on the Premises surveyed, a Notice of the Rent for which such Occupier is to be rated; and immediately after such Survey shall be completed the said Surveyor or Surveyors shall deposit with the said Commissioners or their Clerk a distinct Rent Roll or Return of the said Rents for the whole of the foresaid Police Limits, subscribed by him or them; and in case any Occupier shall think himself or herself overcharged in the said Rent Roll or Return, it shall be lawful for such Occupier, within Six Days after the said Notice shall have been left at his or her Dwelling Place, or

Surveyors
to ascertain
Rents.

on

on the Premises surveyed, to give Notice in Writing to the Clerk to the Commissioners of the Overcharge complained of; and the Commissioners shall meet annually within the Court House in *Anderston*, or other Place to be by them appointed, upon the Second *Monday* in the Month of *September*, or as soon after as conveniently may be after making the said Survey, at Ten of the Clock in the Forenoon, with Power to adjourn from Time to Time, for the Purpose of hearing the Parties and determining on said Complaint; and in case the said Commissioners, or a Majority of them, shall at any of the said Meetings think the Rent of an Occupier so given in by the Surveyor or Surveyors too low, they shall and may give similar Notice to such Occupier, and shall at a subsequent Meeting finally determine the Amount thereof: Provided always, that the Surveys so to be made shall include all Dwelling Houses, Shops, Warehouses, Counting-houses, Timber Yards, Depôts, other Yards, Works, Cellars, Stables, Factories, Markets, and all other Premises and Buildings inhabited or occupied; and that a Second Survey shall be made in manner aforesaid in the Months of *January* or *December* of such Houses or other Premises as were uninhabited or unoccupied at the Time of the First Survey; and if any such Houses or other Premises shall be inhabited or occupied at the Time of such Second Survey, the Rents thereof shall be added to the said Rent Roll or Return, and assessed for Half of the yearly Rate, which half-yearly Assessments shall be paid in like Manner as the other Assessments herein-before mentioned, and in case of Failure recovered in manner herein-after directed.

Proprietors paying the whole Assessment on their Rental entitled to Discount.

XXXIX. And be it enacted, That in every Year during the Continuance of this Act each Proprietor, Life-renter, Trustee, Factor, or other Person entitled to receive the Rents, or having the Management of Houses and other Buildings within the foresaid Limits, shall have it in his Option to pay the whole Assessment effecting to the total Amount of the Rental returned by the said Surveyors of the Properties belonging to him or under his Management, whether occupied by himself or his Tenants, and on Payment thereof to the Collector of the said Commissioners shall receive a Discount of Seven and a Half *per Centum* on the Amount so paid, and shall be then entitled to recover from the Tenants of his Properties the Assessment due upon the Rent of each Tenant's Possession: Provided always, that in case any Proprietor, Life-renter, Trustee, or Factor shall fail to pay the whole Amount of the Assessments due upon their respective Properties as aforesaid, within the Time fixed for that Purpose by the said Commissioners, no Discount thereon shall be afterwards allowed; and the said Assessments shall then be recovered from the Occupiers of the said Properties, whether Owners or Tenants, in the Manner directed by this Act.

Power to relieve from Assessment.

XL. And be it enacted, That it shall be lawful to the Commissioners and they are hereby authorized to delay the Execution of Diligence for Payment of the said Assessment, Rates, or Duties from any Person or Persons liable therein, and to give such Abatement or Relief therefrom as the Circumstances of any Person or Persons applying for the same may seem to the Commissioners to require.

XLI. And

XLI. And be it enacted, That all Shops, Warehouses, Dwelling Houses, or other Places which shall be let to Packmen or travelling Merchants, Auctioneers, or others, for any Period less than Three Months, shall be liable to and chargeable with One Fourth of the annual Assessment corresponding to such Possession, if the same shall be occupied for any Period more than Three and less than Six Months One Half of the annual Assessment, if the same shall be occupied for any Period more than Six and less than Nine Months Three Fourths of the annual Assessment, and if the same shall be occupied for any longer Period then the Occupiers of such Shop, Warehouse, Dwelling House, or other Place shall be liable to and chargeable with the whole annual Assessment corresponding to such Possession, whether occupied for the whole Year or not; and all Proprietors, Lessees, and others who shall let for Rent or Hire Premises within the said Limits to such temporary Possessors shall themselves, as well as the Occupiers aforesaid, be responsible for the said Assessments applicable to the said temporary Occupations, which may be recovered from the said Proprietors, Lessees, and others, or from the said Occupiers, as the said Commissioners shall judge expedient.

Assessments on Houses let to travelling Merchants, &c. for temporary Purposes.

XLII. And whereas Persons claiming Abatement of Assessments may produce Certificates or Receipts of Rent, signed by their Landlords, which may be suspected or believed to contain a less Sum of Rent than that really exigible, by which the Funds of the Police Establishment may be defrauded; be it therefore enacted, That from and after the passing of this Act every Landlord, Proprietor, Factor, or Agent, or other Person who shall grant a Certificate or Receipt which contains a less Sum than the Rent really paid or payable for the Premises therein mentioned or referred to, and every Tenant or Occupier or other Person who shall present to the Commissioners of Police such a Certificate or Receipt, in order to procure an Abatement of Assessment, shall be liable in a Penalty not exceeding Five Pounds Sterling for each Offence, which shall be prosecuted for, levied, and applied in manner herein-after directed.

Penalty on Persons granting or receiving false Certificates or Receipts of Rent.

XLIII. And be it enacted, That all of the said Commissioners, and all Persons carrying on Business within the Limits of this Act as Tradesmen to Her Majesty, shall be subject and liable to the Payment of the said Assessments for the Premises rented or possessed by them respectively, and shall be subject to the same Proceedings as the other Inhabitants, in regard to all Matters and Things herein contained, any Law or Usage to the contrary notwithstanding.

Queen's Tradesmen, &c. not exempted.

XLIV. And be it enacted, That the whole Lands, Houses, and Heritages, Sums, Assessments, Claims, and Demands, pertaining or belonging to the Commissioners under the said recited Act, and the Monies arising from the Assessments herein-before authorized to be made, shall be and the same are hereby vested in the Commissioners hereby appointed; and all such Monies shall be applied, laid out, and expended, in the first place, in paying the Expences to be incurred in passing of this Act, and in defraying the Obligations come under by the Commissioners in virtue of the said recited Act, and then in defraying the Expence of the Establishment of Superintendent of

Assessments vested in Commissioners, and Application thereof.

Police, Collectors, Clerks, Servants, Watchmen, and other Officers, and for the whole other Purposes of this Act, and to no other Purpose whatever; and in case any Surplus shall remain after executing the Purposes aforesaid, upon settling the Account thereof at the End of each Year, the same shall be applied towards the same Purpose for the Year following.

Certain
Lands not to
be assessed.

XLV. Provided always, and be it enacted, That no Assessment whatever shall be levied upon Houses or Buildings which are occupied exclusively for religious Purposes, or as charitable Institutions, Parish or Charity Schools, or Schools supported by any religious Institution or Society.

Recovery of
Rates.

XLVI. And be it enacted, That if any Person rated and assessed as in manner herein directed shall refuse or neglect to pay the Rates or Assessments charged upon him for the Space of Fourteen Days next after such Rates or Assessments shall be due and demanded, and Notice given by general Advertisements once in any Two of the *Glasgow* Newspapers, and by Tuck of Drum through the said Limits, then and in such Case it shall be lawful for the Collector to be appointed by the said Commissioners to apply to the Provost, or to any One of the said Bailies, for a Warrant to any of their Officers to enter the House of the Person so refusing or neglecting to pay as aforesaid, and to seize and take possession of his Goods and Effects, and which Warrant the said Provost or Bailies are hereby authorized to grant upon a Certificate signed by the Collector of such Demand having been made, of such Notice having been given, and of such Person being in arrear to the Amount stated in such Certificate; and if such Rates or Assessments shall not be paid within Three Days next after such Seizure is made, together with the Costs or Charges thereby incurred, then the Collector is hereby authorized to sell by public Roup, at such Place as may be proper, such Parts of the said Goods and Effects as shall be sufficient to pay the said Rates and Assessments, with the Costs and Charges attending such Seizure and Sale, returning the Surplus (if any be) to the Owner; the Cost or Charges to be ascertained by the Magistrate who shall issue the said Warrant.

Commis-
sioners to
appoint
Treasurer
and other
Officers.

XLVII. And be it enacted, That the said Commissioners shall from Time to Time appoint a Treasurer or Collector and Clerk, and Surveyor or Surveyors, and such other Officers as they shall think fit, with such Salaries and Allowances as they think reasonable, and may remove such Clerk, Treasurer, or Collector, Surveyor or Surveyors, and Officers, and appoint others in their Stead.

Offices of
Clerk and
Treasurer to
be separate.

XLVIII. And be it enacted, That neither the Person who shall hold the Office of Clerk, nor the Partner of such Clerk, nor any Person in the Service or Employ of such Clerk or of his Partner, shall be eligible to be Treasurer or Collector; and that neither the Person who shall be the Treasurer, nor any Person in the Service or Employ of such Treasurer or of his Partner, shall be eligible to be the Clerk; and if any Person offend in any of the following Cases he shall forfeit One hundred Pounds; that is to say,

Penalty.

If

- If any Person accept both the Office of Clerk and Treasurer :
- If any Person, being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, accept the Office of Treasurer, or act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer :
- If any Person, being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, accept the Office of Clerk, or act as Deputy of such Clerk, or in any Manner officiate for such Clerk :
- If any such Clerk, Treasurer, or Collector hold any Place of Profit or Trust under the Commissioners other than that of Clerk or Treasurer (as the Case may be) :
- And any Person may sue for such Penalty before the Judge Ordinary of the County of *Lanark*, or the Court of Session, and shall, on Recovery thereof, be entitled to full Costs of Suit.

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

Officer taking Fees to lose his Office, and forfeit 50*l*.

Penalty.

L. And be it enacted, That the Commissioners shall take from their Treasurer or Collector, and also from all other Officers in their Employ intrusted with the Receipt or Disbursement of Money, sufficient Security for the due Execution of their respective Offices, and for answering and paying, as the Commissioners shall from Time to Time require, all Sums of Money which shall be by them respectively received, and also for their giving and making respectively true Accounts in Writing from Time to Time, when required by the Commissioners so to do, of all Monies by them respectively received or collected for the Purposes of this Act, and when, of whom, and for what the same were so received or collected.

Commissioners to take Security from all Officers intrusted with Money.

LI. And be it enacted, That it shall and may be lawful for the said Commissioners or a Majority of them, and they are hereby empowered, from Time to Time, to appoint a Superintendent of Police and other proper Officers, during their Pleasure, to act under the Authority of the said Provost and Bailies or any One of them, for executing the Matters committed to them by this Act, and for regulating the Police and preserving Peace and good Order within the Limits of this Act.

Power to appoint Superintendent of Police, &c. ;

LII. And be it enacted, That it shall and may be lawful for the said Commissioners or a Quorum of them, and they are hereby authorized and required, to appoint such a Number of Serjeants, Patrolmen, Watchmen, and other inferior Servants as they shall judge necessary, for guarding, patrolling, and watching the Streets, Lanes, and other Passages within the said Police Limits, in such Manner

and Watchmen, &c.

Manner and under such Rules and Regulations as to the said Commissioners shall appear proper and expedient.

Officers to
account.

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

Remedy
against Offi-
cers failing
to account.

LIV. And be it enacted, That if any such Officer shall fail to render such Accounts, or to produce and deliver up all the Vouchers and the Receipts relating to the same, in his Possession or Power, or to pay the Balance thereof when thereunto required, or if for Three Days after being thereunto required he shall fail to deliver up to the Commissioners, or to any Person appointed by them to receive the same, all Papers and Writings, Property, Effects, Matters, and Things, in his Possession or Power, relating to the Execution of this Act, or belonging to the Commissioners, then, on Complaint thereof being made to any Magistrate acting within the Jurisdiction where such Officer may be found, such Magistrate shall summon such Officer to appear before any Two or more Magistrates, at a Time and Place to be set forth in such Summons, to answer to such Charge; and upon the Appearance of such Officer, or in his Absence upon Proof that such Summons was personally served upon such Officer, or left at his last known Residence or Place of Abode, such Magistrates may hear and determine the Matter in a summary Way, and may adjust and declare the Balance owing by such Officer; and if it appear, either upon Confession of such Officer, or upon Evidence, or upon Inspection of the Accounts, that any Monies of the Commissioners are in the Hands of such Officer, or owing by him to the Commissioners, such Magistrates may order such Officer to pay the same, and if he shall fail to pay the Amount it shall be lawful for such Magistrates to grant a Warrant to levy the same by Distress, or in default thereof to commit the Offender to Gaol, there to remain without Bail for any Time not exceeding Three Calendar Months; and in any of the following Cases; (that is to say,)

If such Officer do not appear before such Magistrates at the Time and Place appointed, or

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

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

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

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

LV. And be it enacted, That no such Proceeding against or Dealing with any such Officer as aforesaid shall deprive the Commissioners of any Remedy which they might otherwise have against any Cautioner or Surety of such Officer. Commitment not to discharge Sureties.

LVI. And be it enacted, That the said Commissioners shall cause Notes, Minutes, or Copies, as the Case may require, of all Appointments made or Contracts entered into by them, and of the Orders and Proceedings of all Meetings, as well ordinary as special, of the Commissioners and of the Committees, to be duly entered in Books to be from Time to Time provided for the Purpose, which shall be kept under the Superintendence of the Commissioners; and every such Entry shall be signed by the Chairman of the Meeting at which the Matter in respect of which such Entry is made was moved or discussed; and such Entry, so signed, shall be received as Evidence in all Courts, and before all Judges, Justices, and others, without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Commissioners or Members of Committee respectively, or of the Signature of the Chairman, all of which last-mentioned Matters shall be presumed; and all such Books shall, at all reasonable Times, be open to the Inspection of the Commissioners and any of the Creditors or Rate-payers or other Parties interested. Proceedings to be entered in a Book, and be open to Inspection.

LVII. And be it enacted, That a Book shall be prepared and kept by the said Commissioners, or by such Person or Persons as they shall appoint, wherein shall be fairly entered an Account of all Monies levied and paid by virtue of this Act, and how the same have been applied; and the said Books shall be regularly balanced and docketed yearly, on the last *Monday of September*, the first Balance to be struck on the last *Monday of September* in the Year One thousand eight hundred and forty-four, from which a Statement of the Receipts and Disbursements for the Year preceding shall be made out and printed on or before the Second *Monday of October* annually, after the Books are balanced; and a Copy thereof shall be delivered to each of the said Commissioners, and lodged in the Police Collector to keep Books.

Office and Court House of the said Burgh, where the said Books and Copies shall remain Six Weeks for the Inspection (without Fee or Reward) of all Persons contributing to the aforesaid Assessments, and the said Statement shall also be published once at least in any One or more of the *Glasgow* Newspapers: Provided always, that the Statement of Receipts and Disbursements for the Year ending the Twenty-fourth Day of *September* One thousand eight hundred and forty-three shall be made out, balanced, and published in the Month of *October* in said Year, in Terms of the foresaid first-recited Act, any thing herein contained to the contrary notwithstanding.

Power to
give Salaries
to Superin-
tendent, &c.

LVIII. And be it enacted, That it shall and may be lawful for the said Commissioners, or the Majority of them, and they are hereby authorized and empowered, to order suitable Salaries or Allowances to be made to the said Superintendent of Police, Clerk, and Collector, and to order suitable Wages or Allowances to Serjeants, Patrolmen, Watchmen, and other inferior Servants, and to pay the necessary Expences incurred by them in the Execution of the Duty of their respective Offices, and to reward them for meritorious Services, as also to make Provision for any Superintendent, Officer, Watchman, or other Servant so employed who may at any Time be disabled in the Execution of his Duty, and to pay the necessary Expences of the aforesaid Establishment from the Assessment and other Funds hereby appointed to be levied, and from no other Fund whatever.

Commis-
sioners may
make Bye
Laws to
govern them-
selves and
their Ser-
vants.

LIX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws for regulating the carrying on of their Business and the Business of their Committees, and for the Government of the Officers, Servants, or other Persons in their Employ, as they shall think fit, to repeal or alter any such Bye Laws as they shall think fit, so as no such Bye Law be contrary to the Laws of the Realm, or the Provisions of this Act, and so as the same be reduced into Writing, and signed by the Commissioners or a Quorum of their Number.

Fines for
Breach of
such Bye
Laws.

LX. And be it enacted, That it shall be lawful for the Commissioners by such Bye Laws to impose such reasonable Forfeitures and Fines upon their Officers and Servants, or other Persons in their Employ, offending against the same, as they shall think fit, not exceeding Five Pounds for each Offence: Provided always, that such Bye Laws shall be so framed as to allow the Judge before whom any Penalty imposed thereby may be sought to be recovered to order the Whole or a Part only of such Penalty to be paid.

Duties of
Superinten-
dent of Po-
lice, Clerks,
&c.

LXI. And be it enacted, That the Duty of the said Superintendent of Police, Clerks, Servants, Watchmen, and other Officers shall be and they are hereby authorized to aid and assist the Provost and Bailies of the said Burgh in apprehending, detecting, and bringing to Justice Persons guilty, within the Limits of this Act, of Street Robberies, Housebreaking, Assaults, Theft, Reset of Theft, Shop-lifting, picking Pockets, Gambling, Pugilism, and other Crimes or Offences, by apprehending or causing the Parties accused to be apprehended
and

and imprisoned upon legal Warrant, and proceeded against in Terms of Law; in apprehending and putting the Law in execution against Vagabonds, Vagrants, public and sturdy Beggars, and other idle and disorderly Persons who follow no lawful Employment or Occupation; in suppressing disorderly Public Houses, and other Houses frequented by Persons of the aforesaid Description; in suppressing Mobs and Riots; in assisting to extinguish Fires; in putting the Laws into execution by which Owners and Drivers of Carts and other Carriages are prohibited from leaving the same on the Streets, Roads, and Passages, or riding on their Carts, or driving Carriages and Horses or Cattle furiously or improperly, so as to endanger Her Majesty's liege Subjects, or wantonly and cruelly beating, abusing, or ill-treating any Horse or Cattle, or leaving Wheel or Hand Barrows or any other Vehicles in or upon which Goods or Provisions are carried upon the Streets or Pavements or in the Closes or Passages after Daylight; in seeing that the said Streets, Squares, Lanes, Passages, and other Places are properly lighted and cleaned; guarding, patrolling, and watching the Streets, and in general in aiding and assisting the said Provost and Bailies in all Matters relative to regulating the Police and preserving good Order and Tranquillity in the said District, and in carrying the different Purposes of this Act into execution.

LXII. And be it enacted, That nothing herein contained shall be construed so as to prevent the said Commissioners, or a Majority of them, from dismissing the Superintendent or Master of Police, or any of the Officers, Patrolmen, Watchmen, or Servants appointed by virtue of this Act, when the said Commissioners think proper; and no Person so dismissed shall be reinstated without the Consent and Approbation of the whole of the said Commissioners for the Time being, or a Majority of them; and the said Provost and Bailies, or any Three of them, shall have Power to punish by Fine, not exceeding Five Pounds, or Imprisonment not longer than Sixty Days, any of the said Officers, Patrolmen, Watchmen, or Servants, when they shall find Cause and see it proper to do so.

Commissioners may dismiss and punish Officers, &c.

LXIII. And be it enacted, That if any Person shall resist, obstruct, or molest any Constable, Officer, Watchman, Workman, or other Person employed in the Execution of any Duty, or the Performance of any Work, by virtue of this Act, or of any Warrant of the said Magistrates, or any of them, or of any Bye Law, Regulation, or Order of the said Commissioners, or shall aid or incite any Person so to do, such Person so offending shall for each such Offence forfeit a Sum not exceeding Five Pounds; and if any Person shall assault or strike any such Constable, Officer, Watchman, Workman, or other Person employed as aforesaid, or aid or incite any Person so to do, or shall rescue or attempt to rescue, or aid or incite any Person to rescue or to attempt to rescue, any Prisoner whom any such Constable, Officer, Watchman, or any other Person shall have in Custody or be aiding to secure, such Person so offending shall for each such Offence forfeit a Sum not exceeding Ten Pounds, without Prejudice to any Constable, Officer, Watchman, or other Person on whom such Assault or Offence may have been committed to sue in any competent Court for Compensation,

Penalty for obstructing or assaulting Officers, &c. when on Duty.

pensation, Damages, or Expences for any Injury or Loss he may thereby have sustained.

Penalty on Keepers of Public Houses, &c. entertaining Officers, &c. during Time of Duty.

LXIV. And be it enacted, That if the Keeper of any Spirit Shop or Cellar or Public House shall knowingly harbour, entertain, or suffer to remain therein any Officer, Watchman, or other Person belonging to the said Police Force during any Part of the Time appointed for his being on Duty, (unless such Officer or Watchman shall be there for the Purpose of quelling Disturbances, or otherwise in the Discharge of his Duty,) or if any Person shall supply any such Officer, Watchman, or other Person with Liquor when upon his Station, or in any Shop, Cellar, House, or other Place, during his Hours of Duty, such Person so offending shall for each such Offence forfeit a Sum not exceeding Five Pounds.

Penalty on Persons unlawfully possessed of the Dress, or assuming the Character, &c. of Police Officers.

LXV. And be it enacted, That any Person, not being an Officer of the said Police Force, who shall have in his Possession any Article, being Part of the Clothing, Accoutrements, or Appointments supplied to any such Officer, and who shall not be able satisfactorily to account for his Possession thereof, or who shall put on the Dress, or take the Name, Designation, or Character of any Person appointed as such Officer, for the Purpose of thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, every such Person shall, in addition to any other Punishment to which he may be liable for such Offence, be liable in a Penalty not exceeding Ten Pounds.

Power to Magistrates to swear in Special Constables.

LXVI. And be it enacted, That, for the Purpose of aiding the ordinary Police Force on Occasions of Emergency, and suppressing or preventing any Tumult or Riot that may take place or be reasonably apprehended within the said Limits, and when the ordinary Officers for preserving the Peace may not be deemed sufficient for that Purpose, the Provost and Bailies of *Anderston*, or any Two or more of them, are hereby authorized, from Time to Time and as often as they shall deem it necessary or proper, to nominate and appoint, by a Writing under their Hands, so many as they shall think fit of the Inhabitants within the said Limits, and of Persons carrying on or engaged in Business therein, and residing in the Neighbourhood thereof, to act as Special Constables for such Time and in such Manner as the said Magistrates shall deem fit and necessary for the Preservation of the Public Peace, and for the Protection of the Inhabitants and the Security of Property, within the said Limits, and to recal such Appointments when they shall think proper; and the Special Constables so appointed shall have all the Powers which by the Law of *Scotland* or this Act, or any other Act, belong to the Office of Constable in Matters of Crime or Police within the Limits aforesaid; and if any Person so nominated and appointed shall refuse or fail to be sworn and enrolled as such Special Constable without a reasonable Excuse, of which the said Magistrates or any Two of them shall judge, he shall forfeit a Penalty not exceeding Five Pounds, to be sued for and recovered by a summary Warrant under

the Hand of any One of the said Magistrates, at the Instance of the Procurator Fiscal of Court.

LXVII. And be it enacted, That a Roll or List of such Special Constables shall be made and kept at the Police Office, and the Expence of enrolling, calling out, and employing Special Constables shall be defrayed from the Funds raised by Assessment for Police Purposes at the Disposal of the Commissioners under this Act.

Roll to be kept of Special Constables.

LXVIII. And be it enacted, That it shall be lawful to the said Commissioners to sell and dispose of the present Court House and Gaol in the Burgh of *Anderston*, and to erect a new and more extended Court House and Gaol in lieu thereof, or to add to such Court House and Gaol, and to erect such additional Lock-up Houses and other Accommodations as may be necessary for the Purposes aforesaid; to purchase Grounds, Tenements, and Apartments, or to obtain the same on Lease, and to erect other Buildings, in such Situations and on such Terms as they shall think proper, to be used as Court Houses, Gaol, Police Offices, Watch-houses, Engine Houses, Offices for Superintendents, Clerks, and other Officers, and also Dwelling Houses in the Vicinity thereof for Superintendents, Firemen, or other Officers whose Services may be more immediately required on urgent Occasions; and the Commissioners shall have Power to dispose of any Ground or Building at present or by this Act vested in them, or which they acquire, and are not deemed necessary or suitable, and to apply the Price or Prices in purchasing other Ground or Buildings for the Purposes herein authorized.

Power to sell the present and erect a new Court House and Gaol, &c.

