ANNO UNDECIMO

Georgii III. Regis.

CAP. XXX.

An Act for cleanſing and lighting the Streets of the Town of *South Leith*, the Territory of *Saint Anthony*'s, and *Yard Heads* thereunto adjoining, and for ſupplying the ſeveral Parts thereof with freſh Water.

WHEREAS it would be of great Advantage to the Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith, lying within the County of Edinburgh, in North Britain, and contributs to the Health of the Inhabitants, if the ſame were ſufficiently ſupplied with Water, and the Streets, Lanes, Ways, Avenues, and Paſſages, were properly cleanſed and lighted; and all Incroachments, Obſtructions, and Annoyances were removed therefrom, and prevented for the future: May it therefore pleaſe Your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable John Dalrymple, or the Lord Provoſt of the City of Edinburgh for the Time being; Preamble. Commiſſioners Names.

I

being; Andrew Pringle of Alemoor, and James Veitch of Elliock, Esquires, Senators of the College of Justice; Major-general James Adolphus Oughton, Major-general Robert Horn Elphingston, Archibald Cockburn of Cockpen, James Balfour of Pilrigg, Alexander Sheriff of Craigleith, Robert Keith, William Alexander, Alexander Alison, Henry Balfour, Walter Hamilton, William Haggarth, James Edgar, Andrew Alison, George Fullarton, Robert Mylne, and William Mylne, Esquires; the Admiral and Magistrates of Leith for the Time being, the Town Clerk for the Time being, the Masters of the Four Incorporations of Shipmasters, Maltmen, Trades, and Traffickers of Leith, or presiding Officer of these Incorporations respectively for the Time being; James Ogilvy, William Pillans, George Ritchie, Richard Scougall, and William Smith, Shipmasters; James Cundell, William Comb, George Muckle, and William Scott, Brewers; Walter Gibson Surgeon, John Crokat Slater, James Macdonald Wright, William Bell, Alexander Bryce, John Haddaway, James Hutton, Robert Kerr, James Lindesay, William Mitchel, David Nelson, Alexander Ogilvy, Thomas Parker, James Pillans, James Rannie, Robert Ramsay, Charles Sheriff, Richard Tod, and Christopher Wood, Merchants, all in Leith; the Baillie of Saint Anthony for the Time being; and Thomas Hadaway, and James Young, Brewers there, and their Successors, to be elected in Manner herein after mentioned, or any Seven or more of them, shall be, and they are hereby constituted and appointed Commissioners for putting this Act in Execution; and to be and continue as such for Three Years, to be computed from the passing of this Act, and to continue afterwards until the Twentieth Day of December next, and immediately following the End and Determination of the said Three Years.

New Commissioners how to be elected.

And be it further enacted by the Authority aforesaid, That upon the Twentieth Day of December next, and immediately following the End and Determination of Three complete Years to be computed from the Time of passing this Act as aforesaid, and upon every following Twentieth Day of December (unless the same shall fall upon a Sunday, in which Case, and so often as it shall so happen, the Election herein after mentioned shall be made upon the Day immediately following) the Magistrates of Leith, the Masters of the Four Incorporations there, Six Assistants from each Incorporation (who shall for the Purpose be chosen by the said Incorporations respectively), and the whole Heritors, Liferenters, and Proprietors of Lands

and Tenements in the said Town of Leith, shall meet at the Convening House of the Incorporations in the Town of Leith, between the Hours of Ten and Twelve in the Forenoon, and then and there, by Majority of Voices of the Persons present, and intitled to vote at the said Meeting, shall elect and chuse Thirty Persons, all Heritors, Liferenters, or Inhabitants of the Town of Leith for the Time being, who, with the Admiral and other Magistrates of Leith, the Town Clerk, the Master of the Four Incorporations of Leith, and the Bailie of Saint Anthony for the Time being, and Two Commissioners, to be elected annually by the Heritors of the Territory of Saint Anthony's and Yard Heads (in Manner herein after mentioned) shall be, and are hereby declared to be Commissioners for putting this Act in Execution, and to continue as such for and during the Space and Term of One full Year next and immediately following such Election and Elections respectively.

