



ANNO PRIMO

# GEORGIIV. REGIS.

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*Cap. lxxxviii.*

An Act for amending an Act of His late Majesty King *George* the Third, relating to the Conversion of the Statute Labour within the Royalty of *Glasgow*; and another Act of His said late Majesty, relating to the Sale of Live Cattle in the City of *Glasgow*; and for opening certain Streets, and otherwise improving the said City.

[24th July 1820.]

**W**HEREAS by an Act passed in the Forty-seventh Year of His late Majesty King *George* the Third, 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*, it was, among other Provisions, enacted, that the Lord Provost, Magistrates, and Council of the City of *Glasgow*, should have the sole Power and Direction of exacting, levying, and applying the Statute Labour and Conversion Money, within the Royalty of the said City: And whereas the said Magistrates and Council are desirous that the Power of levying and applying the Statute Labour and Conversion Money within the said Royalty shall in future be vested in certain Trustees to be nominated by the Town Council,

[Local.]

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Power to  
levy Rates.

by the Merchants' House, and by the Trades' House of the said City : And whereas the Statute Labour and Conversion Money authorised to be levied by the said Act of the Forty-seventh of His late Majesty has proved inadequate for the Purposes thereof, and it is expedient that Provision should be made for the more effectual Accomplishment of the said Purposes : And whereas it is also expedient that the Sums to be raised annually for the said Purposes should be levied chiefly from the more opulent Classes of the Community, and that the poorer Classes should as much as possible be relieved from the same : But the several Purposes aforesaid cannot be effected without the Authority of Parliament : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the First Day of *January* One thousand eight hundred and twenty-one, the Statute Labour Conversion Money, and the Rates or Proportions thereof, authorised by the said recited Act of the Forty-seventh of His late Majesty to be levied and exacted within the Royalty of *Glasgow*, shall cease and determine ; and that it shall be lawful to and for the Trustees hereinafter appointed, and for such as shall be authorised by them, to exact and levy yearly within the said Royalty, in lieu and place of the Rates of Conversion authorised to be levied by the said Act, the several Rates and Duties hereinafter mentioned, that is to say, from all Tenants and Occupiers of Dwelling-Houses above the Yearly Rental or Value of Four Pounds Sterling within the said Royalty ; and such Tenants and Occupiers shall pay the several Rates and Sums in Sterling Money of *Great Britain* hereinafter mentioned, corresponding to the Yearly Rental or Value of the Dwelling-House, which each Person shall occupy ; that is to say, when the Yearly Rental or Value of such Dwelling-House shall be Four Pounds and under Five Pounds, an annual Sum not exceeding Two Shillings and Sixpence ; when the same shall be Five Pounds and under Eight Pounds, an annual Sum not exceeding Three Shillings and Sixpence ; when the same shall be Eight Pounds and under Twelve Pounds, an annual Sum not exceeding Four Shillings and Sixpence ; when the same shall be Twelve Pounds and under Sixteen Pounds, an annual Sum not exceeding Five Shillings and Sixpence ; when the same shall be Sixteen Pounds and under Twenty Pounds, an annual Sum not exceeding Six Shillings and Sixpence ; when the same shall be Twenty Pounds and under Twenty-five Pounds, an annual Sum not exceeding Seven Shillings and Sixpence ; when the same shall be Twenty-five Pounds and under Thirty Pounds, an annual Sum not exceeding Nine Shillings ; when the same shall be Thirty Pounds and under Thirty-five Pounds, an annual Sum not exceeding Ten Shillings and Sixpence ; when the same shall be Thirty-five Pounds and under Forty Pounds, an annual Sum not exceeding Twelve Shillings ; when the same shall be Forty Pounds and under Forty-five Pounds, an annual Sum not exceeding Thirteen Shillings and Sixpence ; when the same shall be Forty-five Pounds and under Fifty Pounds, an annual Sum not exceeding Fifteen Shillings ; when the same shall be Fifty Pounds and under Fifty-five Pounds, an annual Sum not exceeding Sixteen Shillings and Sixpence ; when the same shall be Fifty-five Pounds and under Sixty Pounds, an annual Sum not exceeding Eighteen Shillings ; when the same shall be Sixty Pounds and under Sixty-five Pounds, an annual Sum not exceeding

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Nineteen Shillings and Sixpence; when the same shall be Sixty-five Pounds and under Seventy Pounds, an annual Sum not exceeding Twenty-one Shillings; when the same shall be Seventy Pounds and under Seventy-five Pounds, an annual Sum not exceeding Twenty-two Shillings and Sixpence; when the same shall be Seventy-five Pounds and under Eighty Pounds, an annual Sum not exceeding Twenty-four Shillings; when the same shall be Eighty Pounds and under Eighty-five Pounds, an annual Sum not exceeding Twenty-five Shillings and Sixpence; when the same shall be Eighty-five Pounds and under Ninety Pounds, an annual Sum not exceeding Twenty-seven Shillings; when the same shall be Ninety Pounds and under Ninety-five Pounds, an annual Sum not exceeding Twenty-eight Shillings and Sixpence; when the same shall be Ninety-five Pounds and under One hundred Pounds, an annual Sum not exceeding Thirty Shillings; and when the same shall be One hundred Pounds and upwards, an annual Sum not exceeding Thirty-one Shillings and Sixpence: and it shall also be lawful to and for the said Trustees to exact and levy yearly from all Male Lodgers, including Sons living with their Parents of Eighteen Years of Age and upwards, and such Persons shall pay, when the House, in which they reside shall be of the Yearly Rental or Value of Four Pounds and under Five Pounds, an annual Sum not exceeding Two Shillings and Sixpence; when such Yearly Rental or Value shall be Five Pounds and under Ten Pounds, an annual Sum not exceeding Three Shillings and Sixpence; when the same shall be Ten Pounds and under Twenty Pounds, an annual Sum not exceeding Five Shillings; when the same shall be Twenty Pounds and under Forty Pounds, an annual Sum not exceeding Seven Shillings and Sixpence; and when the same shall be Forty Pounds and upwards, an annual Sum not exceeding Ten Shillings; all which Yearly Rentals or Value of Dwelling-Houses shall be ascertained from the Books kept by the Government Surveyor in the said City.