LXIX. And whereas it may be necessary for public Health and Convenience to open up, enlarge, and extend certain narrow and confined Lanes, Wynds, and Thoroughfares, and to form new Streets, Lanes, and Thoroughfares within the Limits of this Act; be it enacted, That the Magistrates and Councillors and Commissioners of Police of the said Burgh shall have full Power and Authority to purchase and acquire from Persons willing to sell the same such Grounds, Houses, and Buildings as may appear to them to be necessary or expedient for these Purposes, and thereupon to pull down, use, sell, or otherwise dispose of such Houses, Buildings, and Ground, so as most effectually to alter, extend, widen, or otherwise improve such Streets, Lanes, Wynds, and Thoroughfares, and to form other Streets, Lanes, or Thoroughfares in and through such Limits, and also to contract and agree with the Owners or Occupiers of any Ground or Buildings, or other Parties interested therein, for the Removal of any Projections, Encroachments, or other Obstructions, and to appropriate the Ground or Site thereof for the Improvement of the said District and the Convenience of the Inhabitants thereof; and any Ground that shall be laid into Streets, Lanes, or Passages as aforesaid shall form Part of the public Thoroughfares, and shall be causewayed, paved, maintained, and repaired, and Common Sewers formed therein, in the same Manner as in other Streets, Lanes, and Thoroughfares within such Limits.

Power to widen Lanes, &c., and to remove decayed Buildings, &c.

Heritable
Rights to be
acquired in
Name of
the Clerk.

LXX. And be it enacted, That the Rights of all Heritable Property to be acquired in the Executions of this Act for the Purposes thereof shall be conceived and taken in favour of the Clerk to the Commissioners, and his Successors in Office, and such Rights shall be sufficient for vesting the Subjects so acquired in such Commissioners and their Successors in Office; and all Contracts, Agreements, Sales, and Conveyances, or other Deeds or Writings constituting such Right, may be made by Deeds, duly stamped, according to the Form in the Schedule (A.) to this Act annexed; and such Deeds being registered in the General Register of Sasines, Reversions, and other Writs kept at *Edinburgh*, or in the Particular Register of Sasines, Reversions, and other Writs for the District or City in which such Subjects may be situated, and which the respective Keepers of the said Registers are hereby authorized and required to register upon Payment of the accustomed Fees, shall receive the same Effect, and be as valid and effectual, to all Intents and Purposes, as if a formal Disposition thereof had been executed, followed by Sasine, and recorded, according to the Law of *Scotland*; any Law, Statute, or Practice to the contrary notwithstanding.

Power to
borrow on
Bond.

LXXI. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest on the Credit of the several Rates or Assessments by this Act granted, and other Property vested in them, any Sum of Money which, together with any Sum previously borrowed, shall not exceed the Sum of Five thousand Pounds for Police Purposes, and Five hundred Pounds for Statute Labour Purposes, and, in the event of any Part of such Sum of Money being repaid by the Commissioners, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Five thousand Pounds in the whole for Police Purposes, and Five hundred Pounds for Statute Labour Purposes, at any One Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners may assign over the said Rates, Assessments, and Property, or any Part thereof, to the Person who shall advance or lend such Money, or his Trustee, as a Security for the Payment of the Money so to be borrowed, together with Interest for the same: Provided always, that any Money borrowed under the Powers hereby granted shall be charged to the Police or Statute Labour Departments respectively, according as the same may be required and applied, so that the Funds and Affairs of these respective Departments may be kept separate and distinct, as heretofore.

Form of
Bond.

LXXII. And be it enacted, That every such Assignment or Bond shall be by Deed duly stamped, in which the Consideration shall be truly stated; and every such Deed shall be in the Form and Tenor of Schedule (B.) hereunto annexed, and shall be signed by the said Collector or Treasurer in Presence of Three Members of the said Commissioners specially authorized at a Meeting thereof to witness the Execution, who shall subscribe the same as Witnesses accordingly; and before such Deed shall be delivered to the Creditor the same shall be recorded in the Sederunt Book of the Commissioners; and

and a Certificate of such Registration shall be endorsed on such Deed, and signed by the Clerk of the said Commissioners, and thereafter the Creditor, and his Heirs, Executors, and Assignees, shall be entitled to the full Benefit of such Deed; and the Expences of every Assignment or Bond shall from Time to Time be defrayed by the Commissioners out of the Monies raised by the same.

LXXIII. And be it enacted, That all Persons to whom such Bonds or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the said Rates or Assessments, equally one with another, without any Preference in respect of the Priority of advancing such Monies, or of the Dates of any such Assignments respectively.

Bonds to be without Preference.

LXXIV. And be it enacted, That a Register of such Bonds or Assignments shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Bond or Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all reasonable Times by any Person interested therein, without Fee or Reward.

Register of Bonds and Annuities to be kept, and to be open to Inspection.

LXXV. And be it enacted, That from Time to Time any Party entitled to any such Bond or Assignment may transfer his Right and Interest therein to any other Person, by Deed duly stamped, wherein the Consideration shall be truly stated; and any such Transfer may be according to the Form in the Schedule (C.) to this Act annexed, or to the like Effect.

Assignment of Bonds.

LXXVI. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Clerk to the Commissioners, and thereupon such Clerk shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Bond or Assignment, and for such Entry the Clerk may demand a Sum not exceeding Two Shillings and Sixpence; and after such Entry every such Transfer shall entitle the Transferee, his Executors, Administrators, or Assigns, to the full Benefit of the original Bond or Assignment in all respects; and no Party, having made such Transfer, shall have Power to make void, release, or discharge the Bond or Assignment so transferred, or any Money thereby secured.

Registers of Transfers to be kept.

LXXVII. And be it enacted, That, unless otherwise provided by any Bond or Assignment, the Interest of the Money borrowed upon every such Bond or Assignment shall be paid half-yearly to the several Parties entitled thereto.

Interest on Mortgages to be paid half-yearly.

LXXVIII. And be it enacted, That if the Commissioners can at any Time borrow or take up any Sums of Money for any Purposes of this Act at a lower Rate of Interest than any Securities given

Power to take up Money at a less Rate of Interest.

given by them, and which shall then be in force, shall bear, then from Time to Time it shall be lawful for them to borrow such Sums of Money as they shall think proper, at such lower Rate as aforesaid, in order to pay off and discharge the Securities bearing such higher Rate of Interest, and to charge the Rates and Assessments or other Funds or Property rateable under this Act or any Part thereof, with Payment of such Sum and such lower Rate of Interest, in such Manner and subject to such Regulations as are herein contained with respect to other Monies borrowed on Bond.

Application
of Monies to
be borrowed.

LXXIX. And be it enacted, That all the Money which shall be raised on the Credit of the Rates hereby authorized to be levied shall be applied in paying any Debts which may have been incurred in the Execution of the said recited Act, or of this Act, in purchasing Lands and Tenements, and building Houses and Apartments for and to be used as a Gaol and Court House, Office or Offices, Lock-up House or Houses, Watch-house or Watch-houses of Police; in purchasing Ground for building Slaughter-houses or Shambles, depositing the Dung to be swept and carried from the Streets or other Places, or for storing Materials for making and maintaining Streets, Drains, and Common Sewers, and erecting Recesses and public Privies or Necessaries, as after mentioned; in purchasing Fire Engines and Apparatus, and in purchasing and erecting Lamps and Lamp Posts, and lighting said Lamps, all as herein directed and authorized, and for the other necessary Purposes of this Act.

Commis-
sioners not
to be per-
sonally
liable.

Liability of
their Funds.

LXXX. And be it enacted, That nothing in any such Contract or other Instrument made or entered into in pursuance of this Act, for any of the Purposes of this Act, shall extend to charge or affect the Persons of any of the Commissioners, or their Heirs, Executors, or Administrators, or their or any of their own proper Lands or Goods, with or for the Performance of any thing contained in any such Instrument; but the Amount of all Damages, Costs, and Charges recovered in any Action or Suit in consequence of any such Instrument, or which any such Commissioner shall otherwise be put to by virtue of this Act, shall respectively be discharged out of the Monies to arise by virtue of this Act, or other the Goods and Chattels vested in the Commissioners by virtue of their Office, unless such Action or Suit, or any such Damages or Charges, have arisen in consequence of wilful Neglect or Default on the Part of the Commissioners incurring the same, or unless such Action or Suit have been defended without the Order or Direction of Commissioners.

Actions or
Suits to be
brought in
the Name of
Two Com-
missioners
or their
Clerk.

LXXXI. And be it enacted, That in all Actions and Suits in respect of any Matter or Thing relating to the Execution of this Act to be brought by or against the Commissioners it shall be sufficient to state the Names of any Two of the Commissioners, or the Name of their Collector or Clerk, as the Party, Pursuer or Defender, representing the Commissioners in any such Action or Suit; and no such Action shall abate or be discontinued by the Death of any such Commissioner, or the Death, Suspension, or Removal of such Collector or Clerk.

LXXXII. And

LXXXII. And be it enacted, That Executions upon every Judgment or Decree against the Commissioners in any such Action or Suit shall be executed against the Goods and Chattels belonging to the Commissioners by virtue of their Office. Executions against Goods of Commissioners.

LXXXIII. And be it enacted, That any Summons, Notice, or Writ, or other Proceeding at Law, requiring to be served upon the Commissioners, may lawfully be served by delivering the same personally to the Clerk of the Commissioners, or to some Inmate at his usual Place of Abode, or by leaving the same at the Office of the said Commissioners. Service of Notice on Commissioners.

LXXXIV. And be it enacted, That every such Commissioner, Collector, or Clerk in whose Name any such legal Proceedings shall be carried on, either as Pursuer or Defender, on behalf of the Commissioners, shall be reimbursed, out of the Monies which shall come into the Hands of the Commissioners or their Collector by virtue of this Act, all Damages, Costs, Charges, and Expences to which any such Commissioner, Collector, or Clerk may be put or with which he may become chargeable by reason of being so made a Pursuer or Defender; and no such Commissioner, Collector, or Clerk shall be personally liable for the Payment of the same unless such Action or Suit have arisen in consequence of his own wilful Neglect or Default, or unless, if such Action have been brought by the Collector or Clerk or Two Commissioners, or more, as aforesaid, it have been so brought without the Order or Direction of the Commissioners. Indemnity to Commissioners and

LXXXV. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause such Common Sewers, Drains, Vaults, Culverts, Watercourses, Wells, and Pumps as they may think necessary to be constructed in or under any Street within the Limits of this Act, and also to cause any of the Common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, which now are or hereafter shall be within the same, to be altered, repaired, cleansed, and completed as to them shall seem necessary, and to carry and continue the same in, to, and through any Lands within the Limits of this Act. Power to construct Common Sewers.

LXXXVI. And be it enacted, That if any Person interested in any such Lands shall be injured by any such Sewer, Drain, Vault, Culvert, Watercourse, Well, or Pump being carried into or through his Lands, the Commissioners shall pay to such Person a reasonable Compensation for the Damage or Injury sustained by him. Compensation to be made for Injury thereby.

LXXXVII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to empower any Person to carry any private Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse already made, or which shall be made by virtue of this Act, according to such Plan as the Commissioners shall direct; but if any Person shall carry any such private Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse without the pre- Communi- cation of private Drains with Common Sewers.

vious Consent of or in any other Manner than shall be directed by the Commissioners, he shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Occupiers to
repair private
Drains.

LXXXVIII. And be it enacted, That the Occupier of any House or Land to which any private Drain which now does or hereafter shall issue into any of the said public Sewers, Drains, Vaults, Culverts, or Watercourses shall repair and cleanse the same when required by and according to the Direction of the Commissioners.

Saving Rights
of Blyths-
wood, &c.
in Sewers.

LXXXIX. Provided always, and be it enacted, That nothing herein contained shall prejudice or affect the Right of *Archibald Campbell* Esquire, of *Blythswood*, and his Heirs and Successors in that Estate, and the Feuars and Disponees upon the same Estate, to use the Common Sewer formed in *Anderston Road* and *Washington Street*, and the Continuation thereof to the *Clyde* at the *Broomielaw*, and to conduct Drains into the said Common Sewer for the Purpose of Drainage from the Streets formed or to be formed upon the said Estate, and from the Houses and Works erected or to be erected on the same, and for such other Purpose or Purposes as might have been competent before the passing of this Act.

Further
Proviso as to
Sewers.

XC. And whereas the said Common Sewer in *Anderston Road* and *Washington Street*, and until it joins the Sewer running into the *Clyde* at the *Broomielaw*, was formed and is maintained in good Repair by the said *Archibald Campbell*, and certain Proprietors of Lands situate along the Line of the said Common Sewer, and their Feuars and Disponees; be it enacted, That it shall not be lawful for the said Commissioners to empower any Person to conduct a private Drain into the said Common Sewer without taking such Person bound to relieve the said *Archibald Campbell* and the Proprietors of Lands and Feuars and Disponees aforesaid, and their Successors, of a rateable Proportion of the Expence of forming and maintaining the said Common Sewer.

Proprietors
of Flats of
Houses may
have a Ser-
vice Pipe
from Main
Water Pipe.

XCI. And be it enacted, That it shall be lawful to the Proprietor of any One or more Floors or Stories of any House or other Building within the Limits aforesaid to have a Service Pipe from any Main Water Pipe in the Street brought up the common Staircase, or along the Back or Side Wall of the Tenement on the Outside, and either passing under Ground through the sunk Storey or lowest Flat, or, where practicable, through any common Entry: Provided always, that Authority shall be first obtained from any of the said Magistrates, which may be granted summarily without written Pleading, to lay and put up such Pipe; and the Expence of laying and putting up the same, and of keeping it in repair, and the Damage thereby occasioned, shall be defrayed by the Person or Persons using the same; and no Person shall have Power to join the Service Pipe to the Main Pipe without the Sanction of the Magistrates of *Anderston*, or of any Water Company who may supply such Water.

Proprietors
of Flats of
Houses may

XCII. And be it enacted, That in all Streets, Lanes, and other Places within the Limits of this Act where Common Sewers now are

or may hereafter be constructed, it shall be lawful to the Proprietor or Proprietors of One or more Floors or Stories of any House or other Building divided into separate Floors or Stories (on obtaining Authority for the Purpose from any Two of the said Magistrates, summarily, after visiting the Premises, or on the Report and Recommendation of a Person or Persons skilled in the Art of Building, as any of the said Magistrates may appoint, and on hearing the Parties concerned,) to erect a Waste or Foul Water Pipe or Soil Pipe in or upon the common Staircase, or along the Back or Side Wall of the Tenement on the Outside, to communicate with any Drain under Ground leading into the Common Sewer where there is such Drain, and with Power to make such Drain if none such already exists: Provided always, that the Expence and Damage occasioned by erecting and constructing such Pipe, Communications, and Drain, and the Expence of keeping the same clean and in good Repair, shall be defrayed by the Proprietors of the Floors or Flats making use thereof, in proportion to their respective Rents or annual Value, as the same may be ascertained from the Police Assessment Books or otherwise; and in case of Dispute among the Parties, or any of them, relative to their Proportion of such Expence, the same shall be determined by the said Magistrates, or any Two of them, in a summary Manner; and provided also, that when any Proprietor is by his Title Deeds or otherwise burdened with the Expence of conveying the whole Water from any House or Building, he shall continue to be subject to such Burden.

erect Waste Water Pipes to communicate with Sewers on obtaining Authority.

XCIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the Houses and Buildings in the Streets within the Limits of this Act to be numbered, and to cause to be affixed or painted in a conspicuous Part of some House, Building, or Place at or near each End, Corner, or Entrance of every such Street the Name by which such Street is to be known; and if any Person shall destroy, pull down, or deface any such Number or Name, or shall put up any Number or Name different to the Number or Name put up by the Commissioners, he shall forfeit a Sum not exceeding Forty Shillings for every such Offence.

Houses to be numbered and Streets named.

XCIV. And be it enacted, That the Owners and Proprietors of all Houses and Buildings, and of Gardens or Grounds adjoining to and fronting any Street, Square, or public Places already formed or to be formed within the said District, shall, at his, her, or their Expence, cause the Ground before their Properties respectively, where Houses or other Buildings are erected on the Side of the said Streets, Squares, or other public or principal Places, to be brought to a proper Level so as to carry off the Water, and to be well and sufficiently paved with flat hewn Stones of such Breadth and Quality, and in such Manner and Form, as the said Commissioners (after visiting the Grounds and hearing the Parties) shall direct and appoint; the Foot Pavement in the said Street or Square being always of one Breadth, and the Breadth of the said Foot Pavement not to exceed Ten Feet in Streets of Sixty Feet wide and upwards, Eight Feet in Streets from Fifty to Sixty Feet wide, Seven Feet in Streets from Forty to Fifty Feet wide, Five Feet in Streets from Thirty to Forty Feet wide, Four Feet

Foot Pavements to be made.

Feet in Streets from Thirty to Twenty Feet wide, and in Streets less than Twenty Feet wide the Foot Pavements shall be laid in such Form and in such Width as the said Commissioners may think proper to order and appoint: Provided always, that where the Owners or Proprietors are bound by their Title Deeds to make Pavements of a certain Breadth, such Title Deeds shall regulate the Commissioners in fixing the Breadth of Pavements in those particular Streets; and it shall be in the Option of the Owners or Proprietors of such Gardens or Grounds within the said District on which no Buildings are erected either to make the Foot Pavements in manner aforesaid, or to pave opposite their Properties with Whinstone, or lay the same with Gravel, leaving a sufficient Curb Freestone until the same shall be built upon, but no longer; and such Parts of Footpaths as are opposite to Wynds, Lanes, and Cart or Carriage Entries, may also, in the Option of the Proprietors, be paved with Whinstones.

In case Proprietors refuse, the Provost or Bailies may order Foot Pavements to be made.

XCV. And be it enacted, That in case any such Owner or Proprietor shall refuse or neglect to cause such Ground to be paved in manner aforesaid within such Time as he shall be required so to do by the said Commissioners, it shall and may be lawful to any One or more of the Provost or Bailies of *Anderston* to cause the same to be done at the Expence of such Owner or Proprietor; and in case any such Owner or Proprietor shall refuse or neglect, when required, to pay the Expences of the said Foot Pavements, it shall and may be lawful to any One or more of the said Magistrates to decern such Expence, together with the Charges of recovering the same, to be paid by such Owner or Proprietor, either to the Tradesman doing the Work, or to any Person authorized to receive the same, in manner herein-after mentioned: Provided always, that in every Case where such Owner or Proprietor shall be unable to pay the Expence of making the said Foot Pavement in one Sum, any One or more of the said Provost or Bailies may decern the same to be paid by such Instalments and at such Periods as to him or them shall seem proper.

Foot Pavements, how to be kept in Repair.

XCVI. And be it enacted, That it shall and may be lawful for the said Provost or Bailies, or any of them, after the said Foot Pavements or Paths are made, by virtue of this Act, to ordain them to be kept in proper Repair; and for any One or more of the said Provost or Bailies, upon Complaint being made to him or them by the said Commissioners, to give Decrees for the Charges and Expence of repairing, relaying, and maintaining the same, together with the Expences of Recovery against the Owners or Proprietors of Houses, Buildings, Gardens, and Grounds, in the same Manner as he or they are herein-before empowered to decern for the Expence of making the said Foot Pavements,

How Expences thereof to be apportioned.

XCVII. And be it enacted, That when Houses, Grounds, or Buildings belong to more Proprietors than One, the several Proprietors shall be bound to cause the Ground before their respective Properties to be paved, and the Pavement to be kept in repair in manner aforesaid, the Expence being defrayed by such Proprietors in proportion to the Rents of the respective Parts of the Premises belonging

belonging to each of them, according as the same shall at the Time stand rated in the Rent Roll herein-after mentioned; and in case any Dispute or Difference shall arise among the several Proprietors of the same House or Building relative to their Proportions of the said Expence, it shall and may be lawful for the said Provost, or any One of the said Bailies, to fix and ascertain the same according to the Rate of such Rents in the said Roll; and in case of any Difference between the said Commissioners and the Proprietors of the Premises, either with respect to making or keeping in repair such Foot Pavements, or as to the Expence of the same, it shall and may be lawful to the said Provost or Bailies, or any One or more of them, on a Complaint to be made to him or them, (after visiting the Premises and hearing Parties concerned,) to determine any such Difference, which Determination shall be final and binding on all Parties.

XCVIII. And be it enacted, That the Tenants or Occupiers of the Houses or other Buildings belonging to such Owners and Proprietors, in default of the Proprietors paying such Expence, and in case such Tenants or Occupiers shall pay the same (which they are hereby authorized and required to do to the Amount of the Rents payable by them respectively), shall be at liberty and they are hereby empowered to deduct and retain out of their Rents such Sums of Money as they shall respectively pay on account of the said Payments for their respective Landlords, Owners, or Proprietors, who are hereby required to admit of such Deductions, any Lease or Contract to the contrary notwithstanding.

Expences, when paid by Tenants, may be deducted from their Rents.

XCIX. And be it enacted, That it shall be lawful to and in the Power of the Commissioners to direct and cause to be paved or causewayed, or laid with Road Metal and kept in repair, such Parts of the public Streets, Roads, Lanes, and Passages within the Limits of this Act (other than the Roads falling under the Management and Direction of Trustees under any Turnpike Act) as may be necessary for the general Convenience of the Inhabitants of the said District, and which the Owners or Proprietors of the adjoining Houses or Buildings, Gardens or Grounds, are not required or obliged to pave or causeway and to keep in repair by the Terms of their Title Deeds, or by any of the Provisions of this Act.

Streets to be paved.

C. And be it enacted, That the Owners or Proprietors of Grounds within the said Limits, who may or shall have failed to causeway the Streets therein, or any Part of the said Streets, in Terms of the Obligations expressed in their Title Deeds, shall be obliged to causeway, or, in the Option of the said Commissioners, to lay with Road Metal, the said Streets opposite to their respective Properties, within Three Calendar Months after being required to do so by the said Commissioners; and in the event of such Owners or Proprietors refusing or delaying after the Expiration of that Period to causeway or lay with Road Metal the said Streets or Parts of Streets, it shall and may be lawful for the said Provost or Bailies, or any One of them (after having visited and inspected the Grounds), to ordain the same to be done at the Expence of the said Owners or Proprietors, and to issue Decrees against such Owners or Proprietors for the said

Heritors to causeway in Terms of their Title Deeds.

Expence : Provided always, that when any of the Streets which have been causewayed and paved by the said Proprietors in Terms of their Title Deeds shall be opened for the Use of the Public, the Expence of keeping the same in repair thereafter shall be defrayed out of the Funds raised by virtue of this Act.

Proviso as to Commissioners keeping up Sandyford Street.

CI. And be it enacted, That notwithstanding the Centre of *Sandyford Road* or *Sauchiehall Street* is herein-before declared to be Part of the Boundaries of this Act for Police Purposes, the said Commissioners shall be bound and obliged, in all Time coming, to keep and maintain the whole Width of said Road, so far as the Centre of said Road is a Boundary as aforesaid, at their own proper Costs and Charges, in such Manner as the Statute Labour Trustees of the Barony Parish, before the passing of this Act, were bound by the said recited Act, 47 *Geo. 3*, *Cap. 45*, to keep and maintain the same, and to free and relieve the said Statute Labour Trustees of the said Obligation.

Proviso as to cleaning Pavements.

CII. And be it enacted, That every Person or Persons who shall possess the Shops, or where there are no Shops who shall inhabit the First Floor of any Dwelling House or other House or Building adjoining to or fronting the front Pavements, shall cause the same, along the Front of their respective Shops, Dwelling Houses, or other Buildings, to be swept, scraped, and cleaned once every lawful Day, between the Hours of Eight and Nine in the Morning, and where there are no Tenants therein the Tenants who shall possess the Second Floor, and where there are no Tenants therein the Tenants who shall possess the next Floor, of any such Dwelling House or Building shall cause the said Pavement and also the Pavement in front of the Entry or Passage to such Dwelling House to be in like Manner swept, scraped, and cleaned once every lawful Day, between the Hours of Eight and Nine ; or if they or any of them fail to do so it shall be lawful for the said Provost or Bailies or any One of them to decern in a summary Manner such Possessors and Proprietors to pay any Sum not exceeding Two Shillings for each Offence, to be levied and applied in manner herein-after directed ; and in case any Dispute shall arise among the Possessors or Occupiers of the Shops, Houses, or Property adjoining the said Foot Pavements, relative to the cleaning, scraping, and sweeping the same, it shall and may be lawful to the said Magistrates or any One of them to determine such Dispute ; and if any Shop, Tenement, or Building be empty or unoccupied the Owner thereof shall be deemed the Occupier with reference to this Enactment : Provided always, that in case it may appear expedient to the said Commissioners to take the Charge of sweeping and cleansing the said Pavements, it shall and may be lawful for them to sweep and clean the said Pavements, and to defray the Expence thereof out of the Funds raised by virtue of this Act.

Power to employ Scavengers.