Annual Commissioners.

And be it also enacted, That the Bailie of the Territory of Saint Anthony for the Time being, and all the Heritors, Liferenters, and Proprietors of Lands and Tenements, in the said Territory of Saint Anthony and Yard Heads of Leith, shall also, upon the said Twentieth Day of December next, and immediately following the End and Determination of Three complete Years, to be computed from the Time of the passing of this Act as aforesaid, and upon every following Twentieth Day of December, unless the same shall fall upon a Sunday, in which Case, and so often as it shall so happen, the Election immediately hereinafter mentioned, shall be made upon the next following Day, meet in the said Convening House between the Hours of Two and Four in the Afternoon, and then and there, by Majority of Voices, elect and chuse Two Persons, Heritors, Liferenters, or Inhabitants within the said Territory of Saint Anthony and Yard Heads, who, with the said Thirty Commissioners, and other Commissioners aforesaid, shall be Commissioners for executing this Act for One Year from the Time of such Election as aforesaid; and the Bailie of Saint Anthony for the Time being, shall be President of the said Meeting; And in case of his Absence, such One of the said Electors, as the Major Part of the Voters at such last-mentioned Meeting shall appoint, shall be President; and in case of Equality of Voices, the President of the Meeting shall have a casting and decisive Vote (besides his Vote in common with the rest) in the said Election.

No Person shall act as a Commissioner who is interested.

And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, during the Time that he shall hold any Office of Profit under the said Commissioners, or during such Time as he shall enter into, be engaged in, or have the Benefit of any Contract, or shall have any Interest in any Contract whatsoever.

First Meeting of the Commissioners.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, shall meet at the Convening House of the Incorporations within the said Town of South Leith, upon the First Monday in June, One thousand seven hundred and seventy-one, and shall have Power, at such first and at every following Meeting, to adjourn themselves, from Time to Time, to such Place or Places as to the said Commissioners, or to the Majority of them so assembled, shall appear to be necessary and most convenient, for the Purposes of carrying this Act into Execution: And that, at such First and every following Meeting, the Admiral, or eldest Magistrate of Leith for the Time being, and in case of his Absence, the next senior Magistrate of Leith then present; and if none of the said Magistrates shall happen to be present at the Time, then such One of the said Commissioners as shall for that Purpose be chosen by the Majority of the Commissioners assembled at the Time, shall preside at every such Meeting and Meetings; and, besides his Vote as an ordinary Commissioner, shall, in all Cases of Equality of Voices, have a casting or decisive Voice.

For appointing General Meetings.

Provided always, and be it further enacted by the Authority aforesaid, That it shall, at all Times, be in the Power of any Seven or more of the said Commissioners, to call a General Meeting of the said Commissioners by this Act appointed for the Purposes of carrying the same into Execution, by a Notice or Requisition to that Effect in Writing, signed by such Commissioners, or any Seven or more of them, and stuck up on some conspicuous Part of the said Convening House, at least Ten Days before such Meeting; and that the Meeting and Meetings so called shall be held at the Place where the General Meeting immediately preceding was held, or (in the Option of Seven or more of the said Commissioners, signing such Notice or Requisition as aforesaid, and signifying therein) at the said Convening House; and that the said Commissioners, or any Seven or more of them, assembled at such Meeting and Meetings, so called as aforesaid, shall have the same Powers and Authorities as any other General Meeting,

which

which shall be held pursuant to the Powers given by this present Act; and that no Business shall be done at any General Meeting, called for the Purpose of putting this Act in Execution, unless Seven Commissioners, at least, shall attend, and act at the same; and that all Questions and Matters shall be determined by the Majority of Voices of Commissioners present at the Time.

Town of *Leith*, Territory of *Saint Anthony* and *Yard Heads*, how to be supplied with Water.