II. And be it further enacted, That, in order to obtain a true and accurate List or Account of such Male Lodgers and other Persons aforesaid, it shall be lawful to and for any Collector or Collectors, or other Person or Persons properly authorised by the said Trustees in that Behalf, to serve a written or printed Notice upon the Tenants or Occupiers of every Dwelling-House within the said Royalty personally, or by leaving the same at his or her Dwelling Place, requiring every such Tenant or Occupier to make a true Return of the Names of all and every Male Lodgers or Lodger, including Sons living with their Parents of Eighteen Years of Age and upwards, who shall or may reside in such Dwelling-House, by writing or causing to be written the Name of every such Male Lodger and Son living with his Parents, in a written or printed Schedule or List to be left along with the said Notice for that Purpose, and containing proper Blanks for the Insertion of such Name or Names; and every such Tenant or Occupier is hereby required to deliver or cause such Schedule or List so filled up to be delivered to such Collector or Collectors, or other Person or Persons so authorised as aforesaid, on being thereto required at any Time after the Lapse of Ten Days after such Notice shall have been served as aforesaid; and if any such Tenant or Occupier shall neglect or refuse to deliver such Schedule or List so filled up, on being thereto required as aforesaid, or shall wilfully omit any Name, or misrepresent any Description which ought to be contained therein, every such

House-  
holders to  
make Re-  
turn of  
Lodgers.

such Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Forty Shillings to the said Trustees, to be recovered in a summary Way on the Oath of such Collector or Collectors, or other Person or Persons so authorised to serve such Notice as aforesaid, before some One or more Justice or Justices of the Peace for the County of *Lanark*, by Distress and Sale of the Goods and Chattels of such Offender, by Warrant of such Justice or Justices of the Peace, and to be applied in Aid of the Funds of the Statute Labour for the said City of *Glasgow*.

Rates upon Heritors and Possessors of Land.

III. And be it further enacted, That all Heritors who are in the actual Possession of their own Lands (under which Description are included the Grass Grounds let without the Liberty of Tillage for a Term not exceeding Three Years), and all Tenants and Occupiers of Lands within the said Royalty, shall pay, in place and stead of Statute Services, an annual Rate or Sum not exceeding One Shilling Sterling for each and every Acre so possessed by them, and so in Proportion for a larger or smaller Quantity of Land: Provided always, that no Rate shall be levied for any Quantity of Land less than Half an Acre.

Rate upon Keepers of Horses.

IV. And be it further enacted, That all Persons whatsoever, within the said Royalty of *Glasgow*, who shall keep a Horse or Horses for any other Purposes than those of Husbandry, shall be liable to furnish Three Days Labour of a Man, a Horse, and a Cart for each Horse, as Statute Services upon the Streets and Roads of the said Royalty, yearly, or in the Option of the said Trustees, shall pay an Annual Rate or Sum not exceeding Twenty-one Shillings Sterling for each Horse so kept by them.

Exemptions to indigent Persons.

V. Provided always, and it is hereby enacted, That it shall be lawful for the said Trustees to free or exempt, from all or any Part of the said Conversion Money, all such Persons as shall appear to be in indigent Circumstances, or who are from other Causes unable to perform the Work or pay the said Assessment; and that all established Clergymen and Schoolmasters, unless they are Heritors in the actual Possession of their own Lands, or are Tenants or Occupiers of Land, or are Keepers of Horses as aforesaid, and also all Apprentices who receive no Wages, and all Farm Servants hired by the Year or Half Year, and all Occupiers of Houses of which the Yearly Rental or Value does not amount to Four Pounds Sterling, and all married Persons, having a Child or Children, who shall reside in any House as Lodgers or Inmates, the Yearly Rent of which House shall be under the Sum of Five Pounds Sterling, shall be free and exempt from the Payment of any Part of the said Conversion Money.

Trustees.

VI. And be it further enacted, That the Powers of exacting and levying, and of managing and applying the said Conversion Money, shall, from and after the Twelfth Day of *October* next, be vested in Fifteen Trustees, of whom the Lord Provost, and, in his Absence, the next Senior Magistrate of the said City acting for the Time, the Dean of Guild, and Deacon Con- vener of the City of *Glasgow*, for the Time being, shall be Trustees *ex officio*, and the remaining Twelve Trustees shall be nominated annually, as follows; that is to say, Four by the Town Council at the First Meeting after the Annual Elections at *Michaelmas*; Four by the Merchants' House, and

and Four by the Trades' House, at the First Meeting after the Annual Elections of the Dean of Guild and Deacon Convener : Provided always, that after the First Election not more than Two new Trustees shall be nominated annually by each of the said Bodies Corporate, except in the Event of Death or Incapacity to act from Removal to a Distance from *Glasgow*, or otherwise; and that at all General Meetings of the said Trustees Five Trustees shall be a Quorum.

VII. And be it further enacted, That all Acts, Matters, and Things hereby directed to be done and executed by the said Trustees may be done and executed by the Majority of such Trustees present at their respective Meetings, (the whole Number present not being less than Five); and all Acts, Matters, and Things, so done by such Majority, shall be as valid and effectual as if the same had been done by all the said Trustees; and that at all such Meetings the said Trustees shall pay and defray their own Charges and Expences.

Majority of Trustees to decide.

VIII. And be it enacted, That Four Quarterly Meetings of the said Trustees shall be held within the Town Council Chamber, or at such other Place within the said City as shall be appointed by the said Trustees, on the Third *Monday* of *October*, *January*, *April*, and *July*, at Twelve of the Clock, Noon, for putting this Act and the Powers hereby committed to them in Execution, (beginning those Meetings on the Third *Monday* of *October* after passing this Act), and that the Lord Provost, and in his Absence the next Senior Magistrate of the said City acting for the Time, shall cause the whole of the said Trustees resident at the Time in the City to be summoned to attend the said Quarterly Meetings, personally, or at their Dwelling-Houses by written or printed Summonses, at least Twenty-four Hours previous to the Time of Meeting.

Meetings of Trustees to be held.

IX. And be it further enacted, That the said Trustees, or a Majority of them present at any of the said Quarterly Meetings, may adjourn to the same or any other Place within the said City which they may think necessary or proper for executing the Powers vested in them by this Act.