CIII. And be it enacted, That it shall and may be lawful for the Commissioners and they are hereby authorized and empowered to contract with and employ Scavengers or other Persons to cleanse and sweep the Streets, Squares, and other public Places within the said Limits, (except the Foot Pavements, in case it shall not appear expedient

dient to the said Commissioners to employ the public Scavengers to sweep and clean the said Foot Pavements, as herein-before provided,) and also those Parts of the said Footpaths which are made with Whinstone or Gravel, and to order all Soil, Dirt, Ashes, and Filth to be collected into Heaps, and to be immediately removed and carried to such Place or Places as the said Commissioners shall appoint, and to sell and dispose of such Soil, Dirt, Ashes, and Filth to such Person or Persons as may be desirous to purchase the same, the Money thence arising being always applied to wards the Purposes of this Act: Provided always, that the Expence of employing the said Scavengers and other Persons shall be defrayed from the Funds to be levied in manner herein-after directed.

CIV. And be it enacted, That it shall and may be lawful to the said Provost and Bailies, or any Two of them, within the said District, and they are hereby empowered, upon Application or Complaint being made to them by and in Name of the Procurator Fiscal of the Burgh of *Anderston*, (after inspecting the Premises and hearing the Parties concerned,) to order, by a Decree under their Hands, the Proprietors of Houses or other Buildings fronting any of the Streets within the said Limits to remove or cause to be removed and taken away, within a reasonable Time, all Outstairs, Outshots, Buildings, Erections, Sign Posts, and other Things whatsoever which project upon or tend to obstruct the free Passage of the said Streets and Foot Pavements, or which project or extend beyond the proper Line or Breadth; and if within the Time specified in such Decrees the said Outstairs, Outshots, Buildings, Erections, Sign Posts, and other Things whatsoever which project upon or tend to obstruct the free Passage of the said Streets be not taken away, the Owner of such House or Building to which the same may be annexed or belong shall forfeit and pay any Sum not exceeding Ten Shillings Sterling, and so *toties quoties* for every Month after such Decree during which the said Outstairs, Outshots, Buildings, or other Projections shall remain, the said Fines to be levied and applied in manner herein-after directed: Provided always, that in case the aforesaid Obstructions shall not be removed within Three Calendar Months after the Time they are decerned to be removed, then it shall be lawful to the said Provost and Bailies, or any Two or more of them, and they are hereby empowered, to order the same to be removed *brevi manu*.

Outside
Stairs, &c. to
be removed.

CV. Provided always, and be it enacted, That where the Houses and Buildings erected on the Sides of the said Foot Pavements cannot have convenient Access and Entries by other Passages than by Outstairs, the said Provost and Bailies, or any One or more of them, shall order such Outstairs to be altered and narrowed in such Manner as to leave a free Passage not less than Two Thirds of the Breadth of the Foot Pavement opposite to the said Outstairs,

Proviso as to
Outstairs.

CVI. And be it enacted, That if any Person shall after the passing of this Act erect or begin to erect any Stair, Building, or Projection so as to encroach upon any Street, Highway, or Footpath within the Limits of this Act, such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall

Encroach-
ments to be
prevented.

shall forthwith remove such Stair, Building, Projection, or other Erection upon being thereto required by Warrant of or under the Hand of any One of the Magistrates of *Anderston*; and in the event of any such Person refusing or delaying to remove such Stair, Building, Projection, or other Erection, it shall be lawful to the said Magistrate to order the same to be removed forthwith at the Expence of the Person so refusing or delaying.

No House to be thatched with Straw.

CVII. And be it enacted, That the Proprietors of such Tenements or Houses as may be erected, and of such Houses or Tenements as may be unroofed or rebuilt, subsequent to the passing of this Act, shall be and the said Proprietors are hereby prohibited from thatching with Straw, Broom, Heath, Rushes, Reeds, or Fern the Roofs of such Tenements; and if any Person shall offend in these Particulars every Person so offending shall pay a Penalty not exceeding Ten Pounds for every Calendar Month that any such House or Tenement shall remain so thatched with Straw, Broom, Heath, Rushes, or Fern.

Provost and Bailies authorized to line front Tenements.

CVIII. And be it enacted, That the said Provost and Bailies are hereby empowered, upon Complaint and Application made to them by any neighbouring Proprietor, or by the Procurator Fiscal of the Burgh of *Anderston* on behalf of the Public, (after visiting the Premises and hearing Parties concerned,) to line the Fronts of any House or Building to be erected in any of the Streets, Passages, or Lanes within the said Limits in such Manner as they may see necessary for preserving the proper Width and Regularity of the Line of Building in the Main Street of *Anderston*, and the other Streets, Passages, or Lanes aforesaid, and to cause all Openings in the Streets or Pavements, either for Lights or Entry, to be properly secured; and that it shall not be lawful to any Proprietor, Builder, or other Person to commence the Erection of any Building in front of any of the Streets, Lanes, or Passages without having the same first lined in manner before mentioned; and if any Party shall offend herein the Party so offending shall be liable in a Penalty not exceeding Twenty Shillings for each Offence,

Compensation to be given Proprietors of Ground surrendered to the Public.

CIX. Provided always, and be it enacted, That in all Cases where the said Provost and Bailies shall find it expedient to order any of the said Houses or Buildings to be erected in such a Line as that some Portion of Ground must be surrendered to the Public, they shall be entitled to make such Order, but they shall satisfy the Proprietors for the Value thereof out of the Funds to be levied under this Act, such Value to be ascertained by the said Provost and Bailies with the Consent of all Parties interested in such Ground, but when such Consent cannot be obtained, then to be ascertained by the Sheriff of *Lanarkshire*; and when any of the present Houses or Buildings which are situated without the Line of any of the Streets shall be taken down in order to be rebuilt, it shall be lawful for the said Provost and Bailies to allow the Proprietors when they rebuild the Tenements to occupy the Space which remained vacant in front of the old Buildings, upon Condition of their paying to the Treasurer of the said Commissioners, for Behoof of the Community,

the Value of the Ground so allowed to be occupied, the said Value to be ascertained in manner aforesaid: Provided that no Proprietor in rebuilding any of the Tenements presently fronting the Main Street of *Anderston*, where the Breadth of the said Street is at present Seventy Feet or upwards, shall be entitled to come forward to a Line within that Breadth; and provided also, that from the Termination of the present Line of Building on the South Side of the said Street to its extreme Western Boundary, the said Provost and Bailies are hereby authorized and empowered to widen the said Street to such Extent, not less than Seventy Feet in Breadth, as they shall deem to be for the Advantage of the Public, upon the Proprietors of the Ground being indemnified for the Loss which they may thereby sustain in manner herein-before directed.

CX. And be it enacted, That it shall not be lawful for any Person or Persons to open up or to make any Cut or Opening for any Purpose whatever in or upon any of the Streets, Roads, Lanes, or Passages within the Limits of this Act, without first intimating his or their Intention to do so to the said Commissioners, or to the Superintendent of Police appointed by them, and undertaking, by an Obligation granted to the said Commissioners, or to the said Superintendent on their Behalf, to defray the whole Expence of filling up and re-causewaying the said Cut or Opening to the Satisfaction of the said Superintendent, and to maintain the same in proper Repair re-causewayed for Twelve Months thereafter; and any Person or Persons contravening this Enactment shall be subject to a Penalty not exceeding Forty Shillings, and shall be also bound to repair the whole Injury and Damage done, which Penalty and Reparation may be enforced and recovered, with Costs, by Decree of any of the said Magistrates pronounced, on a summary Complaint being presented to him by the said Superintendent or the Procurator Fiscal, which the said Magistrate is hereby authorized and required to pronounce in Absence of the Party offending, when duly cited, shall fail to appear, or upon hearing the Parties verbally, if Appearance shall be made, and upon being satisfied of the Truth of the said Complaint, without preserving a Record of the Procedure or Evidence, and his Decree shall be final, and not subject to Review in any Form or by any Court.

Cuts or
Openings on
Street pro-
hibited with-
out Notice.

CXI. And be it enacted, That all Persons liable to be called upon to form and maintain Turnpike Roads, Streets, Lanes, or Passages within the Limits of this Act shall be bound, when required by the said Commissioners, to make and form sufficient Crossings for Foot Passengers at all necessary and suitable Places thereon, upon safe and proper Levels, with square dressed Whinstones, Granite, or other proper Materials, and in case of Neglect or Refusal to do so when required shall be subject to a Penalty not exceeding Forty Shillings; and in case of Dispute as to the Necessity for such Crossings at particular Places, or any other Matter or Thing relative thereto, the same shall be determined summarily by the said Magistrates, whose Decision shall be final and binding upon all concerned.

Crossings to
be formed.

[*Local.*]

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CXII. And

No House,
&c. to be
erected with-
in Twenty
Feet of the
Centre of
any Roads.

CXII. And be it enacted, That no Person shall make or erect any House or other Building, except only Stone Fences or Walls not exceeding Six Feet in Height, within Twenty Feet of the Centre of any of the Statute Labour Roads within the said Limits, and any Person so offending shall forfeit a Sum not exceeding Five Pounds Sterling for each Offence; and the Person or Persons so offending shall, when required by the said Commissioners, remove any such House or other Building, and upon their failing to do so within One Month after being required in Writing by the said Commissioners or the Superintendent of Police, it shall be lawful for the said Commissioners to order the said House or other Building to be removed at the Expence of the Person or Persons so offending, and to recover the Expence of doing so in the summary Manner provided by this Act.

How Water
is to be con-
veyed from
Roofs of
Houses.

CXIII. And be it enacted, That the Water from the Roofs of all Houses and other Buildings within the said Limits fronting the public Streets and Squares, and the Lanes and Wynds which are Thoroughfares, shall be conveyed in Lead or other Pipes reaching within Six Inches of the Ground, and affixed to or on the Sides or Fronts of such Houses and Buildings, and the Owners or Proprietors thereof shall be obliged to make a Gut or Gutter in the Pavement, from the Termination of the said Pipe or Pipes, for carrying off the Water therefrom into the Common Sewer; and in case the Owners or Proprietors of such Houses and Buildings shall not cause such Water to be so conveyed within Three Months after being required to do so by the said Commissioners, then it shall and may be lawful for the said Provost and Bailies, or any Two of them, and they are hereby authorized and empowered, upon Application by the Commissioners or Procurator Fiscal aforesaid (on inspecting the Premises, and hearing Parties concerned), to decern in a summary Manner such Owners or Proprietors to pay any Sum not exceeding Five Shillings Sterling for every such Offence; and if, after Conviction of any such Offence, the Water from such Houses and other Buildings shall still be conveyed otherwise than in Pipes so affixed and reaching as aforesaid, for the Space of One Calendar Month, then the Owner or Proprietor of every such House or Building shall forfeit and pay any Sum not exceeding Ten Shillings Sterling, and so *toties quoties* for every Month after such Conviction during which the Water shall be conveyed otherwise than aforesaid, such Fines to be levied and applied in manner herein-after directed, and to be always paid by the Proprietors according to the Proportion of their respective Rents, rated as herein-before mentioned; and in case the said Persons shall neglect for Two Calendar Months to convey the Water from the said Houses or Buildings in manner aforesaid, it shall be lawful to the said Provost and Bailies, or any One or more of them, upon Application by the Commissioners or Procurator Fiscal, to order the Work necessary for conveying the Water in manner aforesaid to be done at the Expence of the said Persons, and to decern against them for Expences thereof, over and above the Penalties which they may have incurred.

CXIV. And

CXIV. And be it enacted, That where the Floors or Stories of any Houses or Buildings belong to more Proprietors than One the several Proprietors of the same House or Building shall defray the Expence of making, affixing, or keeping in repair the said Pipes, and the said Guts or Gutters in the Pavements, in proportion to the Rents of the Parts of such Houses or Buildings which belong to them respectively, as rated in the Rent Roll herein-before mentioned; and in case any Dispute or Difference shall arise among the several Proprietors of the same House or Building relative to the Proportions of the aforesaid Expences it shall and may be lawful for the Provost and Bailies, or any One or more of them, after inspecting the Premises and hearing Parties concerned, by a Decree under their Hands to determine the same according to the Rate of such Rents in the said Roll, and to decern for that Expence in manner aforesaid.

Where Houses belong to more Proprietors than One.

CXV. Provided also, and be it enacted, That where the Tenants or Occupiers of any House or other Building shall, in default of the Proprietors paying such Expence in conveying the Water aforesaid, (which they are hereby authorized and required to do, to the Amount of the yearly Rents payable by them respectively,) they may and are hereby authorized and empowered to apply the Lead and Materials of any Pipe or Pipes formerly affixed to the said Houses, or the Produce thereof, towards such Expences, and to deduct the Remainder of such Expence from the next Rent due to their Landlords, who are hereby directed and required to allow the same, any Lease or Contract to the contrary notwithstanding; and in the event of the said Proprietors not residing within the said Limits Notice of the Complaint, or of the Order of the said Provost or Bailies, or any One or more of them, being served on the Occupiers or Tenants, shall be as valid and effectual as if served on the Owners or Proprietors personally.

Where done by Tenants, they may deduct the Expence from Proprietors.

CXVI. And be it enacted, That all Closes and Thoroughfares within the Limits aforesaid which are not causewayed or paved by the said Commissioners shall be formed of a proper Level, and be well and sufficiently causewayed or paved, and proper Drains shall be formed therein for carrying off Rain, Soil, or Surface Water, by or at the Expence of the Proprietors of such Closes or Thoroughfares, and to the Satisfaction of the Superintendent or of any skilled Tradesmen appointed by the said Magistrates or any of them, on the Application of the Procurator Fiscal of Court or Superintendent of Police; and the Causeway, Pavement, and Drains shall be kept in good Repair, by or at the Expence of such Proprietors as aforesaid, in manner herein-after enacted.

Closes to be levelled and causewayed or paved, and Drains formed therein, by Proprietors.

CXVII. And be it enacted, That all Closes and Thoroughfares, and all Areas and Wastages, which are not cleaned by Scavengers appointed under this Act, shall be kept clean and clear of all Dung, Filth, or Rubbish, and such Closes and Thoroughfares shall, at least twice each Week, and such Areas and Wastages as often as may be necessary or when required by the Superintendent of Police, be cleaned out by or at the Expence of the Proprietors of such Closes or Thoroughfares, Areas or Wastages, or of Houses or other Buildings therein

Closes, Areas, and Wastages to be cleaned by Proprietors.

therein respectively; and if such Closes, Thoroughfares, Areas, or Wastages shall not be so kept and cleansed the Proprietors, or their Factors or Agents having Charge thereof, shall be liable in a Penalty not exceeding Ten Shillings for each Offence.

The several Proprietors to defray the Expence of causewaying and paving Closes.

CXVIII. And be it enacted, That the several Proprietors of Closes and Thoroughfares, and of Houses and Buildings therein, and of Dungsteads, Ashpits, Office Houses, and other similar Places or Premises aforesaid, shall respectively be obliged to defray the Expence of causewaying or paving and levelling the said Closes or Thoroughfares, forming Drains therein, and keeping the said Closes or Thoroughfares, Areas and Wastages, clean, and constructing, forming, inclosing, repairing, keeping in good Condition, and cleaning out such Dungsteads, Ashpits, Office Houses, and other similar Places or Premises, in proportion to the Value of their respective Properties; and if any Dispute shall occur among such Proprietors relative to their Proportion of such Expence, the same shall be determined in a summary Manner by the said Magistrates or any of them, and the Decision of such Magistrates shall be final and binding on the Parties; provided that where any such Proprietor is, by his Title Deeds or otherwise, chargeable with such Expence, he shall continue to be subject to that Burden; and that where any Person shall be under any Engagement to clean such Closes, Thoroughfares, Areas, Wastages, Dungsteads, Ashpits, Office Houses, and other Places, and shall fail to implement the same, he shall be liable for each Offence in a Penalty not exceeding Ten Shillings.

Dung and Ashes to be taken away within limited Time, and in close and sufficient Carts, &c.

CXIX. And be it enacted, That all Persons who shall lay or cause to be laid on any of the Streets, Lanes, or other public Ways within the Limits of this Act any Dung, Ashes, or Nuisance for the Purpose of conveying the same to other Places, they shall lay down and also remove the same before Ten of the Clock of the Morning on the Day on which it is so laid down in the Months of *October, November, December, January,* and before Nine of the Clock of the Morning in the Months of *March, April, May, June, July, August,* and *September*; and the Carts employed in removing and transporting the same shall be so close, tight, and sufficient, and shall be so loaded, as to prevent any Part of the Contents from falling out or over the same; and immediately after such Removal the Persons so laying down or causing to be laid down such Dung, Ashes, or Nuisance as aforesaid shall sweep, scrape, and clean those Parts of the Foot Pavements, Streets, Passages, and other Places on which such Dung, Ashes, or Nuisance may have been laid, or over which the same may have been wheeled or conveyed in the Carts employed in removing the same, all under a Penalty not exceeding Ten Shillings for each Offence; and if any Ashes, Dung, or Nuisance of any Kind be so laid down and permitted to remain upon any Part of the said Streets, Lanes, or other public Ways after the Hours before mentioned, the Person so offending shall for each such Offence forfeit a Sum not exceeding Twenty Shillings, and shall also forfeit such Ashes or Dung, which shall be seized by the Officers of Police by virtue of this Act, and without any other Authority sold as Public Property, and the Proceeds applied to the Statute Labour Purposes under

under this Act; and any Person who shall lay or cause to be laid upon any of the Streets, Pavements, Lanes, Passages, or Closes, whether Thoroughfares or not, within the Limits of this Act, any Dung, Ashes, Rubbish, or Nuisance of any Kind, on any Pretence whatever, except as aforesaid, such Persons shall for each Offence forfeit a Sum not exceeding Twenty Shillings.

CXX. And be it enacted, That it shall not be lawful for any Dealer in Dung, or any Person following, any similar Employment, to form Dunghills or to collect Manure for Sale within the Limits of this Act, or to lay Dung, Ashes, or Refuse on any Passage, Close, or Place, whether a Thoroughfare or not, except as aforesaid; and if it shall appear, from a Certificate signed by any of the said Commissioners, that any Accumulation of Dung or Fulzie in any Dungstead or other Place within the Limits of this Act ought to be removed, as being prejudicial to the Health or Comfort of any Inhabitant in the Neighbourhood, and if the same shall not be removed within Twelve Hours of Notice given to the Owner thereof, or other Person on whose Ground the same may be, or the known Agent or Servant of any such Party, the Superintendent of Police shall be and is hereby authorized, without any other Warrant or Authority than this Act, to seize and carry away such Dung or Fulzie, and dispose thereof, and the Proceeds shall be applied to the Purposes of this Act: Provided always, that Dung accumulated in any Depôt formed by the Commissioners, or by a Farmer upon any Part of the Lands occupied by him for the Purpose of being laid thereon, shall not be subject to the said Prohibition or Seizure, and it shall be lawful to the said Commissioners to form such Manure Depôts for facilitating the Removal of Manure from the said District, and to establish such reasonable Charges for defraying the Expence of making and maintaining the same, and preventing Nuisances or Injury to Public Health, as they may consider proper and necessary.

Manure not to be collected; and offensive Accumulations to be removed.

CXXI. And be it enacted, That it shall be lawful to the said Commissioners to provide all necessary Implements, and take all necessary Measures, for watering, sweeping, and cleansing the Streets, Lanes, and Passages within the Limits of this Act, at such Times and in such Manner as they shall direct, and also to make Regulations for watering, sweeping, and cleansing Closes, Thoroughfares, and Areas for the Purpose of Disinfection, and otherwise promoting the Health of the Inhabitants thereof.

Streets, &c. to be swept and cleaned.

CXXII. And be it enacted, That no Scavenger or other Person shall wilfully or negligently sweep, rake, or place any Soil, Rubbish, or Filth, or any other Matter or Thing found in any Street or other Place hereby authorized to be cleaned, into or in any Sewer or Drain, or over any Grating communicating with any Sewer or Drain; and every Scavenger or other Person who shall so offend shall for each Offence forfeit and pay any Sum not exceeding Forty Shillings.

Soil, &c. not to be swept into Sewers.

CXXIII. And be it enacted, That all Proprietors of Houses shall put and keep in good Repair the Windows of the common Stairs belonging to such Houses respectively, and the Gates, Doors, or

Proprietors to keep Windows in common Stairs, &c. in repair.

Railings of such Houses and of sunk Areas, and if any Proprietor shall fail to do so, within a reasonable Time of his being required by the Superintendent of Police, it shall be competent to fine such Proprietors in a Sum not exceeding Twenty Shillings for each Refusal or Neglect, and to authorize the Superintendent to get such Repairs made as may be necessary for preventing Danger, the Expence of which Repairs shall be recovered from the Proprietors according and in proportion to the Rents of their respective Properties; and it shall not be lawful for the Possessors of such Houses or any other Person to throw Dung, Ashes, or other Filth over their Windows or the Windows of common Stairs, or lay it down in Closes or other Places, instead of carrying it to a Dungstead, under a Penalty not exceeding Ten Shillings for each Offence.

Persons in Management and in Receipt of Rents of Property liable for Proprietors.

CXXIV. And be it enacted, That any Liability under this Act or otherwise in relation to the Purposes thereof, on the Proprietor of any House, Building, or other Property, may be enforced against any Persons in the actual Possession or Management and in the Receipt of the Rents of such House, Building, or other Property, reserving to all such Persons their Recourse against other Parties liable in Relief as accords.

Common Stairs to be cleaned by Tenants.

CXXV. And be it enacted, That the Possessors of every House, Flat, or Storey entered by a common Stair shall cause the Stair and Areas immediately below the Flat or Storey possessed by them to be swept every lawful Day, and washed at least once a Week; and if any Flat or Storey of the Tenement be unoccupied, the Possessors of the Flats or Stories above the same shall cause the Stair to the Flat or Storey below such unoccupied Flat or Storey to be swept and washed downwards to the next occupied House; and the Passages, Landing Places, and Steps to the Street shall be swept and washed by the Proprietors alternately, all under a Penalty not exceeding Five Shillings for each Offence.

Dungsteads, &c. to be cleaned out.

CXXVI. And be it enacted, That it shall be lawful to the said Magistrates or any of them, after Inspection and Report by the Superintendent of Police, to limit the Time within which all common Necessaries, Dungsteads, or Ashpits shall be emptied and cleaned out according to the Dimensions and the local Circumstances, as regards the Health and Comfort of Persons in the Neighbourhood; and if the Proprietor, his Factor or Agent, or any other Person under Obligation by Contract or otherwise to empty or clean out such Place, shall fail so to do within the Time so limited, such Proprietor, Factor, Agent, or other Person shall be liable in a Penalty not exceeding Twenty Shillings, besides Forfeiture of the Dung or Ashes in such Place, which Dung or Ashes the Superintendent or any other authorized Officer may remove or cause to be removed, and dispose or cause to be disposed of, and the Proceeds, under Deduction of the Expences of Removal, shall be applied to Police Purposes under this Act.

Provision as to Premises for the Col-

CXXVII. And whereas the collecting of Bones in Houses, Shops, Cellars, and other Places in populous Districts is attended with Annoyance

Annoyance to the Neighbourhood; be it enacted, That all Persons dealing in Bones shall at all Times be bound to keep the Premises in which Bones are kept in a cleanly State to the Satisfaction of the Superintendent of Police, and, when necessary, to fumigate such Premises with Chloride of Lime or other purifying Matter for removing offensive Smells, at the Sight of the said Superintendent or of any Person acting under him; and Access shall at all seasonable Hours be given to the said Superintendent or such other Person acting under him for the Purpose aforesaid; and any Person failing therein shall, upon Conviction in the Police Court, on the Testimony of One credible Witness or other legal Evidence, forfeit a Sum not exceeding Two Pounds for each Offence; and if it shall be established in the said Court, on the Testimony of Two Medical Practitioners or other Evidence, that the collecting or keeping of Bones in the Vicinity of any Dwelling House, Shop, or other Place is prejudicial to the Health or Comfort of Persons residing or employed therein, it shall be lawful to the Court to order such Bones to be removed within such Time as to the Court shall seem proper, and to prohibit such collecting or keeping in future under a Penalty not exceeding Five Pounds: Provided always, that where Rags are kept, and in a nauseous or offensive State, the Superintendent shall have Power to visit and inspect the Premises in which they are kept, and to order Fumigation or Removal when necessary.

lection of
Rags and
Bones.