And be it also enacted, That the said Commissioners, or any Seven or more of them, at a General Meeting assembled, shall have Power, and are hereby authorised and impowered, from Time to Time, and at all Times hereafter, to direct, order, and appoint, in all Matters and Things respecting the providing, collecting, supplying, and distributing of Water to the said Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith, and to the Houses and Inhabitants within the same; and to the cleansing and lighting of the Streets, Lanes, Ways, Avenues, and Passages, within the Limits aforesaid; and also to nominate and appoint Treasurers, Clerks, Collectors, Scavengers, Rakers, and Cleansers of the Streets, and Keepers and Lighters of Lamps, and other Officers and Servants, necessary in the Execution of this present Act; and, at Pleasure, to remove and displace them, or any of them, respectively; and to limit and appoint the Salaries, Wages, and other Allowances, to be made and given to such Officers and Servants; and to direct and appoint the Number of Lamps to be set up, and the Places to which they shall be affixed; and to make such other and farther Orders, Rules, and Regulations, as the Nature of each particular Service shall seem to require; and, from Time to Time, to vary, alter, revoke, or make void, any of the said Rules and Regulations; and to do such other Acts and Things as to the said Commissioners, or to the Majority of them, in a General Meeting assembled, shall seem proper and necessary for putting this Act into Execution.

Treasurers, &c. to be appointed.

Officers to give Security.

Provided always, That all and every Officers and Servants, (other than Day Labourers) who shall be employed by the said Commissioners under the Powers given by this Act, shall, before his or their Admission into such Office or Service, give such Security and Securities for due and faithful Performance as to the said Commissioners, or to the Majority of them, in a general Meeting assembled, shall appear to be just and reasonable.

Commissioners to take Water from Brooks, &c.

And be it likewise enacted, That it shall be in the Power of the said Commissioners, or of any Seven or more of them, to take, preserve, and use, for the Purposes of supplying

plying the said Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith, and the Inhabitants of the same, with Water, all such Brooks, Streams, Watercourses, and other Supplies of Water which the said Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith, or the Heritors and Inhabitants of the same have Right to by virtue of their, either, or any of their Charters, Grants, and original Titles; or by immemorial Possession, as Parts and Pertinents of the same: And to contract and agree with the Owner and Owners of any other Brooks, Streams, Water-courses, or other Supplies of Water lying within the Distance of One Mile from the said Town of South Leith, for the Use and Benefit of the same, for the Purposes aforesaid: And to lay down leaden and other Pipes for the carrying and conveying the Water from all or any of the said Brooks, Streams, Water-courses, and other Supplies of Water before mentioned, unto the Reservoir already erected within the said Town of South Leith, and now belonging to, and used by the said Town of South Leith; or to such other proper Place or Places as to the said Commissioners, or the Majority of them at a General Meeting assembled, shall, from Time to Time, appear necessary and proper: And for carrying and conveying the Water from the said Reservoir, or other Place or Places aforesaid, into the several Streets, Lanes, Ways, Avenues and Passages within the Limits aforesaid, and to the Houses within the same: And so often as there shall be Occasion for so doing, to cleanse, mend, and repair the said Water-courses and Pipes: And to erect such and so many Fountains and Reservoirs as shall, from Time to Time, appear to the said Commissioners, or the Majority of them at a General Meeting assembled, to be necessary for the collecting, preserving, and effectually distributing the said Water, according to the true Intent and Meaning of this present Act.

Satisfaction to be made for Damages in laying down Pipes.