Meetings may be adjourned.

X. And be it enacted, That the Lord Provost, and in his Absence the next Senior Magistrate of the said City acting for the Time, shall, upon Requisition being made to him under the Hands of any Four of the said Trustees, appoint Meetings of the said Trustees to be held within Forty-eight Hours of such Requisition, and to cause all the Trustees to be summoned to attend the said Meetings in manner aforesaid; and it shall be in the Power of the said Lord Provost, and in his Absence of the next Senior Magistrate of the said City acting for the Time, to appoint other Meetings of the said Trustees, to be held at such Times and Places within the said City as may to him seem necessary or expedient for the above Purposes, all the Trustees being always summoned to attend those Meetings in manner aforesaid.

Other Meetings may be called.

XI. And be it further enacted, That the said Trustees hereinbefore named and appointed shall have full Power and Authority, and they are hereby authorised and required at their Quarterly Meeting, to be held on the Third *Monday* of *October* annually, to ascertain and lay on the Rates

Powers of Trustees as to assessing and levying Monies.

[Local.]

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hereinbefore directed to be levied from the Renters, Occupiers and Possessors of Houses, and from Keepers of Horses, Heritors and others aforesaid, and also to ascertain the Sums of Money to be expended for the Purposes hereinafter mentioned for the then Current Year; and that it shall not be lawful for nor in the Power of the said Trustees, or any Person or Persons acting under their Authority, to levy or expend any of the Monies to be levied as aforesaid, unless the same shall have been previously assessed and laid on and the Expenditure thereof voted by the said Trustees; and that the said Trustees themselves shall be subject to and liable in Payment of the said Conversion Money for the Dwelling Houses rented or possessed by them, any Law or Usage to the contrary notwithstanding.

Rates how to  
be applied.

XII. And be it further enacted, That the Rates of Conversion hereby authorised to be levied, subject to the Payment of a Part of the Expence of this Act as hereinafter provided, shall be applied solely in making, causewaying, paving and repairing the Public Streets, Lanes, Roads, and Common Sewers within the said Royalty, and in discharging the Debt, Principal and Interest, already contracted for the said Purposes, which the Trustees hereinbefore named are hereby authorised and required to do, by Instalments of at least Two hundred Pounds Yearly, besides Interest from the Date of the passing of this Act, until the whole be repaid.

Trustees  
may appoint  
Committees,  
Superinten-  
dent, Clerk,  
&c.

XIII. And be it further enacted, That it shall be lawful to and for the said Trustees to appoint Committees of their own Number, a Superintendent, Clerk, Treasurer, and Collector, for exacting, recovering, and applying the Monies to be levied under the Authority of the said Trustees by virtue of this Act, and for carrying the Purposes thereof into Execution; and to fix such Salaries or Allowances to the said Superintendent, Clerk, Treasurer, and Collector, as shall appear to the said Trustees to be fair and reasonable.

Power to  
borrow Mo-  
ney.

XIV. And be it enacted, That the said Trustees shall be and are hereby empowered to borrow a Sum or Sums of Money not exceeding the Sum of Eight thousand Pounds towards the Purposes aforesaid, but to no other Use whatever, and to assign the Rates hereby granted to the Lenders in Security of the Re-payment of the Sum or Sums of Money borrowed with lawful Interest for the same.

Trustees  
may diminish  
Rates, and  
again raise  
the same.

XV. And be it further enacted, That the said Trustees shall be and they are hereby empowered to exact such Parts of the said Rates of Conversion as they shall think reasonable; and the said Trustees are hereby empowered, with the Consent in Writing of Two Thirds in Value of the Creditors thereon for the Time being, to diminish or lessen the said Rates, or such Parts thereof as they shall see cause, and to raise the same again, so as the same shall not at any Time exceed the Rates granted by this Act.

Trustees to  
take Securi-  
ty from  
Treasurers  
and Collect-  
ors.

XVI. And be it further enacted, That the said Trustees shall take such Security from the Treasurer and Collector to be appointed for the Purposes of this Act for the due Execution of their Offices, and for their faithfully accounting for all the Monies received by them in virtue of their said Offices, as to the said Trustees shall seem meet; and that  
if

if they fail to take proper Security the Trustees making such Appointment shall be individually responsible for the Default of the Persons by them so appointed.

XVII. And be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act; or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Trustees for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered before the Judge Ordinary of the said County of *Lanark*, or the Court of Session, with double Expense of Process.

Clerk restrained from acting as Treasurer, and vice versa.

XVIII. And be it further enacted, That the Sums of Money arising from the Rates of Conversion authorised to be levied by virtue of this Act shall not be laid out or expended without the Orders of the said Trustees, or of such Person or Persons as they shall authorise and appoint.

Money to be expended only by Order of Trustees.

XIX. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time to cause to be entered in a Book or Books, to be kept by their Treasurer, true and regular Accounts of Money received and expended by them in the Execution of this Act, and of the several Articles, Matters and Things, for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall, at all seasonable Times, be open to the Inspection of the said Trustees, or any Creditor or Creditors on the Rates hereby granted, without any Fee or Reward; and the said Trustees and Creditors shall and may take any Copies or Extracts from such Book or Books without paying any Thing for the same; and in case such Treasurer shall refuse to permit, or shall not permit such Trustees or Creditors, or any of them, to inspect the same, or to take Copies or Extracts as aforesaid, such Treasurer shall forfeit and pay any Sum of Money not exceeding Five Pounds, to be levied and recovered in a summary Manner before the Judge Ordinary of the said County of *Lanark*, at the Suit of any of the said Trustees or Creditors, and to be paid to the said Trustees, and applied in the same Way and Manner as the said Rates of Conversion are hereinbefore directed to be applied.

Accounts to be kept;

XX. And be it further enacted, That the said Book or Books shall be balanced yearly on the First Day of *February*, (the First Balance to be struck on the First Day of *February* One thousand eight hundred and twenty-two,) and an Abstract State of the Receipts and Disbursements for the Year preceding shall be annually printed and circulated among the Members of the Town Council, the Merchants' House, and Trades' House, of the said City, respectively.

and balanced yearly.

XXI. And

Trustees may  
sue and be  
sued in Name  
of Clerk or  
Treasurer.