CXXVIII. And be it enacted, That it shall be lawful to any of the said Magistrates to order Swine to be removed, within a limited Time, from any Place where they are a Nuisance or Annoyance to any Person residing or occupying any House, Shop, or other Premises in the Neighbourhood thereof; and if such Swine are not removed from such Place within such limited Time, or if any Person shall breed, feed, or keep Swine within any Dwelling House, or any Room, Vault, or Cellar thereof, within the Limits of this Act, or shall suffer Swine belonging to him or under his Charge to stray or go about in any Street, Thoroughfare, or public Place within the said Limits, every Person so offending shall for such Offence forfeit a Sum not exceeding Twenty Shillings, and shall also forfeit such Swine; and it shall be lawful to the Superintendent and Officers of Police to seize and carry away such Swine, and after Conviction in Court, declaring the same to be forfeited, to sell the same, and the Price thereof shall be applied in the same Manner as the Penalties under this Act; and if any Swine shall be kept in any Place within the said Limits, other than in a Farm-yard, Distillery, or Brewery, the Places within which they are kept shall be regularly cleaned at least every Forty-eight Hours, and Access shall at all reasonable Hours be given to the Police Officer of the District for the Purpose of Inspection; and if any Person shall offend against this Enactment he shall forfeit a Sum not exceeding Twenty Shillings for each Offence.

Swine, if a
Nuisance or
Annoyance,
to be re-
moved, &c.

CXXIX. And be it enacted, That it shall not be lawful for any Butcher or other Person to use any Stable, Cowhouse, Cellar, or other Place within the Limits of this Act as a Slaughter-house, or to slaughter any Cattle of any Description in any other Place than the Slaughter-houses to be established under the Authority of the Pro-
vost,

Stables, Cow-
houses, &c.
not to be
used for
slaughtering
Cattle, &c.

provost, Bailies, Treasurer, and Council of *Anderston*, and under such Restrictions and Regulations as they shall deem proper, which Sanction the Magistrates or any Two of them may suspend or recal, when it shall appear necessary so to do for the Health and Comfort of the Inhabitants in the Neighbourhood thereof; and if any Butcher or other Person shall use any such Place as a Slaughter-house without such Sanction, or while such Sanction is suspended, or after the same has been recalled, he shall for each such Offence forfeit a Sum not exceeding Two Pounds.

Power to order Houses to be lime-washed, and sunk Dung-steads to be raised, to prevent contagious Diseases.

CXXX. And be it enacted, That the said Provost or Bailies, or any One or more of them, upon Complaint being made to him or them by any of the Commissioners, (after visiting the Premises, and hearing Parties concerned,) shall have Power to ordain the Possessors and Proprietors of all Houses within the said Limits to whitewash the inside Walls of their Houses with Quick-lime, and to cause the Dunghills aforesaid to be walled in, cleaned out, and raised to a proper Level, to prevent stagnant Water, in such Manner and at such Time as to the Provost and Bailies, or any One or more of them, shall seem proper, and to decern for the Expence of the said Operations against the Person or Persons for whom the same is executed, and where several Persons are concerned to determine the Amount and Proportion to be paid by each, and decern for the same in a summary Manner, which Determination shall be final and binding on the Parties, without being subject to any Review or Stay of Execution whatsoever, save and except as is provided by this Act: Provided always, that if it shall appear to the said Provost and Bailies, or any One or more of them, that any Person so decerned to pay the Expence of such Operations shall be unable by reason of Poverty so to do, then it shall and may be lawful for them to direct the same to be paid out of the Money to be raised by virtue of this Act.

Necessaries and other Conveniences erected and regulated.

CXXXI. And be it enacted, That it shall be lawful to the said Commissioners to build, form, and erect such Necessaries and other similar Conveniences in such Situations as they shall deem proper, for the Accommodation of the Public, the Expence of which and of keeping the same in good Order shall be defrayed from the Assessment for Police Purposes under this Act; and the said Commissioners are hereby authorized to establish Regulations for the Conveniences so built, formed, and erected.

Penalty on Gas-makers for corrupting Water within the Limits of the Act.

CXXXII. And be it enacted, That if any Person making or supplying any Gas within the Limits of this Act shall at any Time cause or suffer to be conveyed or to flow into any Stream, Reservoir, Aqueduct, Pond, or Place for Water within the Limits of this Act, or into any Drain, Sewer, or Ditch communicating therewith, any Washing, Substance, or Thing which shall be produced in making or supplying Gas, or shall do any Act to the Water contained in any such Stream, Reservoir, Aqueduct, Pond, or Place for Water, whereby the Water therein shall be fouled or corrupted, then such Person shall forfeit for every such Offence the Sum of Two hundred Pounds.

CXXXIII. And

CXXXIII. And be it enacted, That the said Penalty of Two hundred Pounds shall be recovered, with full Costs of Suit, in any competent Court, by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby: Provided always, that the said Penalty shall not be recoverable unless the same be sued for within Twelve Months after the Offence in respect of which such Penalty shall have been incurred shall have ceased.

Penalty to be sued for in any competent Court.

CXXXIV. And be it enacted, That in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall have been recovered or not) the Person making or supplying Gas as aforesaid shall forfeit the Sum of Twenty Pounds, to be recovered in the like Manner, for each Day such Washing, Substance, or Thing shall be conveyed or shall flow as aforesaid, or the Act by which such Water as aforesaid shall be fouled or corrupted shall continue, after the Expiration of Twenty-four Hours from the Time at which Notice of the Offence shall have been served on such Person by the Person into whose Water such Washing, Substance, or Thing shall be conveyed or shall flow, or whose Water shall be fouled or corrupted thereby, and such Penalty shall be paid to such last-mentioned Person.

Daily Penalty during the Continuance of the Offence.

CXXXV. And be it enacted, That whenever any Gas shall escape from any Pipe which shall be laid down or set up by any Person making or supplying any Gas within the Limits of this Act, such Person shall, immediately after receiving Notice in Writing of any such Escape of Gas, prevent such Gas from escaping; and in case such Person shall not, within Twenty-four Hours next after Service of such Notice, effectually prevent the Gas from escaping, and wholly remove the Cause of Complaint, then he shall for every such Offence forfeit the Sum of Five Pounds for each Day, after the Expiration of Twenty-four Hours from the Service of such Notice, during which the Gas shall be suffered to escape.

Daily Penalty during Escape of Gas after Notice.

CXXXVI. And be it enacted, That whenever the Water within the Limits of this Act shall be contaminated by the Gas of any Person making or supplying Gas within the Limits of this Act, such Person shall forfeit for every such Offence a Sum not exceeding Twenty Pounds to the Person whose Water shall be contaminated or affected.

Penalty on Gas-makers if Water contaminated.

CXXXVII. And be it enacted, That if the Person so making or supplying Gas shall not, within Twenty-four Hours next after Notice in Writing of any Water being contaminated or affected served on him by the Person whose Water shall be so contaminated or affected, prevent the Gas from contaminating or affecting such Water, such Person shall, over and above the before-mentioned Penalty of Twenty Pounds, forfeit for every such Offence, to the Person whose Water shall be contaminated or affected, a Sum not exceeding Ten Pounds for each Day during which the said Water shall remain contaminated or affected after the Expiration of Twenty-four Hours from the Service of such Notice.

Daily Penalty during the Continuance of the Contamination after Notice.

[*Local.*]

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CXXXVIII. And

Power to examine Gas Pipes, to ascertain Cause of Contamination.

CXXXVIII. And whereas it may become a Question upon any such Complaints as aforesaid whether the said Water be contaminated or affected by the Gas of any Person making or supplying Gas within the Limits of this Act; be it therefore enacted, That it shall be lawful for the Person to whom the Water supposed to be contaminated or affected by Gas may belong to dig and examine the Pipes, Conduits, and Apparatus of the Person making or supplying Gas for the Purpose of ascertaining whether the said Water has been contaminated or affected by the Gas of such Person: Provided always, that before proceeding so to dig and examine Twelve Hours Notice shall be given to the Person making or supplying such Gas of the Time at which such digging and Examination are intended to take place.

The Expences to abide the Result of the Examination.

CXXXIX. And be it enacted, That if upon such Examination it shall appear that such Water has been contaminated or affected by any Gas belonging to such Person, the Expences of the digging, Examination, and Repair of the Street or Place which shall be disturbed in any such Examination shall be paid by the Person making or supplying Gas; but if upon such Examination it shall appear that the Water has not been contaminated or affected by the Gas of such Person, then the Person causing such Examination to be made shall pay all the Expences of Examination and Repair, and also make good to the said Person any Injury which may be occasioned to the Works of the said Person by such Examination.

The Amount of the Expences to be ascertained and recovered as other Damages.

CXL. And be it enacted, That the Amount of the Expences of every such Examination and Repair, and of any Injury done to the Person making or supplying Gas, shall, in case of any Dispute about the same, together with the Costs of ascertaining and recovering the same, be ascertained and recovered in the same Manner as any Damages for the ascertaining and Recovery of which no special Provision is made by this Act, and hereby directed to be ascertained and recovered.

Persons supplying Gas to be liable to Indictment for Nuisance.

CXLI. Provided always, and be it enacted, That nothing in this Act contained shall save any Person making or supplying Gas within the Limits of this Act from an Action for any Nuisance or any other legal Proceeding to which he may be liable in consequence of the making or supplying such Gas.

Commissioners to light Streets, &c. and erect Lamps.

CXLII. And be it enacted, That it shall be lawful to the said Commissioners and they are hereby required to make Provision out of the Assessments granted by this Act for Police Purposes for lighting, in a suitable Manner, the whole Streets, Lanes, Squares, public Passages, Thoroughfares, and Places within the Limits of this Act, and to provide, erect, and maintain such a Number of Lamps, Lamp Posts, and Lamp Irons, and other Appurtenances as may be necessary for that Purpose, and to light, or enter into Contracts for lighting, and cause to be lighted, such Lamps, by means of Oil or Gas or such other Light of an improved Kind as they may find expedient; and the Commissioners are hereby authorized to order the Lamp Irons and Lamps to be fixed, either upon the Sides of the
Causeways

Causeways, Streets, and Roads, or upon the Curbstones of the Pavements or Footways, or at the Rails, or on the Walls of Buildings, or on the Sides of the Streets or Roads, upon indemnifying the Proprietors or Possessors of the Buildings for any Damage thereby done, the Amount of such Damage, in the event of Difference of Opinion, to be fixed by the Sheriff of the County of *Lanark*.

CXLIII. And be it enacted, That where there are private Courts, Passages, or Closes within the Limits of this Act in which the said Commissioners shall not consider it expedient to erect and light Lamps as aforesaid from the public Assessment, it shall be lawful to the Commissioners, upon the Application of the Occupiers of Houses or other Premises in any such Courts, Passages, or Closes, or of any Number of them whose Rent, as appearing from any of the Assessment or Survey Books, shall amount to the One Half of the Rents of the whole Occupiers in such Courts, Passages, or Closes respectively, to place, erect, and light up in such Courts, Passages, or Closes such a Number of Lamps as shall be required from Time to Time at the Expence of the whole Occupiers of Houses or other Premises therein, corresponding to the Amount of their Rent respectively as aforesaid, and the Expence of placing, erecting, and lighting such Lamps shall be recovered by the said Commissioners, or any Person authorized by them, at such Times and in such Proportions as the said Commissioners shall direct, and in the same summary Manner as is before provided for the Recovery of Assessments under this Act: Provided always, that where any of such Occupiers shall not be assessed for the Purposes of this Act, by reason of under Rent of their Houses or other Premises, their Proportions, according to their respective Rents, shall be recovered from their Landlords.

Private Closes and Passages may be lighted at the Expence of Inhabitants, &c. therein.

CXLIV. And be it enacted, That if any Person shall take away, or wilfully break, throw down, or damage, any Lamp or Lamp Post set up within the Limits of this Act, or wilfully extinguish the Light, or damage the Iron or Appurtenances of any such Lamp, it shall be lawful for any Person who shall see any such Offence committed to seize, and for any other Person to assist in seizing, the Offender, and by Authority of this Act, without any other Warrant, to convey such Offender to the Police Office, or to deliver him into the Custody of a Police Officer, Watchman, or Constable, or other Officer, in order to be secured and taken before a Magistrate; and if the Person accused of such Offence, whether apprehended as aforesaid or afterwards cited for the same, shall be convicted thereof, either by his own Confession or on the Evidence of One credible Witness, or other legal Evidence, such Person so convicted shall forfeit a Sum not exceeding Ten Pounds for each and every Offence, and moreover shall make Satisfaction for the Damages so done by him; and in case such Offender shall not, immediately on Conviction, pay such Forfeiture and make such Satisfaction as aforesaid, such Magistrate is hereby empowered, in the summary Manner authorized by this Act, to commit such Offender to Prison for a Space not exceeding Three Months.

Penalty, &c. for wilfully breaking Lamps.

CXLV. And

Persons through Negligence, &c. breaking Lamps, or injuring Persons or Property, to make Reparation.

CXLV. And be it enacted, That if any Person within the Limits aforesaid shall, through Carelessness, Negligence, or Accident, break any Lamp set up in any of the Streets, Lanes, Passages, or in Common Closes or Stairs, or injure or damage any Person or Property therein, and shall not, upon Demand, make such Satisfaction for such Injury or Damage, it shall be lawful to any of the Magistrates, upon Complaint thereof being established, under the summary Procedure authorized by this Act, to award such Sum of Money as the Damage proved shall amount to, not exceeding Five Pounds; and if the Sum so awarded shall not be forthwith paid upon Conviction it shall be lawful for such Magistrate to cause the same to be enforced and recovered in the same Manner as Penalties are directed to be recovered under this Act.

Openings made in Streets to be fenced and Lights kept burning during the Night.

CXLVI. And be it enacted, That in case any Hole or Opening shall be made in any of the Streets, Squares, Passages, Lanes, or public Places within the Limits of this Act, or in any adjacent Street, for the Purpose of digging Foundations for building, for digging Wells or Drains, or for other Purposes, the Person or Persons making or causing any such Hole or Opening to be made, and the Persons employed and concerned therein, shall, at their Expence, cause a sufficient Rail or Fence to be put round the same, and shall cause a Lamp with a Light to be affixed at or near the same to be kept burning every Night from Sunset to Sunrise, whilst any such Hole or Opening shall remain unfilled up; and in case any of the said Persons shall refuse or neglect so to rail in any such Hole or Opening, or to affix or keep burning a Light in manner aforesaid, it shall and may be lawful for the said Provost and Bailies, or any One or more of them, to discern such Person or Persons to pay any Sum not exceeding Five Shillings Sterling for each Day, so long as the said Opening shall remain unfilled up; and also to order every such Hole or Opening to be fenced or railed in as aforesaid at the Expence of such Person or Persons; and that in erecting new Buildings not more than One Half of the Street, exclusive of the Pavements, shall be occupied with the Materials and Sheds used at the Erection.

Fire Engines to be taken charge of by the Commissioners.

CXLVII. And be it enacted, That it shall and may be lawful to the said Commissioners from and after the passing of this Act, and they are hereby authorized and required, to provide and have at all Times a sufficient Establishment of Fire Engines, Pipes, and other Appurtenances to be used for extinguishing Fires, and to take the Charge and Management of the same, and to apply the same for the Use and Benefit of the Inhabitants within the Limits of this Act, and beyond the same, as herein-after provided; and the Superintendent of Fire Engines to be appointed by the said Commissioners shall take the Charge of the said Engines, Pipes, and other Appurtenances, and he shall appoint such Number of active Men as the said Commissioners shall think fit and expedient for working the same in a proper Manner, and for assisting in extinguishing Fires which may happen within said Limits; and the said Commissioners may and they are hereby authorized to make such Rules and Regulations for the said Persons as to them shall seem proper; and the Expence of keeping and

and maintaining the said Engines, Pipes, and Appurtenances, and paying the said Superintendent and Firemen, so far as not contributed in the Manner herein-after provided, may be defrayed from the Funds levied by Assessment for Police Purposes by virtue of this Act.

CXLVIII. And be it enacted, That from and after the passing of this Act the Proprietor or Occupier of any Dwelling House, Shop, Warehouse, or other House or Tenement, or of any Timber or other Yard, or other Premises or Place within the Limits of this Act, in which a Fire breaks out or takes place, shall pay to the Collector or Treasurer to be appointed under this or former Acts a Sum of Money not exceeding Fifteen Pounds Sterling, to be expended under the Directions of the Commissioners in paying Premiums or Wages to the Firemen and other Persons who shall have assisted in extinguishing such Fire, and in defraying the other Expences necessarily incurred, by bringing to the Spot Fire Engines and a Supply of Water, or otherwise: Provided always, that where the actual Expences incurred do not amount to Thirty Pounds, only One Half of the actual Expences shall be charged, and in no Case any higher Sum than Fifteen Pounds.

Proprietors of Premises taking fire to pay a Sum not exceeding 15*l.* for Expences.

What Expences only chargeable.

CXLIX. And be it enacted, That it shall be lawful to the said Commissioners and they are hereby empowered to purchase and provide such additional Fire Engines and other Implements and Apparatus as they may think necessary to enable them to render Assistance in extinguishing Fires occurring beyond the Limits of this Act, having regard at the same Time to the Security and due Protection of the Inhabitants within such Limits; and the said Commissioners are hereby authorized and required to allow the Whole or any Part of the Engines and Apparatus under their Charge, with the proper Number of Firemen, to be sent to any Part within the Limits of the Parliamentary Burgh and Royalty of *Glasgow*, for the Purpose of extinguishing Fire; and it shall be lawful to the said Commissioners to permit such Engines and Apparatus, with the proper Number of Firemen, to be sent beyond the said Parliamentary Burgh and Royalty, for the Purpose aforesaid, upon Application made to the said Commissioners, or any Officer or Person in charge thereof, by or on behalf of any Person requiring the same: Provided always, that the Owners and Occupiers of the Property to whose Assistance such Engines and Apparatus and Firemen shall be sent shall always be bound in any or either of such Cases to defray the whole Expence that may be incurred by the Use of such Engines, Apparatus, and Firemen; and also such further Sum, not exceeding Twenty-five *per Cent.* upon the gross Amount of such Expence, as may be deemed reasonable for the Tear and Wear of the Engines and Apparatus, and the ordinary Expence of supporting the Establishment, the Amount of which Expences shall be ascertained by Accounts thereof signed by the said Superintendent of Fire Engines, and approved of by a Meeting of the Commissioners, or of their Committee in that Department, and docquetted and subscribed by their Chairman or Convener, or in case of Dispute shall be fixed and determined by the Sheriff of *Lanarkshire*, whose Decision shall be final and binding upon

Commissioners to provide Fire Engines, &c., for Fires beyond Limits.

upon all Parties concerned, and the same shall be recovered by a summary Warrant under the Hand of the said Sheriff, upon the written or verbal Application of the Clerk or Treasurer of the Commissioners, the Owners or Occupiers of the Property where the Fire may have occurred, and all other Persons interested, being always entitled to mutual Relief against each other according to Law for the Sums so paid by them or any of them from whom the Commissioners may recover or receive the same, and the Commissioners shall have Power to modify such Charges when they see Cause for so doing, and the Commissioners shall not be bound to provide a larger or more extensive Fire Engine Establishment at any Time than they shall consider necessary for said Purposes beyond said Limits.

Authority to place Fire Cocks on Pipes of Water Companies, &c.

CL. And for the Purpose of rendering the said Fire Establishment efficient, be it enacted, That it shall be lawful to the Commissioners, at the Sight of the Engineer of any Water Company established or supplying Water within the said Limits, to place proper Fire Cocks upon the Mains or Pipes belonging to any such Company, either already laid or which may be hereafter laid by them within the Limits of this Act, at such convenient Distances from each other, and at such Places as may be considered proper for the Supply of the said Engines when brought into operation; the Positions of such Fire Cocks being first arranged by the Commissioners with the Directors of the Water Company; and in case of Difference of Opinion between them the same shall be determined by the Sheriff of *Lanarkshire*, whose Judgment thereon shall be final, and not subject to Review: Provided always, that wherever there are Mains passing through any of the said Streets the Fire Cocks, where practicable, shall be placed upon such Mains.

Walls of Houses which have been burned may be taken down, &c.

CLI. And be it enacted, That the Magistrates, or any of them, or in their Absence the Superintendent of Police, shall have Power, and are hereby authorized, upon any sudden Emergency from Fire occurring within the Limits of this Act, to order any Wall, Gable, Chimney Stalk, or any other Part of any House or Building which shall have been burned, to be either wholly or partly taken down or removed, or sufficiently propped and fenced, if it shall appear necessary or proper so to do for the Safety of contiguous Property, or of the Inhabitants therein, or of Passengers or other Persons, the Expence of which Operations shall be chargeable against the Proprietors of the House or Building on which the same are performed in proportion to their respective Interests in the Rental thereof.

Wilfully setting on fire Chimneys or Funnels.

CLII. And be it enacted, That if any Person shall wilfully set fire to, or cause or suffer to be set on fire, the Chimney or Funnel for conveying Smoke of any House, Shop, or other Building within the Limits of this Act, such Person shall for every such Offence forfeit a Sum not exceeding Five Pounds; and if any Chimney or Funnel of any House, Shop, or other Building within the said Limits shall be negligently and culpably set on fire, or shall take or be on fire, the Occupier of such House, Shop, or other Building shall, for every

every such Chimney or Funnel so set on fire, or taking fire, forfeit a Sum not exceeding Ten Shillings, besides such Expence as the Magistrate deciding the Case shall modify and award to the Fireman or Firemen, or other Person who shall extinguish or assist to extinguish such Fire and report the same at the Police Office, which the Fireman or Firemen seeing such Fire is and are hereby required to do under a Penalty not exceeding Five Shillings in case of Failure.

CLIII. And be it enacted, That if any Person shall within the foresaid Limits permit any Breach of the Peace, or riotous or disorderly Conduct, within any Shop, Cellar, Room, Place of public Resort, House, Office, or Premises occupied and rented by such Person, such Person, on summary Conviction, shall forfeit any Sum not exceeding Ten Pounds; and the said Magistrates or any of them are hereby respectively authorized and empowered to ordain such Person to find Security for his good Behaviour, for such Length of Time, not exceeding Twelve Months, and to such Extent, and not exceeding Fifty Pounds, as they or any of them shall respectively see meet; and if any Person who is licensed to sell Ale, Beer, or Spirituous Liquors shall permit such Offences within any of the aforesaid Premises occupied by him for vending such Liquors, or shall knowingly permit or suffer Men or Women of notoriously bad Fame, or dissolute Boys or Girls, to assemble or meet therein, or shall suffer any drinking or tippling within the House, Office, or Premises occupied by him, or sell any Ale, Beer, or Spirituous Liquors on any *Sunday* during the Hours usually appropriated to public Worship, and is convicted thereof before the said Magistrates or any of them, such Person shall forfeit for each Offence any Sum not exceeding Ten Pounds, and may further be obliged to find Security for his good Behaviour, in the same Way and to the same Extent as is provided in the Cases last before mentioned; and in the event of such Security not being found within a reasonable Time, to be specified, it shall be lawful to the said Magistrates or any of them to deprive such Person of his Licence.

For preventing disorderly Conduct in Places of public Resort;

or selling of Beer or Spirituous Liquors on Sundays during the Hours of public Worship.

CLIV. And be it enacted, That if any Person licensed for the Sale of Ale, Beer, or Spirituous Liquors within the Limits of this Act shall permit any Breach of the Peace or riotous or disorderly Conduct within any Hotel, Inn, Tavern, Shop, Cellar, House, Room, or other Premises occupied or rented by him, or shall knowingly permit or suffer Men or Women of notoriously bad Fame, or dissolute Boys or Girls, to assemble and meet therein, such Person shall, on summary Conviction, forfeit for each such Offence any Sum not exceeding Ten Pounds, and may further be ordained to find Security for his good Behaviour, for any Period not exceeding Twelve Months, under a Penalty not exceeding Ten Pounds; and in the event of such Security not being found within a reasonable Time, to be specified, it shall be lawful for the said Magistrates or any of them to deprive such Person of his Licence.

Licensed Spirit Dealers not to permit Breaches of the Peace, &c.

CLV. And be it enacted, That if any Person within the Limits of this Act, whether dealing in exciseable Liquors or not, shall permit

Other Persons not to permit any

Breaches of
the Peace,
&c., harbour,
Persons of
bad Fame,
&c.

any Breach of the Peace or riotous or disorderly Conduct within any Shop, Cellar, Room, Place of public Resort, House, Office, or Premises occupied or rented by him, or shall knowingly harbour Prostitutes, or permit or suffer Men and Women of notoriously bad Fame, or dissolute Boys or Girls, to meet or assemble therein, or shall knowingly lodge, entertain, or harbour any Idler, Rogue, or Vagabond, or shall wilfully or knowingly permit Drunkenness or other disorderly Conduct in such Premises, or shall knowingly suffer any unlawful Games or any Gaming whatsoever therein, such Person so offending shall forfeit for each such Offence any Sum not exceeding Five Pounds, to be recovered in the summary Manner authorized by this Act; and the said Magistrates may farther ordain such Offender to find Caution for good Behaviour for Twelve Months, under a Penalty not exceeding Ten Pounds, and in the event of such Security not being found to adjudge the Person offending to Imprisonment for any Term not exceeding Sixty Days.