Provided nevertheless, and be it further enacted, That full Indemnification shall be previously made and given by the said Commissioners to the Owner and Owners, Lessee and Lessees of all such Water as shall be so taken, or of the Grounds in which the said Pipes shall be so laid down as aforesaid, for the Value of the said Water, and for all Damages that shall be done to the said Grounds, as well by the first laying down of the Pipes, as by the cleaning, mending, and repairing of the same from Time to Time afterwards: And that in case of Difference between the Parties respecting the Amount of such Value

and Damages, the Sheriff of the County of Edinburgh shall have Power, and he is hereby impowered and required, in a summary Manner, and upon the Application of either Party, and after reasonable Notice to the other Party, to ascertain and determine the Amount of such Value and Damages respectively; and that whatever the said Sheriff shall do in the Premises, shall be final and conclusive: And that afterwards, upon Payment or Tender of the Monies adjudged by the said Sheriff in lieu of the Value and Damages as aforesaid to the Person or Persons intitled to receive the same respectively, the said Commissioners, or any Seven or more of them shall, from thenceforth, have Power, and are hereby impowered, to take and use the said Water, and to lay down, cleanse, mend, or repair the aforementioned Pipes, (as the Cases shall respectively happen to be) without being liable or answerable on that Account for any other or farther Damage.

Right of the Town of *Leith*, &c. to Supplies of Water by virtue of former Laws, reserved.

Provided always, That nothing in this Act shall extend, or be construed to extend, to deprive the Inhabitants of the said Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith, of any Claim or Right competent to them, for being supplied with Water under or by virtue of any other Statute or Statutes now in Force and being, or to hurt or prejudice such Claim and Right, or the Rights and Interests of the City of Edinburgh respecting the same; all which are hereby reserved intire, in the same Manner as if this Act had never been made, any Thing herein contained to the Contrary notwithstanding.

Contracts may be made for laying down Pipes to convey Water.

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby authorised and impowered, to contract with any Person or Persons for laying Pipes for conveying and distributing Water, erecting Fountains, lighting, and cleansing the Streets, and other Passages of the said Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith; and that such Contract or Contracts shall be signed by the said Commissioners, or any Seven or more of them, and by the Person or Persons contracting to perform such Work: And that the said Commissioners, or any Seven or more of them, are hereby further authorised and impowered to pay such Sum or Sums as they shall so contract for, out of the Money to be raised for the Purposes of this Act, by virtue of the Powers herein after mentioned.

Writings exempt from Stamp Duties.

Provided always, and be it further enacted, That no Nomination Appointment, Contract, Bond, or other Writing whatsoever, under the Hand or Hands of any of the said Commissioners, touching, concerning, or in the Execution of any of the Powers and Authorities by this Act in them vested, shall be charged or chargeable with any Stamp-duty whatsoever.

Dung, &c. of the Streets may be disposed of.

And be it also enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to let in Tack or Lease, for any Space not exceeding the Term of Three Years, the Dung or Fulzie of and upon the Streets, Lanes, Passages, Courts, Avenues, and other Places within the said Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith, to any Person or Persons, on such Conditions as to the said Commissioners shall seem fit and reasonable; and to apply the Tack-duty to the Purposes of putting this Act in Execution.

Dung, &c. not to be laid in the Street.

And be it further enacted, That if any Person or Persons shall throw Dung, Water, or Ashes, out of any Door or Window within the said Town of South Leith, Territory of Saint Anthony, and Yard Heads of Leith, by Night or Day; or dust Carpets from or over any Window or Stair opening to a Street, Court, Close, or Lane, within the Limits aforesaid; or shall lay, or cause to be laid down, any Dung, Ashes, Rubbish, or Filth of any Kind, between the Hours of Eight in the Morning and Ten at Night; or shall sift Ashes on the Streets within the said Time, such Person or Persons shall, for the First Commitment of every such Offence respectively, forfeit the Sum of One Shilling Sterling; and for the Second and every subsequent Offence of the like Nature, Two Shillings and Sixpence Sterling: And that any Person or Persons laying down Furze or Whins, or other Fuel, on the Streets, Lanes, or Passages of the said Town, for the Space of Six Hours, shall, for the First Offence, forfeit the Sum of Five Shillings Sterling; and for every Day the same shall lie after the First Day, the Sum of Five Shillings Sterling more: And if any Person or Persons shall leave any Iron, Lead, Wood, Ships Anchors, Merchandise, or Lumber of any Kind, upon the Quays, or Shore, or any other Part of the Streets of the said Town more than Forty-eight Hours, he, she, or they shall, for every such Offence, forfeit Five Shillings Sterling: And it shall be