XXI. And be it enacted, That the said Trustees may sue and be sued for any Matter or Thing to be done in the Execution of this Act in the Name of their Clerk or Treasurer for the Time being, or in the Name of any One of the said Trustees, and no Action or Suit, wherein the said Trustees shall be concerned in the Name of their Clerk or Treasurer by virtue of this Act, shall abate by the Death or Removal of any such Clerk or Treasurer, but that the Clerk or Treasurer to the said Trustees for the Time being shall be deemed to be the Party suing or defending in every such Action; and no such Action shall abate by the Death or Removal of any Trustee who shall have been made Pursuer or Defender therein, and the same may be continued in the Name of any other of the then acting Trustees.

The 47 G. 3.  
to remain  
in force,  
except as  
hereby al-  
tered.

XXII. And be it further enacted, That all the Powers, Provisions, Regulations, Directions, and Clauses, contained in the said recited Act of the Forty-seventh of His said late Majesty, relating to the Statute Labour and Conversion Money within the said Royalty, shall remain in force, except in so far as hereby altered, and the said recited Act and this Act, in so far as concerns the said Statute Labour and Conversion Money within the said Royalty, shall be construed together as One Act.

39 & 40 G. 3.  
c. 88.  
Live Cattle  
Market.

XXIII. And whereas by an Act passed in the Thirty-ninth and Fortieth Years of the Reign of His late Majesty King George the Third, intituled *An Act for extending the Royalty of the City of Glasgow over certain adjacent Lands; for paving, lighting, and cleansing the Streets; for regulating the Police, and appointing Officers and Watchmen; for dividing the City into Wards, and appointing Commissioners; and for raising Funds and giving certain Powers to the Magistrates and Council, and Town and Dean of Guild Courts for the above and other Purposes*, the Magistrates and Town Council of the said City were authorised to levy certain Duties on the Sale of Live Cattle to indemnify them for the Expense incurred in erecting a Market-Place for the said Purpose; and certain Penalties were imposed on Persons exposing Live Cattle to Sale on the Streets of the said City, with certain Exceptions: And whereas the Market-Place for the Sale of the Live Cattle, referred to in the said recited Act, has been removed in the course of opening and forming *East Clyde Street* in the said City, and under the Authority of an Act passed for that Purpose in the Forty-sixth Year of the Reign of His said late Majesty intituled, *An Act for opening and improving certain Streets in the City of Glasgow, and for removing the Slaughter-Houses in the said City to a more convenient Situation*; and the said Magistrates and Council have lately expended considerable Sums of Money in purchasing an extensive Area of Ground on the East Side of the City, and adjacent to the *Gallowgate*, for a Live Cattle Market, in enclosing with a Wall and paving the said Ground, and in erecting a House for the Keeper of the Market, Stables, and other Enclosures thereon: And whereas it is reasonable that the said Magistrates and Council, and the Community of the said City, should be indemnified for the said additional Expense by an Increase of the Duties formerly authorised: And whereas it is also expedient that the Sale of Live Cattle on the Streets of the said populous City and Suburbs should be still further restricted; be it therefore enacted, That, instead of the Duties mentioned in the said recited Act, every Person or Persons who shall bring

Duties.



bring into or expose to sale, any Oxen, Cows, Sheep, or other Cattle in the said Market-Place, shall, for each Time that such Cattle are exposed to sale, pay the following Duties, that is to say, for Black Cattle Four-pence *per* Head; for Sheep and Lambs Eight-pence *per* Score; for Calves Three Halfpence *per* Head; for Swine and Goats Two-pence *per* Head; and that in addition to the foregoing Duties, there shall also be paid by every Person or Persons who shall purchase any Oxen, Cows, Sheep, or other Cattle in the said Market, the said Persons not being Freemen of the Incorporation of Fleshers in the said City of *Glasgow*, the following Duties as back Custom, that is to say, for Black Cattle Two-pence *per* Head; for Sheep and Lambs Four-pence *per* Score; for Calves Three Farthings *per* Head; for Swine and Goats One Penny *per* Head.

XXIV. And be it further enacted, That the said Duties, subject to the Payment of a Part of the Expences of this Act as hereinafter provided, shall be laid out and applied, in the First Place, in and towards Repayment of the Expense incurred by the said Magistrates, and Council, and Community of the said City, in purchasing the Ground for and in erecting the said Cattle Market and Buildings thereon; and, in the next Place, shall be paid and applied in keeping up and maintaining the said Cattle Market and Buildings aforesaid in proper repair, or in improving and rendering the same more commodious, and in defraying the Salaries or Allowances to be made to the Keeper of the said Market, or other Officer or Officers who shall or may be appointed to superintend the same, and the Expences incurred by such Keeper, Officer or Officers, in the Execution of the Duties of their respective Offices.

Application  
of Market  
Rates.

XXV. And be it further enacted, That if any Person or Persons shall expose to sale any Oxen, Cows, Sheep, Lambs, Goats, Swine, or other Cattle, (Horses excepted,) or shall cause the same to be so exposed in any open or Public Street, Square, Lane, or Road, within the said City and Royalty thereof, or within Three Miles of the Cross of *Glasgow*, every Person or Persons so offending or contravening this Regulation shall, for every such Offence or Act, forfeit and pay any Sum not exceeding Five Pounds, to be sued for, recovered, and applied in manner hereinafter mentioned.

Penalty for  
selling Cattle  
in the  
Streets.

XXVI. Provided always, and be it further enacted, That from and after the passing of this Act, it shall not be lawful to or for any Person or Persons to erect or establish any Market or Markets for the Sale of Live Cattle within the said Royalty, or within Three Miles of the Cross of *Glasgow*, without the Authority of the said Magistrates and Council first had and obtained for that Purpose, and every Person or Persons who shall sell or cause to be sold any Oxen, Cows, Sheep, Lambs, Goats, Swine, or other Cattle, in any Market or Markets, to be erected or established without such Authority, within the Limits aforesaid, shall for every Head of Cattle so sold in such Market or Markets forfeit and pay any Sum not exceeding Ten Shillings, to be sued for, recovered, and applied in manner hereinafter mentioned.

Penalty for  
selling Cat-  
tle in any  
other Mar-  
ket within  
certain  
Limits.