Provision
Shops, &c.
not to be
kept open at
unseasonable
Hours.

CLVI. And whereas Encouragement is given to dissolute Persons to remain in and loiter about the Streets at late and unseasonable Hours by Keepers of Shops and other Places in which ready made Provisions are sold keeping or having the same open at late Hours in the Night and early Hours in the Morning; be it enacted, That no Keeper of any such Shop or other Place as aforesaid shall open or have open such his Shop or other Premises, for the Reception or Entertainment of promiscuous Persons, or for the ordinary Transaction of Business, at an earlier Hour than Five o'Clock in the Morning, or a later Hour than Twelve o'Clock in the Night, and if any Person shall offend herein he shall for each such Offence be liable in a Penalty not exceeding Forty Shillings,

Publicans
prohibited
from supply-
ing Liquors
to Persons
under Six-
teen Years
of Age.

CLVII. And be it enacted, That every Person licensed to deal in exciseable Liquors within the said District who shall knowingly supply any Sort of distilled exciseable Liquor to any Boy or Girl apparently under the Age of Sixteen Years to be drank upon the Premises shall be liable to a Penalty not more than Twenty Shillings, and upon Conviction of a Second Offence shall be liable to a Penalty not more than Forty Shillings, and upon Conviction of a Third Offence shall be liable to a Penalty not more than Five Pounds,

Powers to
Commis-
sioners in
respect of
Brokers.

CLVIII. And whereas Encouragement is given to the Commission of Theft, Fraud, and Embezzlement, and Property thereby acquired is readily disposed of and put away, by means of Persons carrying on Trade or Business as Brokers or Dealers in Second-hand Goods or Articles: And whereas Frauds are committed upon poor Persons by such Brokers or Dealers receiving Goods or Articles in pawn without Licence, and thereafter disposing of such Goods or Articles on the Pretence that the same had been purchased by them; be it enacted, That from and after the First Term of *Whitsunday* after the passing of this Act no Person shall within the Limits aforesaid exercise or carry on the Trade or Business of a Broker or Dealer in Second-hand Goods or Articles, or Dealer in old Metals, Ropes, or Rags, unless he shall have first obtained a Licence so to do from the Magistrates of the District or any of them, which Licence the
said

said Magistrates or any one of them shall be and are hereby authorized from Time to Time to grant to such Persons as shall produce to them satisfactory Evidence of their good Character, and which Licence shall continue in force until the Term of *Whitsunday* following, unless sooner revoked or suspended, which the said Magistrates or any one of them are hereby authorized to do, on legal Conviction of any Violations of the Terms and Conditions on which the same is held, or of any Rules or Bye Laws in relation thereto, by virtue of this Act, and no longer; and each Person to whom such Licence shall be given or renewed shall for each Licence or Renewal thereof pay such Sum, not being more than One Pound, as the said Magistrates shall appoint, to be applied for municipal Purposes, and also a reasonable Fee as the Expence of such Licence or Renewal, and of recording the same in a Book to be kept for the Purpose by the Clerk of the Burgh; and if any Person shall within the said Limits exercise or carry on the Trade or Business of a Broker or Dealer in old Metals, Ropes, or Rags, without having first obtained such Licence as aforesaid, or after the Revocation or during the Suspension thereof, or if any such Broker or Dealer shall receive or take any Goods or Articles in pawn without having been licensed as a Pawnbroker in Term of Law, such Broker or Dealer shall for such Offence forfeit a Penalty not exceeding Ten Pounds.

CLIX. And be it enacted, That every Person so licensed shall have his Name with the Words "Licensed Broker" painted over the Door or principal Entrance into his Premises in large Characters, either Black on a White Ground or White upon a Black Ground, and shall from Time to Time replace the same when obliterated or defaced, and that under a Penalty not exceeding Twenty Shillings for each Offence.

Brokers to have their Names, with Words "Licensed Broker" painted on Entries.

CLX. And be it enacted, That a List of all licensed Brokers or Dealers as aforesaid, and of all licensed Pawnbrokers within the said Limits, shall be kept at the several Police Offices established by virtue of this Act.

List of Brokers to be kept.

CLXI. And be it enacted, That all Brokers or Dealers as aforesaid shall keep Books in the Form contained in Schedule (D.) hereunto annexed, which they shall receive, on Application, from the Town Clerk of the said Burgh, along with a Copy of the Enactments herein contained relating to such Brokers and Dealers, on Payment of such Sum as shall be fixed by the Board, and in which Books they shall be bound to enter the Description of the Articles purchased or received by them, the Name and Place of Abode of the Person from whom they purchased or received the same, and the Date and Hour of the Day of each such Transaction; and if any Broker or Dealer as aforesaid shall fail to keep such Book and make such Entries he shall for such Offence forfeit a Penalty not exceeding Five Pounds.

Brokers to keep Books.

CLXII. And be it enacted, That the Shops, Cellars, and other Apartments of Persons carrying on Business as Brokers, or as Dealers in old Metals, Ropes, Rags, or Second-hand Goods or Articles, shall

Regulations as to Brokers.

[*Local.*]

37 X

during

during the Hours of Business be open and patent to the discretionary Inspection of the Officers of Police, and that all Brokers and Dealers as aforesaid, and the Managers, Clerks, or other Servants of such Brokers or Dealers having Charge of such their Premises, shall at all reasonable Times produce and show, on Demand, to the Superintendent of Police, or the Officers acting under his Orders, or other Officers authorized by the Magistrates or any of them, all and every Article or Articles, of whatsoever Kind or Description, in their Possession, or which they may have received in pawn or purchased, and also their Books in which the same are entered; and as often as it shall be found that any Goods or Articles which shall be alleged to be stolen, embezzled, or fraudulently obtained shall be in the Possession of any such Persons, or that any Goods or Articles are in their Possession contrary to the Provisions of this Act, they are hereby required, on being so informed by the said Superintendent or other Officer authorized as aforesaid, to deposit the same with the said Superintendent of Police or other Officer as aforesaid, in order that the said Goods or Articles may be produced in such Manner as may be necessary for the Ends of public Justice, or, upon Proof of Ownership to the Satisfaction of any one of the said Magistrates, restored to the Owners thereof; and all such Brokers or Dealers, Clerks, Managers, or Servants, who shall refuse to produce and show the Goods and Articles in their Possession, or the Books in which the same are described, on being required so to do as aforesaid, or who shall not deposit any such Goods or Articles alleged to be stolen, embezzled, or fraudulently obtained as aforesaid with the Superintendent of Police or other Officer, shall for every such Offence forfeit a Sum not exceeding Five Pounds, and which Forfeiture shall be held as incurred by such Dealer or Broker by the Act of his Clerk, Manager, or Servant having Charge of his Premises and refusing as aforesaid, and may be levied from such Broker or Dealer, or such his Clerk, Manager, or Servant, without Prejudice to such Persons being also proceeded against according to Law as Receivers or Resettlers of stolen Goods; and in case of such Refusal to produce and show such Goods or Articles in their Possession, or to deposit any such Goods or Articles alleged to be stolen, embezzled, or fraudulently obtained, it shall be lawful for any of the said Magistrates to grant a Warrant to search for and take possession of such Goods or Articles alleged to be stolen, embezzled, or fraudulently obtained, and to bring the same, with the Custodiers thereof, before them, for Examination, and to dispose thereof as he may think fit in a summary Way: Provided always, that the Superintendent of Police or other Officer acting herein shall, if required, give a Receipt to such Broker or Dealer for Goods or Articles so deposited, and that a Book shall be kept by or under the Directions of the said Superintendent in which Entries shall be made of all Property seized or detained by the Officers of Police, or lodged with them for the Purposes of Evidence or otherwise, and also of the Time and Manner in which such Goods shall have been afterwards disposed of.

Brokers, &c.
to give Notice
of Goods, &c.
of which

CLXIII. And be it enacted, That if any Goods or Articles regarding which written or printed Information shall be given by an Officer of Police to any Broker or Dealer in Metals or Second-hand Goods

Goods or Articles as aforesaid, as having been stolen, embezzled, or fraudulently obtained, and which Goods shall then be or thereafter come into the Possession of such Broker or Dealer, such Broker or Dealer shall, without unnecessary Delay, give Information at the Police Office that certain Goods or Articles answering the Description of the said Goods or Articles are in his Possession, and shall also state from whom the same were received, under a Penalty not exceeding Five Pounds for each and every such Neglect or Offence.

they have a written or printed Intimation.

CLXIV. And be it enacted, That if any such Broker or Dealer in Metals or Second-hand Goods or Articles as aforesaid shall, after receiving Information of the Theft or fraudulent Disposal of any such Metals, Goods, or Articles, or Articles of whatsoever Description, melt any such Metals, or otherwise alter or deface them, or put them away, or alter or deface or put away any other Article, without having previously received the Permission of the Magistrates or Superintendent of Police; and if it shall be found that such Metals or Articles were stolen or fraudulently disposed of by the Person from whom such Broker or Dealer may have received them, or by any other Person, then and in such Case it shall be held that such Broker or Dealer knew that such Metals or Articles were stolen or fraudulently disposed of, and such Dealer should be proceeded against according to Law as a Receiver of stolen Goods, or as being a Party to the Fraud, and punished accordingly, and no other Evidence of his Guilt shall be necessary than Evidence of such melting, altering, defacing, or putting away after receiving such Information as aforesaid.

Provision as to Brokers altering or defacing Goods.

CLXV. And be it enacted, That it shall not be lawful for any Broker or Dealer in Second-hand Goods or Articles, or for any Pawnbroker, to carry on Business as a Publican or Retailer of exciseable Liquors, and that it shall not be lawful for any Broker or Dealer in Second-hand Goods or Articles, or the Agent or Servant employed by them, to purchase, receive, or take the Note or Ticket of any Pawnbroker for any Goods or Articles which have been pawned, or to contract or negotiate in any Manner with the Holder of any such Note or Ticket, or any Person in his Behalf, for the Purchase of Goods or Articles specified therein, or to purchase or receive any Goods or Articles from any intoxicated Person, or from any notorious Thief or Prostitute, or from any Boy under or appearing to be under the Age of Fourteen, or from any Girl under or appearing to be under the Age of Twelve Years, or from any other Person, after Eight o'Clock at Night or before Ten o'Clock in the Morning; and if any Broker or Dealer shall offend herein, either by himself or his Servant, or any other Person having the Charge of his Premises, and for whom in such Case he shall be held responsible, such Broker or Dealer shall for each such Offence forfeit a Sum not exceeding Ten Pounds.

Brokers, &c. not to deal in Spirituous Liquors.

CLXVI. And be it enacted, That it shall be lawful for any Pawnbroker, or other Broker or Dealer, or any other Person to whom any Goods or Articles shall be offered to be pawned, sold, or delivered, which shall be reasonably suspected to be stolen, to detain the Person offering

Brokers, &c. may detain Persons offering Goods suspected to be stolen.

offering the same, and for any Officer or Constable thereon to take such Person into Custody for the Purpose of being examined by a Magistrate, who may, on Examination, immediately discharge such Person, or may, if he shall see any Ground for believing that the Goods or Articles have been illegally obtained, remand such Person in the Police Office, or commit him to Prison, for a Period not exceeding Six Days, for further Examination, or till Bail be given for his Appearance within said Term for further Examination; and if on further Examination the Magistrate shall be satisfied that the Goods or Articles were stolen, or otherwise feloniously obtained, he may commit the Person charged to Prison, to be dealt with according to Law: Provided always, that the Constable on Duty at any Police Office or Watch-house to which such Person so offering such Goods or Articles may be taken shall, without Delay, inquire as to the Circumstances attending the Possession of such Goods or Articles, in order to his determining, in the Absence of the Magistrate or Procurator Fiscal, whether the Party shall be immediately discharged, or liberated on Bail in manner herein provided, or detained till brought before a Magistrate for Examination.

Brokers, &c. not to have a Crucible, or other Vessel for melting Metals, in their Possession.

CLXVII. And be it enacted, That it shall not be lawful to any Pawnbroker or other Broker or Dealer in Metals or Second-hand Goods or Articles as aforesaid to use or have in his Possession any Crucible, Pot, or other Vessel which may be used for fusing, melting, or otherwise defacing Metals or other Articles of that Description, under a Penalty not exceeding Five Pounds, besides the Forfeiture of any such Crucible, Pot, or other Vessel which may be used by any such Person, or found in his Possession.

For Regulation of Lodging Houses for Mendicants and others.

CLXVIII. And whereas the Keepers of Lodging Houses of an inferior Description for the Accommodation of Mendicants, Strangers, and other Persons for the Night or other short Periods allow the same to be crowded by receiving more Lodgers than such Lodging Houses are adapted to contain with a due Regard to Health, and allow Persons affected with Fever and other Diseases of a contagious Nature to remain in them till Infection has been communicated to other Lodgers, and receive other Lodgers into the Apartments and Beds from which diseased Persons have been removed without any purifying or other disinfecting Process; be it enacted, That no Keeper of such Lodging House within the said Limits shall accommodate or receive such Lodgers without such House having been inspected and approved of for that Purpose by the Superintendent of Police, which Superintendent shall have Power and is hereby authorized from Time to Time to fix and determine the Number of Lodgers who may be accommodated in each such Lodging House; and the Names of the Keepers of such Lodging Houses shall be recorded by the Commissioners in a Register to be kept for the Purpose, and may order that a Ticket containing the Number of Lodgers for which the House is registered, and any Rules or Instructions of the Commissioners regarding Health, Cleanliness, or Ventilation shall be hung up or placed in a conspicuous Part of each Room into which Lodgers are received; and Keepers of all such Lodging Houses shall at all Times give Access thereto, when required by the said

said Superintendent or Inspector or other Officer of Police, for the Purpose of Inspection and Inquiry, or for the Purpose of any disinfecting Process which the Magistrates or any one of them may order; and if any Keeper of such Lodging House shall offend against any of these Provisions he shall be liable for each such Offence in a Penalty not exceeding Two Pounds, to be recovered in the summary Manner provided by this Act.

CLXIX. And be it enacted, That all Keepers of such Lodging Houses shall, in the event of any Person in their respective Houses becoming ill of Fever or any other Disease, be bound to make intimation thereof to the Superintendent of Police, in order that the Nature of the Complaint of such Person, if he think fit, be ascertained, and that the Complaint may be treated, and the said Provost, Bailies, or any one of them, are hereby authorized to order such Persons to be removed; and if any Lodger or other Person in such Lodging House shall have been confined to Bed for Forty-eight Hours by Illness without the Keeper of such House making Intimation as aforesaid, such Keeper shall for such Neglect be liable in a Penalty not exceeding Two Pounds, to be recovered in the summary Manner provided by this Act.

Keepers of such Lodging Houses to report Cases of Fever.

CLXX. And be it enacted, That on its being ascertained that any contagious or infectious Disease has occurred in any such Lodging House, or in any House or Apartment in any common Tenement, or in any narrow densely-inhabited or ill-ventilated Situation, or in any other Place where there may be reasonable Apprehension of such Disease spreading or continuing, it shall be lawful to the said Magistrates or any one of them, not only to cause the remaining Lodgers to be removed from such Lodging Houses, but to cause and direct all proper Measures to be taken, and all Matters or Things to be done, for the disinfecting and cleaning of such Houses or Apartments, and for the washing and purifying of the Persons and Clothes of the Inhabitants thereof, as shall appear to the said Magistrates, or any of them, as aforesaid, to be indispensably necessary for the Preservation and Security of the Inhabitants in the Neighbourhood and others against the Danger of Contagion or Infection, unless due Precaution shall appear to have previously been taken for such Purposes by the Inhabitants of such Houses or Apartments; and in order to the Measures hereby authorized being carried into effect it shall be lawful to any Officer of Police or other Person appointed by such Magistrates to enter any such House or Apartment, and to do or assist in doing all Matters and Things for the Purposes aforesaid; and in the event of Access to such House or Apartment for such Purposes being refused, it shall be lawful to the said Magistrates or any one of them to grant Warrant for entering such House or Apartment by Force, if necessary.

When infectious Diseases occur in Houses, Magistrates may adopt Measures for cleaning, &c.

CLXXI. Provided always, and be it enacted, That all judicial Proceedings to be adopted for executing the foregoing Powers for the Prevention of infectious Diseases shall be conducted in a summary Form without written Proceedings.

Proceedings for the Prevention of infectious Diseases to be summary.

Commissioners may provide a public Slaughter-house or Shambles.

CLXXII. And whereas great Annoyance has been occasioned to the Inhabitants of the said District by Persons slaughtering Cattle and Animals in different Places, and in Situations unsuitable for such Purposes; be it enacted, That it shall be lawful for the said Commissioners, if they shall see fit and expedient, to purchase or procure a Slaughtering-house or Shambles, and suitable Ground and Accommodation connected therewith, or to purchase Ground and erect a Slaughtering House or Shambles, and other Accommodations therein, for the slaughtering of Cattle and Animals; and after such Premises shall be so provided, and declared by the Provost and Bailies, or any Two of them, sufficient for the Purposes and Wants of the District, and Notice thereof shall have been given to the Inhabitants in such Way as the said Magistrates shall direct, it shall not be lawful to nor in the Power of any Person to slaughter Cattle, Sheep, Swine, or other Animals at any Place within the said Limits, except at the public Slaughter-house to be provided as aforesaid; and any Person offending against this Provision shall be subject to pay a Penalty not exceeding Ten Shillings for the first Offence, and not exceeding Forty Shillings for every subsequent Offence; and it shall be lawful for the said Provost and Bailies or any one of them to decern for the said Penalties in a summary Manner without written Proceedings, and which Penalties shall be recoverable in manner specified in this Act; and in case of the said Penalties not being immediately paid, the said Provost and Bailies or any one of them are hereby empowered to commit the Person refusing or neglecting to pay the same to Prison or Bridewell for a Period not exceeding Fourteen Days.

Dues to be levied for the Use of the Slaughter-house.

CLXXIII. And be it enacted, That it shall be lawful for the Commissioners to exact and levy from Persons using the said Slaughter-house, for the Privilege of slaughtering thereat, such Sum or Sums of Money as shall be fixed by the Commissioners or any Two of them, and to recover the said Dues in the same Manner as it is competent to recover the Rates and Assessments hereby imposed; and it shall be lawful for the Commissioners either to collect the said Dues themselves, or to let and farm the same to others, as they shall think proper.

Magistrates to regulate private Slaughter-houses, until public Slaughter-houses are provided.

CLXXIV. And be it enacted, That until such public Slaughter-house shall be provided as aforesaid it shall be lawful to and in the Power of the said Provost and Bailies or any Two of them, on Complaint by the Procurator Fiscal, by Decree to be pronounced by them, to make such Regulations as to the Formation, Construction, and Manner of using and Management of the private Slaughter-houses within the said District, and for carrying off the Offal and Refuse therefrom, as they shall judge fit and expedient, so as to abate the Nuisance and Annoyance arising therefrom; and any Person failing to implement such Decree, or violating the same, shall be subject to pay a Penalty not exceeding Forty Shillings for each Offence; and it shall be lawful for the said Provost and Bailies or any one of them to decern for the said Penalties in a summary Manner, and which Penalties shall be recoverable in manner herein specified in regard to Penalties not otherwise provided for; and on Failure to pay the same, the said Magistrates or any one of them may commit the
Person

Person so failing to Prison or Bridewell for a Period not exceeding Fourteen Days.

CLXXV. And be it enacted, That it shall be lawful for the Superintendent appointed by the Commissioners, and it shall be his Duty, to see that the Regulations for these Establishments are duly observed, that no Carcass of any Animal which may appear to have died of Disease is dressed, prepared, or kept therein, that no Butchers Meat or Fish of an unsound or unwholesome Description, or adulterated Butter, Meal, Bread, or any other Article of Food whatever, is exposed for Sale, or kept in Markets, Shops, Stalls, or other Places, and that all Markets, Slaughter-houses, and Shops, Stalls, and other Places for the Sale of Butchers Meat, Fish, or other Provisions, are clean and in good Condition; and all Keepers of Slaughter-houses, Markets, and of Shops, Stalls, and other Places for the Sale of Butchers Meat, Fish, or other Provisions, shall at all seasonable Hours allow the said Superintendent Access to their Premises, for the due Performance of the Duty of the said Office, under the Penalty of Ten Shillings for each Offence.

Superintendent shall see that the Regulations are duly observed.

CLXXVI. And be it enacted, That it shall be lawful for the Superintendent of Police, or any other Police Officer, or any other Person whom the said Magistrates or any of them shall authorize, to bring before the said Magistrates or any of them any Person who shall sell or expose to Sale, or have in his Possession for the Purpose of selling, in any Market, Shop, Stand, or Place within the Limits of this Act, the dressed Carcass or any Part of the Carcass of any Animal which shall appear to have died of Disease, or any Butchers Meat, Fish, Poultry, or other Article of Provision of an unsound or unwholesome Description, or in a State unfit or unsuitable for Human Food, and to seize and take possession thereof, and if, after Inspection, Two or more respectable Dealers in such Articles shall certify that the same is unwholesome and ought to be buried, it shall be lawful to the said Superintendent, or any other superior Officer acting in his Absence, immediately to cause it to be buried or otherwise destroyed; and any Person who shall be convicted of selling or exposing to Sale, or having in his Possession for the Purpose of selling, any such unwholesome Articles as aforesaid, shall for each Offence be subjected in a Penalty not exceeding Ten Pounds, and the Articles so seized shall upon Conviction be forfeited, and, if not buried as aforesaid, shall be disposed of as the Magistrates or any of them trying such Case shall direct; and it shall be lawful to the said Superintendent or other Police Officer to convene before the said Magistrates or any of them any Butcher or other Person who shall within the Limits aforesaid sell or expose to Sale, or have in his Possession for the Purpose of selling, any blown, stuffed, or pricked Veal, Lamb, or Butchers Meat, or who shall sell or expose to Sale any Bull Beef without having the Words "Bull Beef" exhibited on a Board, in Roman Characters of at least Three Inches in Length, and of a proportional Breadth, over the Stall or Place in which it shall be exposed for Sale, and to seize and take possession of such Veal, Lamb, Beef, or other Butchers Meat, to be produced in Evidence; and the said Magistrates or any of them shall be empowered to declare the said

Penalty for selling unwholesome Meat, &c.

Veal,

Veal, Lamb, Beef, or other Butchers Meat to be forfeited, and dispose thereof as he shall think fit, as well as to fine the Person convicted of selling the same, or offering the same for Sale, or having the same in his Possession, contrary to this Enactment, in any Sum not exceeding Five Pounds.

Power to seize and confiscate adulterated Butter.

CLXXVII. And whereas large Quantities of Butter adulterated with other Matter have been imported or brought within the said Limits, and sold by the Importers, or their Agents or Servants, in the Knowledge of the same being adulterated, to Persons unaware thereof, and it is expedient to prevent such Imposition and Fraud; be it enacted, That it shall be lawful to the Magistrates within the Limits of this Act or any one of them, on the Application of the Procurator Fiscal of Court, having received Information, and having just Cause to believe, that adulterated Butter is in the Possession of any Importer thereof or Dealer therein, or of any Agent or other Person, for the Purpose of being disposed of, to grant Warrant to seize such Butter; and if it shall be ascertained by chemical Analysis, or other satisfactory Examination made by Order of the said Magistrates or any of them, that the Butter so seized is adulterated, it shall be lawful to the said Magistrates or any one of them to declare the same forfeited, and to fine the Importer, Agent, Dealer, or other Person possessed thereof as aforesaid in a Sum not exceeding Forty Shillings for each Cask or Parcel so found.

Penalty on knowingly selling adulterated Butter.

CLXXVIII. And be it enacted, That if any Person shall sell any such adulterated Butter, knowing the same to be adulterated, to any Person not in the Knowledge thereof, such Person so offending shall for every such Offence forfeit a Penalty not exceeding Ten Pounds.

Power to try Butter, &c. made up in Parcels, and to seize and confiscate if found deficient in Weight.