Iron, Ships Anchors, &c. not to be left on the Quays or Shore.

lawful

lawful for the said Commissioners, or any One of them, and they and he are and is hereby impowered to cause to be carried off and removed such Iron, Lead, Wood, Ships Anchors, Merchandise, or Lumber, into the Timber Bush, or Weigh-house of Leith, there to lie and remain at the Risk of the Owner or Owners, till Payment shall be made of the said Five Shillings Sterling, and of the Expence of carrying off, removing, and keeping the same in the said Timber Bush, or Weigh-house: And that if any Person or Persons shall leave any Coach, Cart, Chaise, or other Carriage, yoaked or unyoaked, in any of the said Streets or Lanes over Night, without having some Person attending to take care of the same, he, she, or they shall, for such Offence, forfeit One Shilling Sterling: And every Person or Persons who shall suffer any Hogs or Pigs belonging to them to stray loose through the Streets, Lanes, or Passages of the said Town of Leith, such Person or Persons shall not only forfeit the Sum of Two Shillings and Sixpence Sterling for such Offence, but it shall also be lawful for the Magistrates of the said Town, and they are hereby authorised and impowered, to declare the said Swine and Pigs confiscated, and to adjudge the Property to such Person or Persons as shall seize the same: And if any Person or Persons shall lay down any Stones, Lime, or other Materials, taken from any Buildings, demolished, or demolishing, or intended to be used in any Building, upon any Street, Lane, or Passage of the said Town, without Leave first had from a Magistrate thereof in Writing, he, she, or they shall, for every such Offence, forfeit Two Shillings and Sixpence Sterling, and the like Sum for every Day after, during which the said Stones, Lime, or Rubbish shall lie upon the said Street, Lane, or Passage.

Signs, &c. to be removed.

And it is hereby further enacted, That the said Commissioners, or any Seven or more of them, at a General Meeting assembled, may, if they think proper, cause all Signs, or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, Sign-posts, Sign-irons, Penthouses, Shew-boards, Spouts, and Gutters, projecting into any of the said Streets, Lanes, Alleys, Avenues, or Passages, and all other Projections, Incroachments, and Annoyances whatsoever, within the several Limits comprised in this Act, to be taken down and removed; and shall cause all Signs, or other Emblems as aforesaid, Shew-boards, and Gutters, or such Parts thereof

thereof as they shall think fit, to be fixed or placed in the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, or were before affixed, and not otherwise; and shall return, or cause to be returned, to the respective Owners, so much of such Signs, or other Emblems, Sign-posts, or other Posts, Sign-irons, Shew-boards, Spouts, and Gutters, as shall not be affixed or put up, or otherwise made use of in the Alterations directed by this Act; and that for the future all Signs, Sign-boards, and Gutters, shall be placed or fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings, to which they respectively belong, and not otherwise: And if any Person or Persons shall at any Time hereafter hang, place, erect, or build any Sign-post, or other Post, Sign-iron, Penthouse, Shew-board, Spout, Gutter, or other Projection, Obstruction, or Annoyance, or cause the same to be done contrary to the Direction aforesaid, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Five Shillings Sterling, and the further Sum of Ten Shillings Sterling for every Day such Offence shall continue.

Cranes may be affixed to the Sides of Houses.

Provided always, and it is hereby further enacted, That it shall and may be lawful to and for any Person or Persons to keep any Crane or Cranes already fixed up against any Warehouse or Warehouses within such Part or Parts of the said several Districts as is or are comprised in this Act; or to affix any Crane or Cranes to such Warehouse or Warehouses, and to make use of such Crane or Cranes, so as such Crane or Cranes be turned and kept close to the Walls of such Warehouse or Warehouses when not in actual Use; any Thing in this Act, or any former Law, Custom, or Statute to the Contary thereof in any-wise notwithstanding.