XXVII. And be it further enacted, That the said Penalties for selling or exposing Cattle to sale contrary to the Provisions aforesaid, shall and may be sued for and recovered by the Keeper of the said Market so

Recovery-  
and Appli-  
cation of  
Penalties.

[*Local.*]

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erected as aforesaid by the said Magistrates and Council, or by such other Person or Persons as the said Magistrates and Council shall appoint for that Purpose, in a summary Way before the Judge Ordinary of the District wherein such Sale or Exposure to Sale shall take place, and shall be paid and applied in the same Way and Manner as the said Market Rates are hereinbefore directed to be paid and applied.

Fairs of  
Glasgow and  
Rutherglen  
exempted.

XXVIII. Provided always, and be it enacted, That none of the Penalties before-mentioned shall extend to Cattle exposed to sale or sold on the Streets, at the usual Places, during the Fair of *Glasgow* in the Month of *July*, or at the Fairs established in *Rutherglen* or elsewhere within the Limits aforesaid; or to any Cattle exposed to sale or sold in the Villages of *Pollockshaws*, *Langside*, or *Long Govan*, in the County of *Renfrew*.

The 39 &  
40 Geo. 3.  
to remain in  
force, except  
as altered.

XXIX. And be it further enacted, That all the Powers, Provisions, Regulations, Directions and Clauses, contained in the said recited Act of the Thirty-ninth and Fortieth of His said late Majesty, relating to the Market Places and the Sale of Live Cattle within the said City, shall remain in force, except in so far as hereby altered; and the said recited Act and this Act, in so far as concerns the said Market Place and Sale of Live Cattle within the said City and Royalty, shall be construed together as one Act.

Power to  
open new  
Streets.

XXX. And whereas it would tend much to the Improvement and Ornament of the City of *Glasgow*, to the Prevention of Disease, and to the Health and Accommodation of the Inhabitants, if certain new Streets, Lanes, and Passages, were opened and formed therein, and Buildings removed in certain Parts of the City, where the Population is most crowded: Be it therefore enacted, That from and after the passing of this Act it shall and may be lawful to and for the Magistrates and Town Council of the City of *Glasgow*, and to their Successors in Office, by themselves, their Deputies, Agents, Workmen, and Servants, and they are hereby authorised and empowered to open, form, causeway, and pave a new Street or new Streets, opposite or nearly opposite to *Jackson-Street*, not exceeding Thirty-five Feet in Breadth, and running Eastward from *Stockwell-Street* to *King-Street*, and from *King-Street* Eastward across *Saltmarket-Street* to the *Molendinar Burn*, in the said City, in such Direction as the said Magistrates and Town Council shall think proper; as also to open, form, causeway, and pave a new Street, not exceeding Seventy Feet in Breadth, running from *Great Hamilton Street* or *Monteith Row* Westward in such a Line, between the North Side of *Saint Andrew's Square* and the South Side of the *Gallowgate*, as the said Magistrates and Council may think proper, and terminating at or near the Cross of *Glasgow*; as also to open, form, causeway, and pave a new Street, not exceeding Sixty Feet in Breadth, running Westward from the Barrack-Yard, in such a Line, to the North of the North Side of the *Gallowgate*, as the said Magistrates and Council may think proper, and terminating at or near the Cross of *Glasgow*; and to purchase the Grounds and Buildings on both Sides of the said proposed Streets to an Extent not exceeding Sixty Feet on each Side of the said Streets; and to sell the Grounds so purchased on each Side of the said Streets for the Purpose of erecting thereon Houses, Shops, Warehouses, and other Tenements, according to Plans to be made out and approved of by the said Magistrates and Town Council; as also to acquire by Purchase the Lands, Houses,  
Tenements,

Tenements, and other Heritages, which are bounded by *Saltmarket-Street* on the East, the *Molendinar Burn* on the South, *Market-Lane* on the West, and *Bridgewater* on the North, for the Purpose of removing the Buildings thereon, so far as may be found expedient for the Health and Convenience of the Public.

XXXI. And for enabling the said Magistrates and Council to open and form the said new Streets and to carry into Execution the other Purposes aforesaid, be it further enacted, That the said Magistrates and Council, and their Successors in Office, shall have full Power to treat and agree with the Owners, Occupiers, and all others having Interest, for the Purchase of all such Lands, Houses, Tenements, and other Heritages, as shall or may be occupied by the said Streets, and by the Buildings to be erected on the Sides thereof as aforesaid, and of such as shall be required for the Purpose of removing the Buildings aforesaid, particularly with the several Persons named in the Schedule hereunto annexed, being Owners or Occupiers, or reputed Owners or Occupiers; or having an Estate, or Interest, in the Lands, Houses, Tenements, and other Heritages before mentioned, or with the Heirs or Disponees of any of the said Persons, or any other Person or Persons, Body or Bodies Politic or Corporate, who are or may be Proprietors of, or who have or may have an Interest in the said Lands, Houses, Tenements, or Heritages: Provided always, that nothing herein contained shall extend or be construed to authorise the said Magistrates and Council to take and use any Lands, Houses, Tenements, or other Heritages for the Purposes aforesaid, without the several Consents in Writing of the respective Owners and Occupiers thereof in that Behalf previously had and obtained, save and except only the several Lands, Houses, Tenements, and other Heritages belonging to or occupied by the several Owners or Occupiers named in the said Schedule, and in respect only of their several and respective Estates and Interests of and in such Lands, Houses, Tenements, or other Heritages; and in case any of the Proprietors or Occupiers of any of the said Lands, Houses, Tenements, and other Heritages, shall through Misinformation be wrong named or described in the said Schedule, it shall not afford any Ground or Pretence for the Persons interested, or any of them, to object to or interrupt the Execution of this Act, provided it shall be proved to the Satisfaction of any Two Justices of the Peace for the County of *Lanark*, and be declared under their Hands that such erroneous Description shall have arisen from Accident or Mistake, and was not wilful.