CLXXIX. And for the Purpose of preventing Fraud in the Sale of Butter, Bread, and other Articles made up in Parcels or Quantities representing a Pound, or Half Pound, or other larger or smaller specific Weight, be it enacted, That it shall be lawful to the Superintendent of Police within the Limits of this Act at any Time, or to any Officer of Police having Orders or Instructions to that Effect from the Magistrates or any one of them, to try the Weight of such Parcels or Quantities of Butter, Bread, and other Articles brought within the Limits aforesaid for Sale, or sold or exposed for Sale in any Shop or Market Place within said Limits; and it shall be lawful to the said Superintendent at any Time when he shall deem it necessary or proper, or to such Superintendent, or to any Officer of Police, on the Warrant of any of the Magistrates, to enter any Shop, Store, or other Premises within the Limits aforesaid in which such Parcels and Quantities of Butter, Bread, and other Articles are sold, or exposed or kept for Sale, and to try the Weight of such Parcels or Quantities of Butter, Bread, and other Articles, as may be found therein; and if upon any such Trial or Examination any Parcel or Quantity shall be found light or deficient in Weight, it shall be lawful to seize the same, and require the Person possessed thereof to appear before any of the Magistrates, or to attend at the Police Office, and in the event of Refusal, such Person not being known as a Householder or Shopkeeper, or the Servant of a Householder or Shopkeeper within said Limits, to convey
such

such Person before the Magistrates or any of them, or to the Police Office, for Examination; and it shall be lawful to the Magistrates, or any of them, on finding that any Parcel or Quantity of Butter, Bread, or other Articles so seized is light or deficient, or was so at the Time of Seizure, to declare the same forfeited, and to send the same to any charitable Institution, and to fine the Person in whose Possession it has been found in a Sum not exceeding Ten Shillings for every Pound Weight found deficient, or in the Proportion thereof for a larger or smaller Quantity.

CLXXX. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to license such Number of Hackney Coaches or Carriages, of any Kind or Description, to ply for Hire, within the Limits of this Act, as they shall think fit.

Hackney
Coaches to
be licensed.

CLXXXI. And be it enacted, That every Licence so to be granted shall be signed by the Chairman of the Commissioners, and shall express the Number of the Hackney Coach or Carriage, and shall not include more than One Carriage so licensed, and shall be in force for One Year only, from the Day of the Date of such Licence, or until the next General Licensing Meeting, in case any such General Licensing Day shall be appointed by the said Commissioners, as they are hereby authorized to do.

Licences to
be signed by
the Chair-
man, and to
be in force
One Year
only.

CLXXXII. And be it enacted, That every Licence shall be made out by the Clerk of the said Commissioners, and duly entered in a Book to be provided by him for that Purpose, with the Christian and Surname and Place of Residence of the Person whose Coach or Carriage shall be licensed, and the Number of the Licence; and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Owner, Driver, or Person attending such Coach or Carriage; and for every such Licence there shall be paid to the Clerk of the said Commissioners the Sum of Two Shillings and Sixpence.

Licences to
be regis-
tered.

CLXXXIII. And be it enacted, That any such Licence may, for the Misconduct of the Owner or Driver, or Person attending such Hackney Coach or Carriage, be suspended or revoked by the Magistrates of said Burgh, or any Two of them, as they shall deem right.

Licences to
be suspended
or revoked for
Misconduct.

CLXXXIV. And be it enacted, That if the Driver of any Hackney Coach or other Carriage shall be found standing or plying for Hire, or using any such Coach or other Carriage, within the Limits of this Act, without a Licence from the said Commissioners, the Owner or Driver of such Coach or other Carriage so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalty for
plying with-
out a Licence.

CLXXXV. And be it enacted, That if any Person shall refuse to pay, on Demand, to any Hackney Coachman or Person, the regular Fare due to him for the Hire or Service of any licensed Hackney

Penalty for
refusing to
pay the Fare.

[Local.]

37 Z

Coach

Coach or Carriage, he shall be liable to a Penalty not exceeding Ten Shillings.

Penalty for
damaging the
Coach.

CLXXXVI. And be it enacted, That if any Person shall cut, break, or injure any such Coach or Carriage, such Person shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Owner of such Hackney Coach or Carriage reasonable Satisfaction for the Damage sustained by the same, and such Satisfaction shall be ascertained by any of the Magistrates before whom the Conviction of the Penalty takes place, and shall be recovered by the same Means as the Penalty.

Bye Laws
for regulating
the Hackney
Coaches.

CLXXXVII. And be it enacted, That for better regulating the Hackney Coaches or other Carriages to be so licensed as aforesaid it shall be lawful for the said Commissioners from Time to Time to make such Bye Laws as they shall think fit, and for all or any of the following Purposes; (that is to say,)

For regulating the Conduct of the Owners and Drivers thereof respectively in their several Employments:

For regulating the Hours within which they may exercise their calling:

For regulating the Numbers of such Hackney Coaches or other Carriages:

For regulating the Number of Persons to be carried by such Coaches or other Carriages, and what Number of Horses or other Animals are to draw the same:

For fixing, altering, and regulating the Stands of such Coaches or other Carriages, and the Distance to which such Hackney Coachmen or Persons attending the Carriages shall be obliged to drive, not exceeding Five Miles from the Court House of *Anderston*:

For fixing the Rates or Fares to be paid for such Hackney Coaches:

For punishing the Misconduct of Hackney Coachmen and Persons attending such Carriages, whether in the way of Imposition by demanding or receiving more than regular Fare or otherwise:

And the said Commissioners may from Time to Time, as they shall think fit, repeal any such Bye Laws, and make others in their Stead, provided such Bye Laws be not repugnant to the Laws of *Scotland*, or the Provisions of this Act, and be signed by Three of the Members of the said Commissioners, duly authorized at a Meeting of the said Commissioners, and be printed and published in the same Manner as the other Bye Laws made in virtue of this Act are printed and published.

Penalty for
enforcing
Bye Laws.

CLXXXVIII. And be it enacted, That it shall be lawful for the said Commissioners by the Bye Laws so to be made by them to impose such reasonable Penalties for enforcing the better Observance thereof as they shall think fit, not exceeding Five Pounds for any one Offence: Provided always, that such Bye Laws shall be so framed as to allow the Magistrates before whom any Penalty imposed thereby may

may be sought to be recovered to order the Whole or any Part of such Penalty to be recovered.

CLXXXIX. And whereas it is expedient to establish a general Registry of Porters for carrying and conveying Coals, Luggage, and other Articles within the Limits of this Act, in order that all Persons employing such Porters may have the Means of knowing the proper Names and actual Residences of such Persons when employed by them; be it therefore enacted, That it shall be lawful for the Commissioners and they are hereby required from Time to Time to fix and appoint some convenient Place in the Burgh as an Office for the Establishment of such Registry, and also the Persons who shall have the Charge of and keep such Registry, and the Mode in which the same shall from Time to Time be kept and conducted.

Power to establish a Registry of Porters, &c.

CXC. And be it enacted, That from and after the Establishment of such Registry it shall be lawful for any Person desirous of following the Trade or Business of such Porter within the Limits of this Act to register his Name and the Place of his Abode in such Registry, and that the Person appointed to keep and conduct such Registry shall give a Certificate of such Registration, printed or written, signed by such Person, containing the Christian and Surname in Words at Length and also the Place of Abode of every such Person so applying for Registration, together with the Number of his Name in the said Register, and the Date of such Registration, and for which Registration and Certificate such Sum as may be fixed by the said Commissioners, not exceeding One Shilling, shall be paid by the Party requiring the same before the Delivery thereof.

How Porters are to be registered.

CXCI. And be it enacted, That if any Person applying to be registered as aforesaid shall give any false Name or incorrect Description of his Place of Abode, or shall be guilty of Felony or any indictable Misdemeanor, or of habitual Drunkenness, or of being an idle and disorderly Person, it shall be lawful for a Magistrate, upon due Proof thereof before him upon Oath, to order and direct the Name of every such Person to be expunged from the said Registry, and thereupon the Name of every such Person so expunged shall be publicly exhibited in a List to be fixed up in the Office appropriated for such Registry for the Space of Three Months.

Persons registering under a false Name, or otherwise misbehaving, to be punished.

CXCII. And be it enacted, That if any Person whose Name shall have been expunged from such Registry in manner aforesaid shall, after his Name shall have been so expunged, falsely represent himself as still registered thereon, every Person so offending shall for every Offence forfeit a Sum not exceeding Forty Shillings.

Penalty for Misrepresentation.

CXCIII. And be it enacted, That no Person shall ply for Hire as such Porter without being so registered, and any Person so plying shall for every Offence forfeit a Sum not exceeding Forty Shillings.

Penalty on Persons plying as Porters not being registered.

CXCIV. Provided always, and be it enacted, That nothing herein contained shall prevent any Person from employing his own Servant

Persons may employ Servants as Porters.

or the Servant of any other Person as a Porter, although such Person be not a licensed or registered Porter.

Com-
missioners em-
powered to
make Bye
Laws with
respect to
Porters, &c.;

CXCV. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to make such Bye Laws as they shall think fit for all or any of the Purposes following; (that is to say,)

For fixing or altering the Stands of all Porters and other Persons entitled to carry or convey Wares, Luggage, or other Articles for Hire within the said Burgh;

For regulating all such Porters, and what Loads, Rates, Fares, or Prices shall be allowed to be taken by Errand, Message, or Luggage Porters plying for Hire, and in what Manner Errand, Message, Luggage, and other Porters plying for Hire shall behave and conduct themselves, and for punishing Extortion, Imposition, Misconduct, or Misbehaviour in such Errand, Message, Luggage, and other Porters respectively;

and to fix
Penalties for
Persons
breaking
same.

And to ascertain and fix what pecuniary Penalties shall be incurred by Persons breaking such Orders, Rules, Regulations, and Bye Laws: Provided always, that no such last-mentioned Penalty shall exceed for any one Offence the Sum of Five Pounds.

Coals to be
sold by
Weight.

CXCVI. And whereas the Inhabitants resident within the Limits of this Act have been much imposed upon in the Sale of Coals, which might be remedied by prohibiting the Sale of Coals except by Weight, and by the Weight thereof being properly ascertained; be it therefore enacted, That it shall not be lawful to any Person or Persons to sell or dispose of Coal within the Limits of this Act except by Weight; and the said Commissioners shall be and they are hereby empowered and authorized to erect, so far as not already done, and to maintain, Steelyards, Scales, or other Weighing Engines upon or adjacent to the different Roads or Streets within or leading to the said Limits, or at any other convenient Place for the Purposes herein-after mentioned, or to grant Powers to others to that Effect, and to appoint proper Persons to attend the same, with suitable Allowances for their Trouble, and to order and appoint every Cart or Waggon employed for the Carriage of Coal for Sale within the said Limits to be numbered and weighed, and recorded in a Book to be kept for that Purpose within the said Limits, under the Direction of the said Commissioners, and the Number and Tare to be painted or inscribed on a conspicuous Part of such Cart or Waggon, and in such Manner as the said Commissioners shall direct; and no Cart or Waggon shall be used in the Carriage of Coal for Sale until the Weight or Tare of such Cart or Waggon shall be ascertained, recorded, and inscribed as aforesaid, nor be afterwards altered, in the Weight or Tare thereof, further than may be occasioned by wet Roads, under a Penalty not exceeding Twenty Shillings; and every such Cart or Waggon loaded with Coal for Sale or Delivery (except for Shipment at the *Broomielaw*) within the said Limits shall be weighed at the said Steelyards or Weighing Machines, and the Weight of the Coal, and of the Cart or Waggon, and also the Time of such weighing, shall be marked on a Ticket to be delivered to the Driver; and the Person having the Charge of such Steelyards or Weighing Machines shall exact from the

the Driver the Sums following; *videlicet*, for each Cart a Sum not exceeding One Penny, for each Cart and a Half a Sum not exceeding Three Halfpence, and for each Waggon a Sum not exceeding Twopence, for weighing the Coal and delivering Tickets as aforesaid, and for erecting and keeping in repair the said Steelyards and Weighing Machines; which Sums shall be repaid to the Drivers by the Purchasers of the Coals, or Persons to whom the same are delivered, on the Ticket thereof being produced; and the Property of such Steelyards or Weighing Machines shall be and is hereby vested in the said Commissioners; and if any Carter or other Person shall bring within the Limits of this Act any Cart or Waggon with Coals exceeding Five hundred Pounds Weight, and shall sell or deliver or attempt to sell such Coals without first having the same weighed and a Ticket procured as aforesaid, such Carts or Waggons may be seized, and the Coals therein may be declared forfeited, and the Proceeds applied in the same Manner as the Penalties under this Act, but the Carts or Waggons shall be returned to the Owner or Driver; and if such Coals shall have been sold and delivered without having been weighed and a Ticket procured as aforesaid, such Driver may be subjected in a Penalty not exceeding Forty Shillings; and it shall be lawful to the Superintendent and Officers of Police to seize any Cart or Waggon with Coals which have not been weighed and a Ticket procured as aforesaid, and to detain the same until the Penalty and the Expences attending the Proceedings shall be paid.

CXCVII. And be it enacted, That it shall be lawful to the said Commissioners to provide, furnish, and maintain such a Number of portable or moveable Machines for weighing Coals as they may deem necessary, to be kept in convenient Places within the said Limits, in order that the Inhabitants may have Access to them for the Purpose of re-weighing their Coals, at their own Expence, if they shall be so inclined, and to employ proper Persons to attend such Machines, and to establish the Rates to be payable for such re-weighing; and it shall be lawful to the Superintendent of Police or any other Officer to cause Coals offered for Sale or for Delivery, to be re-weighed, and to require the Carter to produce the Ticket thereof, as a Check on the Conduct of Carters and others, such re-weighing being always done free of Expence.

Commissioners may furnish portable or moveable Machines for weighing Coals.

CXCVIII. And be it enacted, That the foregoing Provisions regarding the weighing of Coals shall apply to all Dealers in Coals keeping and selling Coals within any Yard, Depôt, Cellar, or Place within the said Limits, when the Quantity sold at one Time shall exceed Five hundred Pounds Weight; and for the Purpose of ascertaining the Weight of Coals in smaller Quantities in such Yard, Depôt, Cellar, or Place where they may be kept, or from any Cart or Waggon in which they may be carried by such Dealer for Sale, such Dealers shall be obliged to have and keep Scales and Weights of the legal Standard within such Yard, Depôt, Cellar, or other Place so kept, and also to have such Scales and Weights attached to the Cart or Waggon used by them for the Sale of such Coals, whereby the Coals so sold by Retail may be weighed at the Time of the Sale or Delivery; and the Dealers shall be obliged to weigh the same upon being required to do

Foregoing Provisions to apply to all Dealers in Coals.

Dealers to keep Scales and Weights.

so either by the Purchaser or by any Officer of the Police; and any such Dealer in Coals failing to have and keep such Scales and Weights, or refusing to weigh the Coals as aforesaid, shall be subject to a Penalty not exceeding Forty Shillings for the first Offence, and Five Pounds for any subsequent Offence.

Commissioners may make Regulations to prevent Fraud in the Weight of Hay and Straw.

CXCIX. And in order to prevent Fraud in the Weight of Hay and Straw, by the same being taken and embezzled from Carts or Waggon, it shall be lawful for the said Commissioners to establish Regulations for ascertaining the Weight or Quantity of Hay or Straw brought within the said Limits, upon Parties voluntarily resorting to said Weighing Machines for the Purpose, and for the said Magistrates or any of them to punish Persons disobeying such Regulations by seizing, forfeiting, and selling such Hay and Straw so brought in contravention of such Regulations, or by imposing on the Offender a Penalty to the Extent and in the Manner before prescribed in respect of Coals which have not been duly weighed, and also to fine or award Imprisonment against Persons driving Carts or Waggon from which Hay or Straw shall have been fraudulently taken or embezzled, and all Persons accessory to such fraudulent Taking or Embezzlement.

Magistrates and Council may erect Weighing Houses.

CC. And be it enacted, That it shall be lawful to the Commissioners to erect and maintain a Weigh-house or Weigh-houses within the said Burgh, with proper Weights, Scales, and Measures, for the Use of the Inhabitants or other Persons, for weighing, measuring, and inspecting Goods and Commodities sold or delivered, or offered for Sale or Delivery, within the said Limits, and to establish such reasonable Charges, and to make such Orders and Regulations thereanent, under Penalties not exceeding Forty Shillings, as they shall judge fit and expedient, and which shall be enforced by the said Magistrates or any of them in the summary Manner provided by this Act.

Buyer or Seller of Goods or Commodities may have them weighed.

CCI. And be it enacted, That the Owner or Driver of every Cart, Waggon, or other Carriage with Goods or Commodities brought within the said Limits to be sold or delivered therein shall, at the Request of the Buyer or Seller of any such Goods or Commodities, or the Person on whose Behalf the same shall be consigned, or their respective Agents, take and carry such Cart, Waggon, or other Carriage, with or without the Loading thereof, to be weighed at the nearest Weighing Machine or Weigh-house erected or to be erected as aforesaid, for the Purpose of ascertaining the Weight or Measure of such Goods or Commodities; for proceeding to which Weighing Machines or Weigh-houses no additional Charge shall be made by the Owner or Driver, unless such Cart, Waggon, or other Carriage shall for the said Purpose be required to go a greater Distance from the regular Course of the Road by which it would be otherwise necessary to pass in conveying of the Goods or Commodities laden therein to the Place of their Destination than Half a Mile, including the going to and returning from such Weighing Machine or Weigh-house, in which Case the Owner or Driver of such Cart, Waggon, or Carriage shall be allowed to make an additional Charge of Three-pence for every Horse used in drawing the same, and a further Charge of the like Amount for every additional Half Mile that any such Cart,
Waggon,

Waggon, or other Carriage shall be taken out of the direct Road for the Purpose aforesaid; and all such additional Charges for Carriage to be paid for such weighing or measuring shall be paid by the Person requiring such weighing or measuring to be done; and if the Driver or other Person having the Charge of any such Cart, Waggon, or other Carriage shall not, upon being so requested as aforesaid, take the same to such public Weighing Machine or Weigh-house as is herein-before directed, or shall refuse to assist in the weighing of the same in such Manner as the Drivers of Carts are used and accustomed to do, such Driver or other Person shall for each such Offence forfeit a Sum not exceeding Forty Shillings.

CCII. And be it enacted, That if any Keeper of any Weighing Machine or Weigh-house used within the said Limits for the Purpose of ascertaining the Weight of Coals or other Articles bought or sold, or brought within the said Limits for Sale or Delivery, or any Seller of any Article which shall be weighed at such Weighing Machine or Weigh-house, or any of their respective Servants, shall wilfully, on Application duly to weigh or re-weigh any Waggon, Cart, or Carriage, with or without Loading, or shall designedly do or omit to do any thing with Intent that the true Weight or Measurement of any Article weighed thereat shall not be ascertained; or if the Owner or Driver of any Cart, Waggon, or other Carriage shall place or knowingly have any Article, Matter, or Thing in or about such Cart, Waggon, or Carriage other than the proper Load therein, or shall alter the Tare or Weight, or the Ticket denoting the Weight, of any Cart or Waggon, or the Loading thereof; or shall make or use, or be privy to the making or using, any false or fraudulent Ticket respecting the Weight of any such Cart, Waggon, or Loading; or if, by re-weighing or otherwise, it shall be discovered that any Coals or other Articles have been abstracted by such Owner, Driver, Keeper, or Servant from such Cart, Waggon, or other Carriage after it shall have passed the Steelyard or Weighing Machine where it was originally weighed; or if the Owner or Driver of any Cart, Waggon, or other Carriage, or the Keeper of any Machine or Weigh-house as aforesaid, or his Servants, shall make or give or use, or be privy to the making or giving or using, any false or fraudulent Contrivance touching the Weight of any Cart, Waggon, or Carriage, or of the Load therein, or shall knowingly assist in or connive at any Fraud in or concerning the Weight of any Cart, Waggon, or Carriage, or of the Load therein; or if any other Person shall knowingly act or assist in the committing of any Fraud respecting the Weight of any Cart, Waggon, or Carriage, or the Load therein weighed, or stated or represented to be weighed, at any such Machine or Weigh-house as aforesaid; then and in every such Case every Person so offending shall for every Offence forfeit a Sum not exceeding Ten Pounds, or be liable to be imprisoned for any Period not exceeding Sixty Days.

Penalty for wilfully omitting to weigh, or fraudulently weighing.

CCIII. And be it enacted, That the said Magistrates and Commissioners shall be entitled and they are hereby authorized to appoint a fit and proper Person to adjust all Beams and Scales, Weights and Measures, to be used within the aforesaid Limits, according to the legal Imperial Standards; and it shall not be lawful for any

Power to adjust Beams and Scales and Weights.

any Person to sell or dispose of any Goods or Liquids usually sold by Weight or Measure within the said Limits by or according to any Beams, Scales, Weights, or Measures which have not been approved of by the Person so employed, and stamped by him accordingly, under a Penalty not exceeding Five Pounds for each Offence; and the Person so employed as Stamper shall be entitled to demand from the Persons whose Beams, Scales, Weights, or Measures he may be called on to inspect and stamp the various Fees specified and contained in the Schedule of Fees subjoined to the Act of the Fifth and Sixth Years of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the Fourth and Fifth Years of His present Majesty relating to Weights and Measures, and to make other Provisions instead thereof.*

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c. 63.

Applications
of surplus
Funds for
weighing.

CCIV. And be it enacted, That any Surplus arising from the Sums received for weighing Coals, or other Goods or Commodities as aforesaid, at the Steelyards or Weighing Machines erected or to be erected by the said Commissioners, after deducting the Expence of that Department, may be applied in aid of the Funds for Statute Labour Purposes authorized to be levied by this Act.

Power to
restrain and
regulate
public
Shows, &c.

CCV. And be it enacted, That it shall be lawful to the Magistrates of the said Burgh to restrain and regulate all public Shows or Exhibitions, and to prohibit any such, and also the Use of Apartments in common Tenements, or any Booth, for dancing, during the Time of any public Fair, or any other public Occasion, or at any other Time as shall appear necessary for preserving Order and Decorum, and for preventing Disturbance, Annoyance, or Interruption in the Neighbourhood, and to make and establish Regulations and Prohibitions to that Effect; and if any Person shall contravene any such Regulation or Prohibition such Person shall for each such Offence forfeit a Penalty not exceeding Five Pounds.

Penalty
against Chain
Droppers,
Thimblers,
and other
Swindlers.

CCVI. And be it enacted, That all Chain Droppers, Thimblers, Loaded Dice Players, and other Swindlers of that or any similar Description who shall exhibit Implements or Articles for practising Games of Hazard to induce or entice or who shall induce or entice any Person to play at any Game of Hazard, or who by fraudulent Art or Device shall cozen and cheat or attempt to cozen and cheat any Person, on any of the Roads, Streets, Lanes, or Passages, or in any Field or open Place, or in any Waggon, Booth, or Tent, or at any Market, Fair, Race, or other public Assemblage, or in the Vicinity thereof, within the Limits of this Act, shall, on being convicted under the summary Procedure authorized by this Act, and on the Testimony of One credible Witness, or other legal Evidence, of any such Offence, be punished by Fine not exceeding Ten Pounds, or by Imprisonment for any Term not exceeding Sixty Days, and shall also at the same Time be ordained to repay any Money or restore any Property which he may have obtained by means of any such Offence, and failing such Payment or Restoration may, under the same Procedure, be committed to or detained in Prison for a further Term not exceeding Sixty Days.

CCVII. And

CCVII. And be it enacted, That it shall be lawful to the Officers of Police to apprehend and bring before the said Magistrates or any of them all Vagrants and common Beggars for Examination, and if any such Person shall appear to have acquired a legal Settlement in any Parish over which this Act extends, such Person may be sent to the Parish to which he belongs; and if it shall appear that the Person so apprehended does not belong to any Parish within the said Limits, such Person may be ordered to quit the said Limits; and if any such Vagrant or common Beggar shall, after the Expiration of Forty-eight Hours, be again found idle or begging within the said Limits, it shall be lawful for the said Magistrates or any of them to adjudge him to be imprisoned for a Period not exceeding Sixty Days.

Vagrants and common Beggars to be apprehended and sent to their Parishes, &c.

CCVIII. And for preventing the Danger of Contagion and Infection and other Evils from common Beggars, Vagrants, and idle poor Persons going about seeking Relief, be it enacted, That it shall be lawful to any of the said Magistrates or any of the Commissioners to cause to be taken into Custody, and to the Officers of Police to take into Custody, such Beggars, Vagrants, and idle poor Persons, Men, Women, or Children, strolling or wandering, or seeking Relief, or found lying in any Outhouse, Stair, Close, or Area, in any Parish, Ward, or Place within the Limits of this Act, and to direct and cause all such Persons to be removed out of any such Parish, Ward, or Place in such Manner and to such Place as the Nature of the Case may require; and it shall be lawful to any of the said Magistrates, or to any Member of the said Commissioners, or the Superintendent of Police, to send any such Beggar, Vagrant, or idle poor Person, strolling or wandering, or seeking Relief, or found as aforesaid, to some public Place of Reception for any Time not exceeding Forty-eight Hours previous to their Removal out of such Parish, Ward, or Place; and it shall be lawful to any Officer acting under the said Magistrates, Commissioners, or Superintendent, during such Period of Forty-eight Hours, to cause the Person and Clothes of such idle poor Persons, Vagrants, and Beggars to be washed and cleansed; and it shall be lawful to the said Magistrates or to the said Commissioners to constitute and appoint any suitable unoccupied Building to be a Place of Reception for such Persons, with the Consent and Approbation of the Owner of such Building, and to apply to and agree with the Owner for such Purpose accordingly.