To prevent destroying Lamps, &c.

And be it further enacted, That if any Person or Persons shall wilfully or maliciously break, throw down, take away, or extinguish, damage, or spoil any Lamp or Lamps to be put up by virtue of this Act, or damage the Posts, Irons, and other Furniture thereof; or Pipes to be laid for conveying and distributing the Water, and Fountains to be erected as aforesaid; every Person or Persons so offending shall forfeit, for the First Offence, the Sum of Twenty Shillings Sterling; for the Second Offence, Forty Shillings Sterling; and for the Third and every subsequent Offence the Sum of Five Pounds Sterling, over and above the Reparation of the real Damage done.

And, in order to raise a Fund for defraying the Charges and Expences of carrying this Act into Execution, be it enacted by the Authority aforesaid, That the Stent-masters of the Town of Leith shall be, and they are hereby impowered and required, at the Time of imposing and proportioning the Land Tax or Cess of the said Town of Leith, annually to assess and lay upon all Heritors, Liferenters, and other Proprietors of Houses, Lands, and Tenements, within the said Town of South Leith, subject to the Payment of the Land Tax or Cess, an annual Assessment not exceeding Sixpence Sterling in the Pound of valued Rent, as the same are now, or shall at any Time hereafter stand valued in the Cess or Supply Books of the said Town of South Leith; which annual Assessment shall be payable in the same Proportions, and at the same Terms, as the Land Tax or Cess for each Year respectively is and shall be payable; and shall be levied and collected by the Collector of the Cess for the said Town of South Leith; and the like Action and Execution shall be, and is hereby directed and appointed to be competent for Recovery and levying such Assessment as by the Law and Practice of that Part of Great Britain called Scotland is authorised by Law, and used for levying and bringing in of the Cess or Land Tax; and the Collector of the Cess for the Town of Leith for the Time being is hereby impowered and required so to levy, collect, and afterwards to pay over the said Assessment to the said Commissioners, or to such Person or Persons as they, or any Seven of them, shall appoint. Rate how to be made.

And be it further enacted by the Authority aforesaid, That, in order for levying a like proportional Assessment within the said Territory of Saint Anthony and Yard Heads of Leith, the Bailie of Saint Anthony for the Time being, and whole Heritors, Liferenters, and Proprietors of Lands and Tenements within the said Territory of Saint Anthony and Yard Heads, shall, on the last Monday in the Month of August that shall first happen after the passing of this Act, and on the last Monday in August annually thereafter, between the Hours of Three and Five in the Afternoon, meet and assemble in the said Convening-house, and then and there, by the Majority of Voices of the said Meeting, elect and chuse Four Persons as Assessors, who are hereby impowered and appointed to take up a Valuation of the Rents of the Houses, Lands, and Tenements, in the said Territories of Saint Anthony and Yard Heads, in the same Proportion Assessors to be appointed.

as is or shall be done within the Town of Leith, and to assess and impose on the said Lands, Houses, and Tenements, an annual Assessment not exceeding Sixpence Sterling in the Pound of valued Rent aforesaid; and to elect and chuse a Collector for levying and collecting the said Assessment, which shall be payable in the same Proportions, and at the same Terms as the Land Cess for each Year respectively; and the like Action and Execution competent for recovering the same, as is provided for levying the aforesaid Assessment in the Town of Leith; and the said Collector so to be elected is hereby authorised and impowered accordingly so to levy, collect, and pay over the said Assessment to the said Commissioners, or to such Person or Persons as the said Commissioners, or any Seven or more of them, shall appoint.

Empty Houses exempted from the Assessment.

Provided nevertheless, That empty or untenanted Houses shall be, and are hereby declared to be free and exempted, so long as they shall respectively continue in that State, from the Assessment by this Act imposed; any Thing in the same to the Contrary notwithstanding.

Proprietors to be relieved from the Assessment by their Tenants.