XXXII. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, Minors, Furious or Fatuous Persons, Married Women, and to and for every other Person or Persons whomsoever, who are or shall be seised, possessed of or interested in any of the said Lands, Houses, Tenements and other Heritages, whether by Title held in Fee Simple, or under Entail or otherwise, to contract and agree for, sell, and convey to the said Magistrates and Town Council all or any such Lands, Houses, Tenements or other Heritages, or any Part thereof, for the Purposes aforesaid; and that all such Contracts, Agreements, Sales, and Conveyances, shall be valid and effectual in the Law to all Intents and Purposes, any Law, Statute, Usage, or any Matter or Thing to the contrary.

contrary notwithstanding; and that all Trustees, Heirs of Entail, Tutors, or Curators, Corporations, Proprietors, Incumbrancers and all other Persons, are and shall be hereby indemnified for what they shall do by virtue of and in pursuance of this Act.

If Parties  
refuse to  
treat, &c. the  
Magistrates  
and Council  
may apply to  
the Sheriff.

XXXIII. And be it further enacted, That in case any Owner, Proprietor, Occupier, Trustee or Trustees, Heirs of Entail, or Tutors and Curators, Bodies Politic, Corporate or Collegiate, or any other Person or Persons interested as aforesaid, after a written or printed Notice of Twenty-one Days given to them, if they reside within the County of *Lanark*, personally or at their Dwelling Place, or if they reside without the said County, left with some Tenant or Tenants in Possession of such Lands, Houses, Tenements and Heritages respectively, shall neglect or refuse to treat, or shall not agree for the Sale of such Lands, Houses, Tenements, or Heritages, or any Part or Parts thereof, or for their Interest therein, or by Reason of Absence or other Circumstance shall be prevented from treating, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim, to the Satisfaction of the said Magistrates and Town Council, then and in every such Case, it shall and may be lawful to and for the Magistrates and Town Council to apply by Petition to the Sheriff-Depute of the County of *Lanark*, or his Substitute, at *Glasgow*, setting forth this Act, and that the Parties interested have refused or neglected to treat or contract, or are prevented from treating or contracting for the Sale of the said Lands, Houses, Tenements and Heritages, or have not produced or evinced a clear Title to the Premises they are in Possession of, or to the Interest they claim, and therefore praying him to fix and ascertain the just Amount and Value of such Lands, Houses and Heritages respectively; and it shall and may be lawful to the Sheriff-Depute or Substitute, and he is hereby empowered and required, upon receiving such Petition, to order Notice thereof to be given by Advertisement in all the *Glasgow* Newspapers, and also particular Notice to be given to the Owners and Occupiers of the said Houses, Tenements or Heritages, if they reside within the County of *Lanark*, personally, or by leaving at their Dwelling Houses, or if they reside without the said County, at the Dwelling House of One of the Tenants or Occupiers of the Premises respectively, a full Copy of the said Petition, with an Order to give in their Answers or Objections, if they any have, within Ten Days after such Notice; after which Time is elapsed it shall and may be lawful for the said Sheriff-Depute or Substitute, and he is hereby empowered and required to issue his Precept or Precepts for summoning and impanelling a competent Number of substantial and disinterested Persons, Proprietors of Lands, Houses, or Heritages, within the said City of *Glasgow*, in Number not less than Twenty nor more than Thirty, each of them seised of an Estate valued at Twenty Pounds Sterling of Yearly Rent, in the Cess or Stent Roll of the said City; which Persons so to be summoned and returned are hereby required to come and appear before the said Sheriff-Depute or Substitute, at such Times and Places as in the said Precept or Precepts shall be directed and appointed; of which Time and Place for assembling the Jury the said Parties interested shall have Notice given them by Advertisement in all the *Glasgow* Newspapers, at least Six Days previous to the said Meeting; and out of such Persons so to be summoned and returned the Sheriff-Depute or Substitute shall appoint a Jury of  
Fifteen

Sheriff to  
summon a  
Jury to  
ascertain  
Purchase  
Monies, &c.

Sheriff to  
swear Jury  
and Wit-  
nesses, &c.

Fifteen Persons, before whom the said Magistrates and Town Council, and the Parties interested, may bring a Proof by Habile Witnesses for estimating and ascertaining the just and real Value and Price to be paid by the said Magistrates and Town Council for the said Lands, Houses, Tenements, or other Heritages, including such Damages as may be suffered by the Proprietors of Ground, or their Tenants, by throwing down their Fences, and opening their Grounds, or otherwise; and the said Sheriff-Depute or Substitute is hereby authorised to summon before him such Person or Persons as shall by either Party be thought necessary to be examined as Witnesses before the said Jury, touching or concerning the Premises; and also to compel the Parties interested, and all other Persons having in their Custody or Possession any Title Deeds, or other Papers containing the Rights of, or relative to the Premises, to exhibit and produce the same in Judgment before the said Jury; and shall and may administer Oaths to such Person or Persons as shall be examined as Witnesses in the Matters aforesaid; and the said Sheriff-Depute or Substitute, before proceeding to take the Evidence, shall administer an Oath to the Jury to return a true Verdict, and shall take or cause to be taken down in Writing the Depositions of the Witnesses, and shall and may adjourn the Proceedings from Time to Time until the Proof shall be concluded; and afterwards the Jury shall return their Verdict in Writing, either from their own proper Knowledge, in case no Proof be adduced, or upon the Evidence adduced, ascertaining the Value of the said Lands, Tenements, Houses, or other Heritages, in such Manner as to them shall seem just; and shall distinguish and ascertain in their said Verdict the Share or Proportion of the Purchase Monies to be paid, as a Recompence or Damages to the Tenants or Occupiers of such Lands, Tenements, Houses, and other Heritages, or any other Person having any particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interests therein; which said Verdict shall be final and binding upon all Parties, who shall be obliged to perform to each other their respective Parts of the same; and a Copy thereof shall be fairly written on Paper or Parchment, signed by the Foreman of the Jury, and the said Sheriff-Depute, or Substitute, and entered in the Records of the Sheriff Court of the County of *Lanark*, kept at *Glasgow*; and the same, or Official Copies or Extracts thereof, signed by the proper Officer, shall be taken and deemed as good and lawful Evidence in all Courts of Law and Equity whatsoever; and all Persons shall have Liberty to inspect the same, paying for every Inspection the Sum of One Shilling, and to take Copies thereof, paying for every Copy the Sum of Sixpence for every One hundred Words, and so in Proportion for any greater or less Number of Words.