Beggars and Vagrants, &c. to be repressed, for preventing Contagion, &c.

CCIX. And whereas it is expedient to make Provision for preventing and punishing Fraud committed on Keepers of Lodging Houses and Furnishers of Clothes and other Articles by Seamen and other Persons entering or pretending to enter into Engagement to sail and serve in Ships or other Vessels from the Harbour of *Glasgow*, or other Ports in the River *Clyde*, and pledging in security for Payment of Provisions, Clothes, and other Furnishings the Note, Line, or Ticket received by them from the Owner, Master, or Agent of such Ships or Vessels, and thereafter failing to enter upon and fulfil their Engagement so to sail, or deserting their said Service, and thereby forfeiting or not earning the Wages for which such Note,

Penalty on Seamen fraudulently pledging Note or Line for Wages.

[Local.]

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Line,

Line, or Ticket is granted, and on the Faith of which such Furnishings are made; be it enacted, That if any Seaman or other Person entering or pretending to enter into such Engagement shall pledge any such Note, Line, or Ticket with any Person or Persons within the Limits of this Act in security for the Payment of Furnishings or Advances in Goods or Money, and shall receive such Furnishings or Advances thereon, and shall fail to enter upon and fulfil such Engagement, so as to raise Wages by which the Party supplying such Furnishings or making such Advances may be reimbursed or paid, and if in consequence of such Failure, and no Wages being due or payable, such Note, Line, or Ticket shall become unavailable to the Party to whom the same is so pledged, such Seaman or other Person shall be deemed guilty of Fraud, and on Conviction of any such Offence as aforesaid shall be adjudged to be imprisoned for any Period not exceeding Sixty Days, under the summary Procedure authorized by this Act.

Persons receiving Ship's Stores from Seamen, &c. a Misdemeanor

CCX. And be it enacted, That if any Person shall within the Limits of this Act knowingly take in exchange from any Seaman or other Person not authorized to dispose of the same, and not being the Owner or Master of any Vessel, any Article belonging to any Vessel lying in any Harbour, Dock, Port, River, or Canal within the said Limits or forming the Boundaries thereof, or any Part of the Cargo of any such Vessel, or any Stores or Articles in charge of the Owners or Masters of any such Vessel, such Person shall be deemed guilty of a Crime or Misdemeanor, and shall be subject to summary Trial and Punishment under this Act, or to be otherwise dealt with according to Law.

Penalty for conveying Spirits into Prisons, &c.

CCXI. And be it enacted, That if any Person shall bring, carry, or convey any Spirituous Liquors into any Prison, Police Office, Watch-house, or Lock-up House within the Limits of this Act, other than in Kind and Quantity as are prescribed by a regular Physician or Medical Practitioner, it shall be lawful for any Officer or other Person seeing such Offence committed to apprehend, and for any other Person to assist in apprehending, such Person, and to carry him before the Magistrate or to the Police Office; and it shall be lawful for the Magistrates or any of them to convict the Person offending, either on his judicial Confession, or on the Oath of One credible Witness, and to fine the Offender in a Sum not exceeding Five Pounds.

Unclaimed Goods to be disposed of after Twelve Months.

CCXII. And be it enacted, That any Goods, Articles, or Money charged to be stolen or unlawfully obtained, and of which the Owner may be unknown, shall be taken charge of by an Officer specially appointed in the Police Office; and it shall be lawful for any Magistrate, after the Expiration of Twelve Calendar Months during which no Owner shall have claimed the same, to grant Warrant for the Sale or Disposal of such Goods, Articles, or Money, the Proceeds, after deducting Expences, to be applied to Police Purposes along with the other Money levied for these Purposes under the Authority of this Act.

CCXIII. And

CCXIII. And whereas strayed Cattle, Horses, and other Animals are sometimes found within the Bounds of Police, and kept till the Owner can be discovered, and the Expence of keeping such Animals sometimes exceeds their Value; be it enacted, That upon Representation by the Superintendent, Clerk, or Treasurer of Police that the Expence of keeping any such Animal is likely to exceed its Value, the said Magistrates or any of them may grant Warrant to sell or destroy the same, and the Price shall be applied in Repayment of the Expence of keeping and of the Sale, and the Balance, if any, shall be paid to the Owner, if he shall apply for the same within Three Months after the Sale, and if otherwise, shall be applied to the said Police Purposes of this Act.

Strayed
Cattle to be
disposed of.

CCXIV. And be it enacted, That no Shopkeeper or other Person or Persons shall keep at the same Time, in any Shop, Cellar, or Warehouse or Apartment, within the said Limits, more than Five Pounds Weight of Gunpowder, but shall carry or cause to be carried all Gunpowder belonging to him or them exceeding that Quantity to such Magazine or Place as may be hereafter provided and appointed by the said Commissioners, unless such Person shall have a Cellar, Magazine, or other Place for depositing the same which shall be approved of by the said Commissioners; and every Person or Persons so offending, neglecting, or failing shall for every Offence forfeit and pay any Sum not exceeding Five Pounds Sterling, to be levied in manner herein-after directed, besides forfeiting all the Gunpowder which shall be in his, her, or their Houses, Shops, Cellars, Warehouses, or other Apartments, exceeding the foresaid Quantity: Provided always, that no such Regulation, or any Regulation of this Act, shall extend to Gunpowder belonging to Her Majesty, Her Heirs and Successors, or of or belonging to Her Majesty's Barracks, or to any Part of Her Majesty's Army or Navy, or Militia, or Yeomanry or Volunteers.

Restrictions
as to keeping
Gunpowder.

CCXV. And be it enacted, That the Gunpowder allowed to be kept in Shops, Cellars, Warehouses, or other Apartments as aforesaid shall be deposited in a Place by itself separate from all other Goods and Commodities, and shall be secured by Lock and Key, under a Penalty not exceeding Seven Pounds Sterling, to be paid for each Offence by the Occupier of the House, Shop, Cellar, Warehouse, or other Apartment in which the same shall be kept, to be levied in manner herein-after directed; and it shall not be lawful to the said Shopkeeper or other Person or Persons to sell or dispose of any Quantity of Gunpowder by Candle Light, or after Daylight, on any account or for any Purpose whatever, under a Penalty not exceeding Five Pounds Sterling for each Offence, to be levied and applied in manner herein-after directed.

Gunpowder,
how to be
kept and
sold.

CCXVI. And be it enacted, That it shall not be lawful for the Occupier of any House or other Building, or for any other Person, to order or direct, or to authorize or permit, any Female to clean, paint, or perform any other Operation upon the Outside of any Window, or any House or other Building within the said Limits, by standing on the Outside of such Window, except such Window shall be

Females not
to stand on
Outside of
Windows
when clean-
ing, &c.

be in the sunk or basement Storey; and such Occupier or other Person who shall so order or direct, or authorize or permit, shall for each such Offence be liable in a Penalty not exceeding Two Pounds.

Carts, Wag-
gons, &c.
not to remain
in Streets, &c.

CCXVII. And be it enacted, That if any Owner, Driver, or other Person having the Charge or Superintendence of any Cart, Waggon, or other Carriage (other than Carts or Waggons from the Country with Produce) shall suffer the same to be or remain in any Street, Lane, or other public Passage within the said Limits for a longer Time than shall be necessary for loading or unloading thereof, or for putting down or taking up Passengers, or if any Drayman, or other Person having Charge of Brewers Carts, shall allow the same to remain opposite to any House or Shop more than a Quarter of an Hour at any one Time, every such Owner, Driver, Drayman, or other Person having such Charge or Superintendence shall forfeit and pay a Sum not exceeding Twenty Shillings: Provided that nothing herein contained shall be construed to interfere with any Rules or Regulations for the Markets in the said Burgh,

No Person to
drive more
than Two
Carts, &c.

CCXVIII. And be it enacted, That no Person shall at One Time drive or lead more than Two Carts or Waggons through the Streets, Lanes, or public Passages within the Limits of this Act, and the Halter of the Horse yoked to the last Waggon shall not extend more than Four Feet behind the first, and shall pass through a Ring in the Centre of the hind Bar of the first Cart or Waggon; and if any Person shall drive Carts or Waggons through the said Streets, Lanes, or Passages contrary to the Provisions hereof he shall forfeit and pay for each such Offence a Sum not exceeding Twenty Shillings.

Passing
through nar-
row Streets,
Lanes, &c.

CCXIX. And be it enacted, That whenever any such Carriage as aforesaid shall have entered any Street, Lane, or Passage within the said Limits where there is not Room sufficient for Two such Carriages to pass, no other such Carriage shall enter the same Street, Lane, or Passage in an opposite Direction so as to hinder or obstruct the Passage of the first so entered, but shall remain in the adjacent Street until the first shall with all Diligence have passed through; and if any Driver or other Person shall wilfully offend in such Case so as to hinder the Passage of the first Carriage which shall have so entered, or if the said first Carriage shall unduly delay passing along said Street, Lane, or Passage so as to hinder or obstruct the Passage of said other Cart or Carriage, every Person so offending shall forfeit and pay for each such Offence a Sum not exceeding Twenty Shillings.

Dogs, if a
Nuisance or
Annoyance,
to be re-
moved or
restrained,
&c.

CCXX. And be it enacted, That if any Person shall have or keep or permit to be kept within any House, Shop, Cellar, Court, or Area, or other Premises, any Dog which shall be a Nuisance or Annoyance to any of the Lieges in the Neighbourhood, and shall not prevent the Continuance of such Nuisance or Annoyance by removing such Dog or otherwise within such Time as the Magistrates or any of them trying such Case shall determine, and which they are hereby authorized to do in a summary Manner, or if any Person shall permit or suffer to be at large within the Limits of this Act any Dog without
a Leathern

a Leathern Collar with a Plate thereon having inscribed the Name and Address of the Owner, or if any Person shall permit or suffer to be at large or have at large any ferocious, rabid, or vicious Dog not being muzzled; or if any Person shall, after public Notice given by the Magistrates directing Dogs to be confined on account of any Suspicion of Canine Madness, permit or suffer any Dog to be at large or have the same at large within the said Limits during the Time specified in such Notice, any Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds; and it shall be lawful to the Officers of Police or other Officers of the Law, and their Assistants, to seize and take possession of any Dog being a Nuisance or Annoyance as aforesaid, and not removed if so ordered, or any Dog found at large not having a Collar, or not being muzzled as aforesaid, or any Dog not confined after such public Notice, and to the Superintendent of Police to order any Dog so seized to be destroyed; and it shall also be lawful to such Officers to destroy any Dog reasonably suspected to be in a rabid State, or which has been bitten by any other Dog reasonably suspected to be in a rabid State.

CCXXI. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who in any Street, Lane, or other Place within the Limits of this Act shall commit any of the following Offences; (that is to say,)

Penalty of
40s. for
Offences
in Streets
herein-after
named:

Every Person who shall, to the Annoyance of the Inhabitants or Passengers, expose for Show, Hire, or Sale (except in a Market lawfully appointed for that Purpose), or feed, any Horse or other Animal, or show any Caravan or Carriage containing any Animal, or any other Show or public Entertainment, or shoe, bleed, or farry any Horse or Animal (except in Cases of Accident), or clean, dress, exercise, train, or break or turn loose any Horse or other Animal, or clean, make, or repair any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary):

Every Person who shall suffer to be at large any unmuzzled ferocious Dog, or set on or urge any Dog or other Animal to attack, worry, or put in fear any Person, Horse, or other Animal:

Every Person who, by Negligence or Ill-usage in driving Cattle, shall cause any Mischief to be done by such Cattle, or who shall in anywise misbehave himself in the driving, Care, or Management of such Cattle, and also every Person, not being hired or employed to drive such Cattle, who shall wantonly and unlawfully pelt, drive, or hunt any such Cattle:

Every Person who shall slaughter any Cattle, or dress any Cattle, or any Part thereof, except in the Case of any overdriven Cattle, or which may have met with any Accident, and which it may be impossible to get to any Slaughter-house, and in which the Public Safety or other Circumstances may require to be killed on the Spot:

Every Person having the Care of any Waggon, Cart, or Carriage who shall ride on any Part thereof or on the Shafts, or on any Horse or other Animal drawing the same, without having Reins, and holding the same, or who shall be at such a Distance from

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- such Cart, Waggon, or Carriage as not to have the complete Control over every Horse or other Animal drawing the same, or shall not keep the Waggon, Cart, or Carriage to the Left or Near Side, except in case of actual Necessity or sufficient Reason for Direction, or shall wilfully prevent any Person or Carriage from passing him or any Carriage under his Care :
- Every Person who shall drive any Horse or other Animal drawing any Waggon, Cart, or other Carriage at any faster Rate than a common Walk :
- Every Person who shall ride or drive furiously, or so as to endanger the Life or Limb of any Person, or to the common Danger of the Passengers in any Thoroughfare :
- Every Person who shall cause any public Carriage, Truck, or Barrow, with or without Horses, to stand longer than may be necessary for loading or unloading, or for taking up or setting down Passengers, except Hackney Carriages standing for Hire in any Place appointed for that Purpose by the said Commissioners, and every Person who, by means of any Cart, Sledge, Truck, or Barrow, or any Horse or other Animal, shall wilfully interrupt any public Crossing, or wilfully cause any Obstruction in any Thoroughfare :
- Every Person who shall draw any Timber, Stone, or other weighty Article without the same being placed upon or suspended from a wheeled Carriage proper for that Purpose :
- Every Person who shall cause any Tree or Timber to be drawn in or upon any Timber Carriage without having to guide or direct the hind Wheels of such Carriage a Person who shall not be under the Age of Eighteen Years, and who shall be of sufficient Strength to guide and direct the same by means of a Rope or Chain attached to the Steerer thereof :
- Every Person who shall lead or ride any Horse or other Animal, or draw or drive any Cart or Carriage, Sledge, Truck, or Barrow, upon any Footway or Curbstone, or fasten any Horse or other Animal so that it may stand across or upon any Footway :
- Every Person who shall place or leave any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Basket, Pail, or Bucket, or place or use any Standing Place, Stool, Bench, or Showboard, on any Footway, or shall place any Blind, Shade, Covering, or Awning over or along any such Footway, unless such Blind, Shade, Covering, or Awning shall be Eight Feet in Height at least in every Part thereof from the Surface of such Footway, and shall extend over the whole Breadth of such Footway :
- Every Person who shall place, hang up, or otherwise expose to Sale any Goods, Wares, Merchandize, Matter, or Thing whatsoever, so that the same shall project into or over any Footway beyond the Line of any House, Ship, or Building at which the same shall be so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway :
- Every Person who shall roll or carry any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Placard, or Log of Wood, or carry any large Basket or Bundle, after being challenged, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway :

Every Person who shall suffer any Goods or Merchandize, or any Coal or Fuel intended for any House, to remain in any Street for a longer Period than shall be necessary for the housing or removing thereof :

Every Person who shall hang any Line, Cord, or Pole across any Street, or hang or place any Clothes thereon, to the Danger or Obstruction of any Person :

Every Person who shall carry or cause to be carried or conveyed the Carcass or any Part of the Carcass of any newly-slaughtered Cattle without a sufficient Cloth Covering to the same :

Every common Prostitute or Nightwalker loitering or being in any Thoroughfare or public Place for the Purpose of Prostitution or Solicitation, to the Annoyance of the Inhabitants or Passengers :

Every Person who shall wilfully and indecently expose his Person :

Every Person who shall sell or distribute, or offer for Sale or Distribution, or exhibit to public View, any profane, indecent, or obscene Books, Papers, Print, Drawing, Painting, or Representation, or sing any profane, indecent, or obscene Song or Ballad, write or draw any indecent or obscene Word, Figure, or Representation, or use any profane, indecent, or obscene Language, to the Annoyance of the Inhabitants or Passengers :

Every Person who shall use any threatening, abusive, or insulting Words, or the Behaviour with Intent to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned :

Every Person who shall blow any Horn or use any other noisy Instrument for announcing any Show or Entertainment, or for the Purpose of hawking, selling, distributing, or collecting any Article whatever, or of obtaining Money or Alms :

Every Person who shall wantonly discharge any Fire-arms, or throw or discharge any Stone or other Missile to the Damage or Danger of any Person, or make any Bonfire, or throw or set fire to any Firework, or set up any Fire Balloon :

Every Person who shall wilfully and wantonly disturb any Inhabitant by pulling or ringing any Door Bell, or knocking at any Door, without lawful Excuse, or who shall wilfully and unlawfully extinguish the Light of any Lamp :

Every Person who shall fly any Kite or play at any Game, to the Annoyance of the Inhabitants or Passengers, or who shall make or use any Slide upon Ice or Snow, in any Street or Thoroughfare, to the Danger of the Passengers :

Every Person who shall burn, dress, or cleanse any Cask, or cleanse, hoop, fire, wash, or scald any Cask or Tub, or ken, saw, bore, or cut any Timber or Stone, or slack, sift, or screen any Lime :

Every Person who shall throw or lay in any Thoroughfare any Coals, Stones, Slates, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials, or the Rubbish thereby occasioned, which shall be placed or inclosed so as to prevent any Mischief happening to Passengers) :

Every

Every Person who shall in any Thoroughfare beat or shake any Carpet, Rug, or Mat, except Door Mats, after the Hour of Eight in the Morning.

Penalty of
40s. for
Offences
herein-after
named :

CCXXII. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who within the Limits of this Act shall commit any of the following Offences; (that is to say,)

Every Person who shall fix or place any Flower Pot or Box in any upper Window without sufficiently guarding the same against being blown down :

Every Person who shall throw or cast from the Roof or any Part of any House or other Building any Slate, Brick, Part of any Brick, Wood, Rubbish of any other Material or Thing :

Every Person who, without the Consent of the Owner or Occupier, shall affix any Posting Bills or other Paper upon any Building, Wall, Fence, or Paling, or write upon, soil, deface, or mark any such Building, Wall, Fence, or Paling with Chalk or Paint, in any other Way whatsoever, or wilfully break, destroy, or damage any Part of any such Building, Wall, Fence, or Paling, or any Fixture or Appendage thereunto, or any Tree, Shrub, or Seat in any public Walk, Park, or Garden :

Every Person who shall expose any Thing for Sale in any Park or public Garden, unless with the Consent of the Owner of such Park or Garden, or other Person authorized to give such Consent :

Every Person who, to the Danger of Passengers in any Thoroughfare, shall leave open any Vault or Cellar, or the Entrance from any Thoroughfare to any Cellar or Room under Ground, without a sufficient Fence or Handrail, or leave defective the Door, Window, or other Covering of any Vault or Cellar, or who shall not sufficiently fence any Area, Pit, or Sewer left open in or adjoining to any Thoroughfare, or who shall leave such open Area, Pit, or Sewer without a sufficient Light, after Sunset, to warn and prevent Persons from falling thereinto :

Every Person who shall throw or lay any Dirt, Litter, or Ashes, or any Carrion, Fish, Offal, or Rubbish, on any Street, or throw or cause any such Thing to fall into any Sewer, Pipe, or Drain, or into any Well, Stream, or Watercourse, Pond or Reservoir for Water, or cause any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill into any Street or other uncovered Place, whether or not surrounded by a Wall or Fence: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost to prevent Accidents, or Litter or other Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things shall cause them to be removed as soon as Occasion for them shall cease :

Every Person who shall keep any Pig-sty to the Front of any Street or Road, not being shut out from such Street or Road by a sufficient Wall or Fence, or who shall keep any Swine in or near

near any Street or in any Dwelling, so as to be a common Nuisance :

Every Person who shall, within the Distance of One hundred Yards from any Dwelling House, burn any Rags or any offensive Substance, so that the same shall be a common Nuisance :

Every Person who shall place or keep any offensive Matter in any inclosed or open Ground within One hundred Yards of any Dwelling House, so as the same may become a Nuisance or Annoyance to any Inhabitant :

Every Person who shall place, hang up, or affix any Sign Post, Board, House Ticket, Notice, or other similar Thing otherwise than close to or flat upon the Wall of the House or Building to which they respectively belong :

Every Person who shall, to the Obstruction or Annoyance of any Person, draw out any Rope or Chain by means of any Horse, or otherwise, along or across any Street, Lane, or Passage, or for hoisting or whipping up any Goods or Things from or into any Warehouse, Room, or other Place :

Every Person using a Forge, and having a Door, Window, or Aperture fronting or opening into or towards any Street, Lane, or Passage, who shall not close such Door or Window, or fasten the Shutters or Fastenings of such Window, and close such Aperture, every Evening within Half an Hour after Sunset, so as effectually to prevent the Light from shining through the Doorway, Window, or Aperture :

Every Person who shall, in the making or repairing of Casks, fire or burn out the same within Fifteen Yards of any Street, Lane, or Passage, without such firing or burning out being sufficiently screened from such Street, Lane, or other Passage by some Building, Wall, or close Paling, with or without a Gate thereto, any such Gate being closed and kept shut :

Every Person who shall wantonly or cruelly abuse any Animal, engage in, instigate, or abet any Prize Fight, Dog Fight, or other Fight or Battle.

CCXXIII. And be it enacted, That in order to prevent Mis- understanding and Inconvenience when the ordinary Term for Re- moval of Tenants, by the Use of the said District being the Twenty- eighth Day of *May*, falls upon *Sunday*, the Term of Removal shall be *Monday* the Twenty-ninth, and all Persons shall be subject to the same Obligations to remove, and to the same Warrant of Ejection, as if the Day of Removal hereby fixed were the ordinary Term Day, and it shall be lawful to all competent Courts to determine and issue Warrant accordingly.

Where ordi- nary Flitting Term of Whitsunday is Sunday, the Day of Removal to be Monday.

CCXXIV. And be it enacted, That it shall be lawful for any Per- son belonging to the Police Force to be continued or appointed under this Act to stop and detain until due Inquiry can be made any Cart or other Carriage, and any Person or Persons in charge thereof or connected therewith, found within the Limits of this Act, employed in removing the Furniture of any Dwelling House, Shop, or other

Removal of Furniture during cer- tain Hours may be stopped.

[Local.]

38 D

Premises,

Goods, &c. may be stopped when removed to evade Payment of Rent.

Premises, between the Hours of Eight in the Evening and Six in the following Morning, except at the usual Removing Term observed within the said Limits; and it shall be also lawful for said Officer to stop and detain any Cart or Carriage, and Persons employed in removing such Household Furniture or Goods and Effects from any House, Shop, Warehouse, or other Premises, at any Time of the Night, Morning, or Day, when there shall be good Grounds for believing that the said Removal is taking place for the Purpose of evading Payment of Rent.

Superintendent and Officers may enter Public Houses, &c. on hearing disorderly Noises therein, &c.;

CCXXV. And be it enacted, That the Superintendent of Police, or any Officer acting under him, shall have Power, by virtue of his Office, to enter any Public House, or any Room, Booth, Tent, Caravan, or other Place, on hearing any disorderly Noise therein, or having just Reason to believe that Persons are harboured or entertained therein contrary to the Provisions of this Act; and if the Keeper of any such House, Room, Booth, Tent, Caravan, or Place, or any Servant or other Person having the Charge thereof, shall in such Case refuse to admit or shall not admit such Officer when required, such Keeper, Servant, or other Persons shall for each such Offence be liable in a Penalty not exceeding Forty Shillings.

and may take into Custody Offenders charged to them by other Parties.

CCXXVI. And be it enacted, That it shall be lawful for any Officer of Police appointed under this Act to take into Custody by Authority hereof, and without any other Warrant, any Person who, within the said Limits, shall be charged by any other Person with committing any aggravated Assault or other Crime or Offence, in every case in which such Officer shall have good Reason to believe that such Assault has been committed, although not within View of such Officer, and where by reason of the recent Commission of the Offence or otherwise a Warrant could not have been obtained for the Apprehension of the Offender.

Police Officers may apprehend without Warrant in certain Cases.

CCXXVII. And be it enacted, That it shall be lawful for the Superintendent or other Officer belonging to the Police to take into Custody, without a Warrant, all loose, idle, and disorderly Persons whom he shall find disturbing the public Peace within the said Limits, or whom he shall have good Cause to suspect of having committed or being about to commit any Felony, Misdemeanor, or Breach of the Peace, and all Persons whom he shall find between Sunset and the Hour of Eight in the Morning lying or loitering in any Highway, Yard, or other Place, and not giving a satisfactory Account of themselves.

Officers or Owners of Property on which Offences are committed may take Offenders into Custody.