Provided always, and be it hereby enacted, That each Heritor, Liferenter, or other Proprietor liable to the Payment of the said Assessment, shall have Relief of and from the Tenant or Tenants of the said Houses, Lands, and Tenements, within the Limits aforesaid, for and in respect of all Assessments which, under and by virtue of this Act, shall be paid by such Heritor, Liferenter, or other Proprietor, or which shall be levied out of his or her Houses, Lands, and Tenements; and that the like Action and Execution shall be allowed and competent to the said Heritors, Liferenters, and Proprietors, for their Relief and Repayment of the said Assessment, as, by Law, is competent to them for the levying and recovering Payment of the Rents of the said Lands, Houses, and Tenements.

Rates how to be applied.

And be it further enacted, That the Sums arising from the Assessment aforesaid, and pecuniary Penalties and Forfeitures before recited, shall be, by the said Commissioners, or any Seven or more of them, in the First Place, applied to the defraying the Charges of passing this Act, and afterwards wholly and solely to the Uses and Purposes herein before mentioned for the putting this Act in Execution, respecting the cleansing and lighting the Streets, Lanes, Avenues, and Passages within the Limits aforesaid, and for bringing in Water to the same, and to no other

other Intent, Use, or Purpose whatsoever; and that no Allowance or Allowances shall, on any Account whatsoever, be made out of the Funds aforesaid to any Commissioner or Commissioners, for his or their Attendance or personal Labour in putting this Act in Execution.

Proceedings to be entered in a Book.

And be it likewise enacted, That all and every Act and Acts of the said Commissioners shall be entered in a Book, to be for that Purpose kept by their Treasurer or Clerk; which said Book, and all Books and Entries respecting the same, or which otherwise contain any Account or Accounts relative to the Purposes of this Act, shall be produced at every publick Meeting, to the End that any of the Inhabitants of the said Town may, if they think proper, then inspect and see the same, without Fee or Reward.

Books may be inspected.

And be it further enacted, That the said Commissioners, some Time between the First Day of August and the First Day of November yearly, shall cause a fair and just Account to be made and wrote out of all Money received and paid by virtue of this Act; a Copy or Duplicate of which Account, signed by Seven or more of the said Commissioners, shall be deposited with the Clerk of the Commissioners, who shall permit any Person, so assessed as aforesaid, to inspect the same at reasonable Times, paying One Shilling Sterling for each Inspection; and the said Clerk shall, upon Demand, give Copies of the same, or any Part thereof, to such Person, upon his paying at the Rate of Three-pence Sterling for every Hundred Words, and so in Proportion for any greater or lesser Number of Words.

Proviso.

Provided always, and be it further enacted, That the Stent-masters of the Town of Leith for the Time being may notwithstanding, at all Times, be, and exercise the Office of Commissioners under and by virtue of this Act.

Offences how triable.

And be it also enacted by the Authority aforesaid, That all and every the Offence and Offences committed against, and made punishable by this Act, shall, in the first Instance, be tried and cognizable before the Magistrates of the Town of Leith for the Time being, (notwithstanding of their being Commissioners for putting this Act in Execution); and that all Parties having an Interest shall be at Liberty to apply for Redress, in case of Wrong done, or apprehended to be done therein, by the said Magistrates,

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in the same Manner, and by the like Form of Proceeding, as by the Laws now in being are allowed to be done against the Decrees of Magistrates within Boroughs in that Part of Great Britain called Scotland.

Saving of Rights to the City of *Edinburgh*.

Saving and reserving to the City of Edinburgh all Jurisdictions, Commodities, Rights, and Privileges, competent and belonging to them within the Village of Leith, and other Places mentioned in this Act, in the same Manner as the City and Community now have and enjoy the same.

ublick Act.

And be it further enacted, That this Act shall be deemed and taken to be a Publick Act; and of which Notice shall, by all Courts in the Kingdom, be judicially taken, and all Judges, Justices, and other Persons, are hereby required to take Notice of it as such, without specially pleading the same.

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FINIS.