XXXIV. And be it further enacted, That the said Sheriff-Depute or Substitute shall have Power, and he is hereby authorised from Time to Time to impose any reasonable Fine or Fines, not exceeding the Sum of Five Pounds Sterling, on any Person who shall be summoned and returned on such Jury or Juries, who shall not appear, or who shall refuse to be sworn (or being Quakers to affirm), on the said Jury or Juries, or being so sworn shall not give his or their Verdict; and also on any Person or Persons, who shall be summoned as aforesaid to give Evidence touching any of the Matters aforesaid, and shall not attend, after being paid or tendered a reasonable Sum for his or their Costs and Expences, or shall refuse to be sworn (or being Quakers to affirm), or who, being sworn,

Sheriff to impose Fines on Jurymen and Witnesses not appearing, &c.

[*Local.*]

28 D

shall

shall refuse to give his, her, or their Evidence; and on any other Person or Persons who shall in any Manner wilfully neglect his, her, or their Duty in the Premises, contrary to the true Intent and Meaning of this Act; and shall or may from Time to Time levy such Fine or Fines, by Distress and Sale of the Offender's Goods, together with the reasonable Charges of such Distress and Sale, returning the Overplus, if any, to the Owner; and also shall or may use such Compulsitors as are competent by the Laws and Practice of *Scotland* to compel any Person or Persons, who may be summoned as a Witness or Witnesses, or as Custodians of Writings and Title Deeds, to appear and give Evidence as aforesaid, and to exhibit and produce such Writings and Title Deeds; all which Fines shall be paid and applied to and for the Purposes of this Act.

Power to enter on Payment or Consignation of the Purchase Monies.

XXXV. And be it further enacted, That upon Payment of such Sum or Sums of Money so to be settled and ascertained as aforesaid to the lawful Owners and Proprietors of the said Lands, Houses, Tenements, or other Heritages, or upon judicial Tender thereof made to him, her, or them respectively, by a Minute in the said Process before the Sheriff for ascertaining the said Value, whether Appearance be made in the Process for the Party or Parties interested or not, or in case they shall not be able to evince their Title to the Premises to the Satisfaction of the Sheriff-Depute or Substitute, or that the Subjects are encumbered or entailed, so that the Price of the same cannot be legally paid to the Parties interested, then upon Payment and Consignation thereof, with the Approbation and Warrant of the said Sheriff-Depute or Substitute, into the Royal Bank of *Scotland*, or Bank of *Scotland*, or *British* Linen Company, for the Use of the Parties interested, there to remain till it shall be issued in Manner by this Act directed; and upon Notice of such Payment or Consignation, if the Party or Parties interested have made Appearance in the said Process, by proper Evidence being adduced of the said Payment or Consignation, or if the Party or Parties interested have not made such Appearance, and reside within the County of *Lanark*, then upon such Notice being made to them personally or at their Dwelling-Houses; but if they reside without the said County, then upon such Notice being given at the Dwelling-House of some Tenant or Occupier of the Premises, by a Notary Public and Witnesses; and the Evidence being adduced of the said Payment or Consignation, then and in any of these Cases it shall be lawful for the said Sheriff-Depute or Substitute to decern and adjudge the full Right and Property of the Lands, Houses, Tenements, and other Heritages respectively, to belong to the Magistrates and Town Council of the City of *Glasgow*, for and in Behalf of the Community and Corporation of the said City, as fully and effectually, as if the respective Proprietors had disposed and conveyed, or had resigned the same to and in favour of the said Magistrates and Town Council; and it shall then and not before or otherwise be lawful to and for the said Magistrates and Town Council to enter upon the Premises, and to convert and dispose of the same for the Purposes of this Act.

If Purchase Monies not paid, Verdict not to be binding on the Owners, &c.

XXXVI. Provided always, and be it further enacted, That in case the Sum or Sums of Money so assessed by the said Jury, and ordered and adjudged by the said Sheriff-Depute or Substitute to be paid to the Owners, Occupiers, and others, for their respective Interests in the Premises aforesaid, shall not be paid, tendered, or consigned as herein directed, within

within Six Calendar Months next after the same shall have been so assessed, ordered, and adjudged, then and in such Case the Verdict of the said Jury, and the Order and Adjudication of the Sheriff-Depute, or Substitute, shall not be binding on the said Parties, Owners, Occupiers, and others, but shall continue binding on the said Magistrates and Town Council; any Thing herein to the contrary notwithstanding.

XXXVII. Provided always, and be it further enacted, That in the Event that such Jury shall award a greater Compensation than the said Magistrates and Town Council shall have offered, but less than the Owner or Owners, Occupier or Occupiers shall have required, the Expense of such Jury shall be defrayed and borne by the said Magistrates and Town Council, and the said Owner or Owners, Occupier or Occupiers equally; but in case the said Jury shall award to such Owner or Owners, Occupier or Occupiers, the Sum so required, or any greater Sum, the whole of the said Expense shall be paid by the said Magistrates and Town Council; and, on the other hand, if the said Jury shall award the Sum offered by the said Magistrates and Town Council, or a less Sum, the whole of the said Expense shall be paid by the said Owner or Owners, Occupier or Occupiers: Provided, that in all Cases where any Person or Persons shall, by reason of Absence, or other Incapacity to treat, be prevented from treating with the said Magistrates and Town Council, such Costs and Expenses shall be borne and paid by the said Magistrates and Town Council.

Expenses of Jury.

XXXVIII. Provided always, and be it further enacted, That in case of a Part only of any House, Building, or Tenement, being wanted for making, widening, or extending the said Streets, or any of them, the Proprietors, Life-Renters, and Possessors of such Houses, Buildings, and other Tenements aforesaid shall be entitled, if they so incline, to receive and be paid the full and adequate Value of the Whole of such Houses, Buildings, and other Tenements, and which the said Magistrates and Town Council shall be, and they are hereby obliged to purchase, account for, and pay accordingly, as the same shall be agreed on or determined in case of Difference in the Manner herein directed.

Where only a Part is wanted, Magistrates and Town Council to purchase the whole if required.

XXXIX. And be it enacted, That it shall be lawful for the said Magistrates and Town Council to sell and dispose of, such Part or Parts of the Grounds, Houses, and Tenements as may be purchased by them, and as shall not be wanted for the Purposes of this Act, and to apply the Money arising therefrom towards the Expense of carrying this Act into Execution.