CCXXVIII. And be it enacted, That any Person found committing any Offence punishable either upon Indictment or Criminal Libel, or upon summary Conviction under this Act, may, with or without a Warrant, be taken into Custody by any Police Officer, or be apprehended by the Owner of the Property in or with respect to which the Offence shall be committed, or by his Servant, or any other Person authorized by him, and may be detained until he can be delivered

livered into the Custody of a Police Officer or other Constable, to be dealt with according to Law; and any Police Officer may also stop, search, and detain any Cart or Carriage in or upon which there shall be Reason to suspect that any thing stolen or unlawfully obtained or fraudulently carried away may be found, and also any Person who may be reasonably suspected of having or carrying in any Manner any thing stolen or fraudulently obtained or carried away.

CCXXIX. And be it enacted, That when any Person having Charge of any Horse, Cart, Carriage, or Boat, or any other Animal or Thing, shall be taken into the Custody of any Officer, under the Provisions of this Act, it shall be lawful to any Officer to take charge of such Horse, Cart, Carriage, or other Animal or Thing, and to deposit the same in some Place of safe Custody, as a Security for Payment of any Expences which may have been necessarily incurred for taking charge of and keeping the same; and unless the same shall be claimed by the Owner, and all Expences incurred thereon paid within Four Days after such Detention, it shall be lawful to the said Magistrates or any one of them to order the Sale of any such Horse, Cart, Carriage, or other Animal or Thing so detained; and the Proceeds of such Sale to be applied towards the necessary Expences incurred, the Overplus, if any, to be paid to the Owner.

Horse or Carriage of Persons offending may be taken and secured, &c.

CCXXX. And be it enacted, That every Person taken into Custody by any Officer belonging to the Police Force without a Warrant, except Persons detained for the mere Purpose of ascertaining their Name or Residence, shall be forthwith delivered into the Custody of the Superintendent or other Officer in charge of the Police Office, in order that such Person may be secured until the Cause can be brought before a Magistrate, to be dealt with according to Law, or may give Bail for his Appearance before a Magistrate, if the Officer in charge shall deem it prudent to take Bail, in the Manner hereinafter mentioned.

Persons taken into Custody to be given in Charge of Constable or other Officer at Police Office.

CCXXXI. And be it enacted, That upon the Apprehension of any Person or Persons as aforesaid for Offences cognizable by the said Magistrates at Common Law, or in virtue of this Act, and who shall be legally entitled to be liberated upon Bail, it shall be lawful for the Superintendent, or superior Officer of Police upon Duty at the Time, and he is hereby empowered, in Absence of the Bailies, to accept of sufficient Bail, by Bond or Pledge, for such Person or Persons, to an Extent not exceeding Twenty Pounds, and to liberate such Person or Persons accordingly.

Superintendent of Police may take Bail in certain Cases.

CCXXXII. And be it enacted, That where the said Provost or Bailies or any one of them shall find it necessary to remand any Prisoner or Prisoners, for affording Time to find Caution, or for further Examination, it shall be lawful to detain such Prisoner or Prisoners in the Police Office, Gaol, Bridewell, or Lock-up House until such Caution can be found, or until such further Examination takes

Prisoners may be remanded and kept in Police Office till Caution found.

takes place, such further Examination always taking place as soon as Circumstances will permit, and without any unnecessary Delay.

Bonds of Caution when to be forfeited.

In default of Payment, Warrant may be granted for levying the same.

CCXXXIII. And be it enacted, That where any Offender or Offenders shall have found Caution for good Behaviour, or for keeping the Peace, and shall commit a new Offence or Offences, inferring Forfeiture of said Caution, it shall be lawful to order the Caution or Cautioners to be cited to make Payment of the Sum or Sums contained in the Bond or Bonds of Caution within the Space of Forty-eight Hours; and in default of instant Payment, after a Lapse of the said Space, to declare the Sum or Sums in such Bond or Bonds of Caution to be forfeited, which shall thereupon be recoverable by a Precept, to be issued by any of the said Bailies, upon an Induciæ of Ten Days; and upon Failure of Payment it shall be lawful to grant a Warrant for the Pounding and Sale of the Defaulter's Goods and Effects, for the Sum or Sums forfeited, and the Expences of such Pounding and Sale.

Commissioners to make Rules as to Bail.

CCXXXIV. And be it enacted, That it shall be lawful for the said Commissioners to enact and establish further and proper Rules for the Exaction of Security by Bond or Pledge for the Appearance of Parties brought to the Police Office while the Court is not sitting, or from Parties on whose Information the Charges are made, and Persons taken into Custody, especially where such Parties are not known to the Officer or Constable as Householders or Residents, and that in such Manner as may appear most expedient for preventing rash or groundless Charges, or undue Apprehension or Detention of Parties, and securing the Ends of public Justice; which Rules shall be printed or painted, and exhibited in the Apartment of the Police Office, Watch-houses, or other Place to which Parties are in the first instance brought in Custody, and in such other conspicuous Places in the Police Buildings as may be deemed proper.

Procurator Fiscal to be appointed.

CCXXXV. And be it enacted, That it shall be lawful to the said Provost, Bailies, and Councillors to appoint, during Pleasure, a fit Person to be a Procurator Fiscal for the Purposes of this Act, which Person may be either the ordinary Procurator Fiscal of Court, or may be appointed to act as his Deputy, or jointly with him, or in such Manner as the said Magistrates and Council may direct, by virtue of this Act, at whose Instance, when not otherwise provided, all Prosecutions and Proceedings before the said Magistrates may be conducted, and by whom all Fines and Penalties, Forfeitures under Bail Bonds or Bonds for keeping the Peace, and all Damages, Expences of Works or Operations, be sued for summarily before the said Magistrates, who are hereby respectively empowered to decern for the same; and such Procurator Fiscal shall have Power to accept of Bail, or of Consignation of Money of the Amount or of Deposition of Articles of the Value of the Sum for which Bail may be ordered to be found, from Persons apprehended charged with bailable Offences, and to liberate them on such Bail being found, or on such Consignation or Deposition being made, which Bail,

when not otherwise required by Law, shall be to an Amount not exceeding Twenty Pounds; and when such Consignation or Deposition is made the Procurator Fiscal shall enter in a Book to be kept for the Purpose a Note of the Sum consigned, or a Description of the Articles deposited, and shall grant an Acknowledgment for the same.

CCXXXVI. And be it enacted, That in the Absence of the Procurator Fiscal, by Indisposition, Attendance on the Court of Justiciary or other Courts, or otherwise, the Magistrate presiding shall have Power and is hereby authorized to appoint a fit Person to perform the Duties of the Office of Procurator Fiscal during the Absence and in the Name of such Procurator Fiscal, or in the Name of the Person so appointed to act *pro tempore*.

Interim
Fiscal.

CCXXXVII. And be it enacted, That the Superintendent of Police under this Act, or his Lieutenants or other superior Officer, with his Authority, shall be entitled to act as Procurators Fiscal in the Police Court.

Superinten-
dent, &c. to
act as Fiscal.

CCXXXVIII. And be it enacted, That in all Cases of Breach of Police Regulations, or Exaction of higher Rates or Fares, by Coachmen, Carters, or Porters, than those established by any Act, Bye Law, or Regulation, and in general in all Cases inferring small pecuniary Penalty or Fine, where Complaint shall be made by any Party to the Officers of Police of any Offence competent to be tried as aforesaid, it shall be lawful to such Officer, on such Complaint, to summon and convene the Party complained against, and to cite a Witness or Witnesses for either Party; and in such Summons it shall be lawful to the Magistrate to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and adjudge him to pay the Penalty or Forfeiture incurred, although no Complaint in Writing shall have been presented before such Magistrate; and all such Proceedings by Summons without a written Complaint shall be as valid as if a Complaint in Writing had been presented: Provided always, that at the Time of hearing any such Case, or immediately thereafter, the Charge and a Note of the Sentence shall be inserted in a brief Form in the Police Court Book, and otherwise recorded, and which Entry or Record shall be signed by the Magistrate trying the Case, and form Part of the Records of the said Court.

Competent
for Magis-
trates to
proceed on
Summons
without for-
mal written
Complaint.

CCXXXIX. And be it enacted, That in all Actions and Prosecutions brought before the Magistrates, or any of them, of the said Burgh, for petty Crimes and Offences committed within the Limits of this Act, and whether concluding for Fines, Penalties, or Damages, Imprisonment in Gaol or Commitment to Bridewell, where such Fines, Penalties, or Damages concluded for shall not exceed Ten Pounds, (and the Mode of recovering which is not otherwise provided for,) or where such Imprisonment or Commitment shall not exceed Sixty Days, the Procedure against Offenders shall be of a summary Nature by hearing Parties *vivâ voce*, without any written Pleadings

Certain
Offences
competent
to be tried in
a summary
Manner.

or Record of Evidence; and the said Magistrates or any of them shall have Power in all Cases either to grant summary Warrant of Imprisonment for the Period before mentioned against the Offender or Offenders, for Payment of such Fines, Penalties, or Damages, and the Expences of Process, or for the Pounding and Sale of his or her Goods, Chattels, and Effects, as may be considered most expedient for the Ends of Justice; and in addition to either of the said Punishments, or without either of them being awarded, the Magistrates or any of them may ordain the Party to find Caution to keep the Peace or for good Behaviour for a Period not exceeding Twelve Months, under a Penalty not exceeding Twenty Pounds, and failing such Surety may grant a Warrant in a summary Manner to imprison or commit as aforesaid: Provided always, that the Period of Imprisonment or Commitment in any such summary Case shall not exceed Sixty Days, and that a Record shall be kept of the Charge and of the Judgment pronounced.

Competent
for Police
Courts to
determine
Questions as
to common
Closes, &c.

CCXL. And be it enacted, That it shall be lawful for the Provost or Bailies in the Police Court to determine in the summary Manner herein authorized all Questions in relation to common Closes, Passages, Courts, or Areas as to any temporary Incumbrance, Obstruction, or offensive Matter or Thing therein, and particularly as to the Occupancy of such with Carts, Barrows, Crates, Barrels, Boxes, or other Articles which may obstruct the Passage or afford Facilities to Thieves or other evil-disposed Persons in committing Crimes and Offences, and to order the same to be removed or secured so as to prevent such Obstruction or illegal or improper Use, and that under a Penalty for every such Offence not exceeding Forty Shillings.

Magistrates
empowered
to try
Offences
under Acts
now in force.

CCXLI. And be it enacted, That it shall be competent and lawful for any of the said Magistrates sitting in the Police Court, and they are hereby empowered, to try any Offences arising within the said Limits in contravention of and under any Act of Parliament now in force, in the summary Manner authorized by and subject to the Provisions of such Acts, where the Fine or Penalty does not exceed Ten Pounds, and the Period of Imprisonment does not exceed Sixty Days, any thing in such Acts to the contrary notwithstanding.

Authority to
Officers to
cite Parties
and Wit-
nesses, &c.

CCXLII. And be it enacted, That this Act shall be deemed Authority to the Officers of Police within the Limits to which the same extends for citing Parties charged with Offences within the Meaning of this Act, or at Common Law, or of any Regulations made in virtue hereof, and for summoning Witnesses to give Evidence in relation to the same; and it shall be deemed a legal Citation of Parties if the Citation be left within their Dwelling Houses, or at the Hotel, Inn, Lodging House, or other Place in which they eat and sleep (if no other Domicile can be found), or in the Shop, Warehouse, Counting-house, or other Place of Business within said Limits, or, in the Case of the Master of any Ship or other Vessel, if left on board such Vessel in the Hands of a Person

on board thereof and connected therewith, which Citation shall specify the Charge and the Time and Place of Appearance; and it shall be lawful for the Court either to hear Parties cited or any Procurator, Agent, or other Person duly authorized by them, and in the event of Parties not appearing by themselves, or by a Procurator, Agent, or other Person duly authorized by them, on the Citation being verified by the Oath of the executing Officer, to take Evidence of the Charge, and on the Charge being proven to convict the Parties, award the Penalties, and grant Warrant for Recovery thereof, with the Expences of Conviction, in manner herein directed: Provided always, that it shall be competent to reponne any Party so convicted in his Absence, on Cause shown, at any Time before the Sentence is carried into execution; and even after a Sentence has been carried into execution, whether pronounced in Absence or not, it shall be competent to mitigate or abate the Degree of Punishment awarded, as may seem just.

CCXLIII. And be it enacted, That if any Person shall be summoned as a Witness to give Evidence before any of the said Magistrates either on the Part of the Prosecutor or the Person accused, and shall fail to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for such Failure, or if any Person appearing or being called as a Witness shall refuse to be sworn or examined upon Oath, or in case of a Quaker or other legally privileged Person to be examined on solemn Affirmation, or, after having been sworn or having undertaken to affirm, shall refuse to give Evidence touching or concerning the Subject Matter of Complaint, or upon any Matter or Thing incidental or relating thereto, such Person so failing to appear, or appearing and refusing to give Evidence, shall for every such Offence forfeit any Sum not exceeding Five Pounds; and it shall be lawful for the Magistrate and he is hereby authorized, by Warrant under his Hand, to cause such Person to be apprehended and committed to Prison until he finds Security to appear and give Evidence, or until such Person shall submit himself to be examined and give his Evidence before such Magistrate as aforesaid: Provided always, that Proof on Oath of the Officer, in the Case of a Person not appearing according to such Summons, shall be first made before such Magistrate of the due Service of such Summons on every such Person, by delivering the same to him, or by leaving the same Twenty-four Hours before the Time appointed for such Person to appear before such Magistrate at the usual Place of Abode of such Person.

Penalty in case of Witnesses failing to appear, &c.

CCXLIV. And be it enacted, That where from the Absence of the Witnesses for any summary Prosecution, or from any other Cause, it becomes necessary to adjourn the Diet, and where Witnesses for the Defender in such Prosecution are in attendance, it shall be lawful for the Court, at Request of the Defender, and if the Court in the Circumstances shall deem it proper, to take the Evidence of the Defender's Witnesses before the Proof for the Prosecution has been led or concluded; and it shall be lawful to adjourn the Diet for further Evidence on either Side; and it shall be no legal Objection

Adjournment of Diets and Examination of Witnesses.

to

to a Witness that he has appeared without Citation, or to his Evidence, or the Regularity of the Procedure, that the usual Questions *initialibus* have not been put to him, unless desired by the respective Parties, to whom it shall be competent to move the Court to that Effect.

Punishment
for Offences
where no
special
Penalty is
appointed.

CCXLV. And be it enacted, That for every Offence against this Act, or any of the Directions or Provisions thereof, for which no special Penalty is herein-before appointed, the Offender shall, at the Discretion of the Magistrate before whom the Conviction shall take place, be liable in a Penalty not exceeding Five Pounds, or be imprisoned in any of the Gaols of *Glasgow* for any Time not exceeding One Calendar Month.

Prisoner may
be remanded
to pay Fine,
&c.

CCXLVI. And be it enacted, That on Sentence being pronounced awarding a Fine or Penalty, Damages or Expences, in any Prosecution before the said Magistrates or any one of them, at the Instance of the Procurator Fiscal, it shall be lawful to remand or commit the Person convicted, or against whom such Fine, Penalty, or Expences shall have been awarded, to the Lock-up Room or other Apartment of the Police Office, in order to Payment thereof being made; and in the event of Payment not being made within Twenty-four Hours after Conviction or Sentence, it shall be lawful to grant Warrant to commit such Person to Prison for a Period not exceeding Eight Days from the Date of Conviction or Sentence where the Amount of such Fine, Penalty, Damages, or Expences does not exceed Ten Shillings, for a Period not exceeding Fifteen Days where the Amount is Twenty Shillings, for a Period not exceeding Thirty Days where the Amount is Forty Shillings, for a Period not exceeding Forty Days where the Amount is Three Pounds, and for a Period not exceeding Sixty Days where the Amount is Five Pounds and upwards, on the Expiry of which respective Terms of Imprisonment the Party shall be set at liberty, and no further Proceeding shall be competent to be directed against him to enforce Payment: Provided always, that where a Fine or Penalty or Expences shall have been awarded, and the Party shall have undergone Imprisonment in consequence of the Nonpayment thereof, it shall nevertheless be competent to any private Party aggrieved to sue for Damages from the Party convicted in relation to the same Fact for which the Fine or Penalty or Expences shall have been awarded.

Scale of Im-
prisonment
for Non-
payment.

Persons may
be punished
summarily
for Offences
in Court.

CCXLVII. And be it enacted, That if any Person shall be guilty of Contempt of Court, or shall resist or obstruct the Officers of the Law when in attendance on the Court, it shall be competent for the Magistrate, on his own Motion, summarily, and without the Necessity of a Complaint or other Procedure, to punish the Offender by a Fine not exceeding Five Pounds, or by Imprisonment for a Period not exceeding Thirty Days, or he may direct the Offender to be prosecuted in the usual Form by the Procurator Fiscal, in which Case the same Forms shall be observed, and the Punishment may be inflicted,

inflicted, as in other Cases at his Instance: Provided always, that when the Magistrate shall proceed to punish summarily he shall award the Punishment by Sentence or Warrant in Writing, which shall set forth the Facts which led to such Punishment.

CCXLVIII. And be it enacted, That although by this Act or any other Act the Maximum of Punishment shall exceed Ten Pounds of Fine or Penalty, or Imprisonment for Sixty Days, yet if the Procurator Fiscal, to whom it shall be competent to bring any Prosecution regarding the same shall limit the Conclusions of any Criminal Libel or Complaint raised by him to a Fine or Penalty not exceeding Ten Pounds, or Imprisonment for a Period not exceeding Sixty Days, with Caution to keep the Peace for a Period not exceeding Twelve Months, and under a Penalty not exceeding Ten Pounds, the Procedure in such event may, on the Motion of either Party, and if approved of by the Court, be of a summary Nature, without Record of the Evidence, as herein provided.

Procurator Fiscal may limit Conclusions of Libel, &c.

CCXLIX. And be it enacted, That nothing contained in this or any of the before-recited Acts shall be construed to prevent any Indictment, Criminal Libel, or Complaint being prosecuted by Her Majesty's Advocate or by any Procurator Fiscal, or other Prosecutor to whom it may be competent to raise the same, in respect of any Matter or Thing cognizable by the Laws of the Realm; and when the Magistrates or any of them, before whom the Case is brought in a preliminary Stage, shall think the same deserving of a higher Punishment than is authorized by this or the said recited Act, or shall be thereto moved by the Procurator Fiscal, it shall be lawful to the said Magistrates or any one or more of them to grant Warrant to imprison the Party charged, for Examination, or till liberated in due Course of Law.

Provision in case any Crime shall appear to merit a higher Punishment than before authorized.

CCL. And be it enacted, That in all Cases where by virtue of this or any other Act, or by Common Law, any Person is charged with or convicted of a Crime or Offence committed within the fore-said Limits, and is liable to be imprisoned, it shall be lawful to the Provost and Bailies of the Burgh of *Anderston* or any one of them to commit such Person either to the Prison of the Burgh or to any of the Prisons of *Glasgow*, and a Copy of the Sentence or Warrant, signed by the Clerk of the Court, shall be sufficient Authority to convey, receive, and detain the Party against whom the same is directed.

Power to send to the Prisons of *Anderston* or *Glasgow*.

CCLI. And be it enacted, That all Actions for Recovery of pecuniary Penalties or Forfeitures by virtue of this Act shall be commenced within Three Months from the Time the Facts on which such Actions were brought shall have been discovered and known, and not thereafter; and if any Party, when called to answer any Charge under the summary Procedure herein authorized, shall not *in limine* object on the Ground of irregular Citation, Misnomer, or Informality,

Action to be commenced within Three Months.

Informality, it shall not afterwards be competent on such Ground to challenge the Procedure.

Application
of Penalties.

CCLII. And be it enacted, That One Half of the Fines and Penalties imposed or incurred and recovered in virtue of this Act shall be paid to the Treasurer of the said Commissioners, and be applied in like Manner as the Funds hereby authorized to be raised for Police Purposes, and the remaining One Half of such Fines and Penalties shall be paid to the Magistrates and Council of the Burgh of *Anderston*, for the municipal Purposes thereof.

Proceedings
not to be
quashed.

CCLIII. And be it enacted, That no Order, Judgment, Record of Conviction, or other Proceeding whatsoever concerning any Prosecution by virtue of this Act, shall be quashed or vacated for any Misnomer or Informality; and that all Judgments and Sentences pronounced by the said Magistrates or any one or more of them, under this Act, shall be final and conclusive, unless appealed from in manner herein-after provided.

Sentences
reviewable
only by Ap-
peal to Cir-
cuit Court.

20 G. 3. c. 43.

CCLIV. And be it enacted, That if any Person shall feel aggrieved by any Sentence pronounced by the said Magistrates or any of them under this Act, it shall be lawful for such Person to appeal to the Court of Justiciary at the next Circuit Court to be held at *Glasgow* or elsewhere for the Western Circuit, in the Manner and under the Rules, Limitations, and Conditions contained in an Act passed in the Twentieth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for taking away and abolishing Heritable Jurisdictions in Scotland*; and it shall not be competent to appeal from or to bring the Judgment of the Magistrates or any of them under this Act under Review, by Advocation, Suspension, Suspension and Liberation, or Reduction, or in any way whatever, other than is hereby provided for; saving always any Right of Appeal or other Mode of Review authorized by any other Act under which it is by this Act made lawful for the said Magistrates or any of them to try Crimes or Offences: Provided always, that no such Appeal shall operate as a Stay of Execution in Cases where the Sentence or Decree awards the Payment of any Money and Expences, unless on Consignation of such Money and Expences, nor in Cases where the Sentence or Decree awards Imprisonment, unless on sufficient Caution for the Appearance of the Party in such Manner as the Judge shall direct, and that without Prejudice in either Case to the Caution or Security required by the said recited Act.

Provisions
of general
Police Act
excluded.
3 & 4 W. 4.
c. 46.

CCLV. And be it enacted, That the Act passed in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to enable Burghs in Scotland to establish a general System of Police*, and the Enactments and Provisions thereof, and also any Act which may be passed in the present Session of Parliament for regulating the Police of the City of *Glasgow* and Lands adjacent, shall not extend to, and the Operation of the same is hereby expressly

expressly excluded from, the Limits for Police Purposes of this Act; and it is hereby declared that this Act and whole Provisions thereof shall be as valid and sufficient in all respects as if the said last-mentioned Acts had not been passed.

CCLVI. Provided always, and be it enacted, That nothing herein contained shall be deemed or construed to exempt or exclude the Limits over which this Act extends from the Operation of any general Act for the Regulation of the Criminal Police of the City of *Glasgow* and the adjoining Districts which may be passed during the present or any future Session of Parliament.

Nothing herein to exclude a general Criminal Police Act.

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

Interpretation of Act.

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

Words importing the Masculine Gender only shall include Females:

The Word "Month" shall mean Calendar Month:

The Word "Person" shall include Corporation, whether Aggregate or Sole:

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

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

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word "Gaol," "Prison," or "Bridewell" shall be held to include every Penitentiary as well as any other legalized Prison or other Place of Confinement:

The Word "Sheriff" or "Procurator Fiscal" shall include Sheriff Substitute or Procurator Fiscal Depute respectively:

The Word "Magistrate" shall include Provost and Bailie:

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

CCLVIII. And be it enacted, That this Act, so far as regards the Purposes of Police hereby established, shall be and the same is hereby continued in full Force and Effect for Twenty-one Years from and after the Commencement thereof, and from thence to the End of the next ensuing Session of Parliament, and, so far as regards the Extension of the Burgh of *Anderston* and the Charter thereof, as herein provided, until the same shall be repealed; and the Expence in

Endurance and Expence of Act.

in and about the obtaining and passing of this Act and incidental thereto shall be paid out of the Monies authorized to be levied by Assessments under this Act.

Act to be
deemed a
Public Act.

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

always, that the said _____ and his [or her] [or their] aforesaid, shall not be entitled to call up or demand Repayment of the said Principal Sum without giving Intimation of his [or her] [or their] Intention by Letter addressed to the said Board at least Three Months previous to the Date at which Repayment is required. In witness whereof I have subscribed these Presents, written by _____ at _____ the _____ Day of _____ before these Witnesses

SCHEDULE (C.)

Form of Transference.

I _____ in consideration of the Sum of _____ paid by _____ do hereby transfer the Bond and Assignment made to me by _____ Collector of the Commissioners of Police for the Burgh of Anderston, bearing Date the _____ Day of _____ and all Interest now due and to become due thereon, and all my Right and Property therein, to the said _____ his Heirs, Executors, Administrators, and Assignees. In witness whereof I have subscribed these Presents, written by _____ at _____ the _____ Day of _____ before these Witnesses

SCHEDULE (D.)

Date of Purchase.	Hour.	Description of Goods.	By whom sold.	Address.