Magistrates and Town Council may re-sell.

XL. Provided always, and be it further enacted, That the said Magistrates and Town Council before they shall sell and dispose of such Ground, Houses, or Tenements, shall first offer to re-sell the same to the Person or Persons from whom they shall have purchased such Ground, Houses, or Tenements, or to the Heirs of such Person or Persons; the Price at which the same shall be re-sold being at the Option of the said Person or Persons, either the Price paid by the said Trustees, or a Price for the same adjusted and settled by a Jury, in like Manner as the Price for any Premises, to be taken in pursuance of this Act, is herein-before directed to be settled, in case of Difference or Dispute as to the

Persons from whom Lands have been purchased shall have the first Offer of Re-purchase.

the Value thereof, and the Costs and Charges of adjusting and settling the same shall be defrayed and borne in like Manner as hereinbefore is directed, with respect to Purchases made by the said Trustees, *mutatis mutandis*; and in case such Person or Persons shall not then and thereupon agree, or shall refuse to re-purchase the same, then and in every such Case, any Affidavit to be made and sworn before One of His Majesty's Justices of the Peace for the County of *Lanark*, by some Person or Persons no way interested in the said Ground, Houses, or Tenements, stating that such Offer was made by or on behalf of the said Magistrates and Town Council, and that such Offer was then and thereupon not agreed to, or was refused by the Person or Persons to whom the same was so offered, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made and not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

Power to  
sell Mate-  
rials, &c. not  
wanted.

XLI. And be it enacted, That after the Purchase of any Houses or Tenements, which may be found necessary for the aforesaid Improvements, the said Magistrates and Town Council shall, and they are hereby authorised and empowered to sell by Public Auction or otherwise, on Payment of an adequate Price, the old Materials of such Houses and Buildings, if any be, as well as the remaining Grounds or Areas along the Line or Course of the aforesaid Streets, and the Price thereof shall be applied to and for the Purposes of this Act, and to no other Use or Purpose whatever.

Application  
of Compen-  
sation when  
exceeding  
200l.

XLII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Ground, Houses, or Tenements purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which are held under Entail, or are subject to Life-rents, Annuities, or other Incumbrances, or shall belong to any Incorporation, Married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds or upwards, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or *British Linen Company*, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Ground, Houses, or Tenements, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorise to be paid, affecting the same Ground, Houses, or Tenements, or affecting other Ground, Houses, Lands, Tenements or Heritages, standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Ground, Houses, Lands, Tenements, or Heritages, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Ground, Houses, or Tenements which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement, shall be existing undetermined and capable of taking Effect; and in the mean Time, and until such Purchase

chase



chase shall be made, the Interest or Annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Ground, Houses, Lands, Tenements, or Heritages, so hereby directed to be purchased, in case such Purchase or Settlement were made.

XLIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Ground, Houses, or Tenements, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases, the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Ground, Houses, or Tenements so purchased, taken, or used, or of his, her, or their Tutors or Curators, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, under the like Direction and Authority, be paid into either of the said Banks, and be placed to his, her, or their Accounts as aforesaid, in order to be applied in manner herein-before directed; or otherwise, the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Magistrates and Town Council (such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties), in order that such principal Money, and the Interest arising thereon, may be applied in manner herein-before directed; so far as the Case may be applicable.

When less than 200l. and exceeding 20l.

XLIV. Provided also, and be it further enacted, That where such Money, so agreed or awarded to be paid as next before-mentioned, shall be or be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Ground, Houses, or Tenements so purchased, taken, or used for the Purposes of this Act, in such manner as the said Magistrates and Town Council shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Tutors and Curators, to and for the Use and Benefit of such Person or Persons so entitled respectively.

When 20l. or less.

XLV. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Ground, Houses or Tenements, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Magistrates and Town Council; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Ground, Houses, or Tenements, be not known or discovered; then, and in every such Case, it shall and may be lawful to and for the said Magistrates and Town Council, to order the said Sum or Sums of Money, so awarded as aforesaid, to be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or *British* Linen Company, to the Credit of the Parties interested in the said Ground, Houses, or Tenements (describing them) subject to the Order,

In case of not making out Titles, &c.

Purchase Money to be paid into the Bank.

Subject to the Order of

the Court of  
Session.

Controul, and Disposition of the Court of Session; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be, and is hereby empowered in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds; and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *Scotland*, or Royal Bank of *Scotland*, or *British* Linen Company, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any  
Question  
shall arise  
touching the  
Rights to such  
Money.

XLVI. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the said Banks in pursuance of this Act, for the Purchase of any Ground, Houses or Tenements, or of any Estate, Right, or Interest in any Ground, Houses or Tenements, to be purchased in pursuance of this Act, or to any Ground, Houses, Lands, Tenements or Heritages, to be purchased with any such Money, or to the Rents or Profits thereof, the Person or Persons who shall have been in Possession of such Ground, Houses or Tenements, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Ground, Houses or Tenements, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court, and the Rents and Profits of the Grounds, Houses, Lands, Tenements and Heritages to be purchased with such Money, and also the Ground, Houses, Lands, Tenements and Heritages so purchased, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court, that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Ground, Houses or Tenements, or to some Estate or Interest therein.

The Court  
may order  
reasonable  
Expenses of  
Purchasers  
to be paid by  
the Magis-  
trates and  
Town Coun-  
cil.

XLVII. Provided always, and be it further enacted, That where, by Reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Ground, Houses or Tenements, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Banks, and to be applied in the Purchase of other Ground, Houses or Tenements, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expenses of such Purchases, or so much thereof as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Magistrates and Town Council.

Notice to  
be given to  
Owners, &c.

XLVIII. Provided also, and be it enacted, That previous Notice shall be given to the Tenants and Occupiers of such Lands, Houses, Tenements and other Heritages, as are to be converted and disposed of as aforesaid, Forty Days at least before the Term of *Whitsunday*, with regard to Houses,  
and

and Forty Days at least before the Term of *Candlemas* with regard to Lands and Garden Grounds, at which the said Tenants or Occupiers are to be removed, by warning them, as is usual and competent or required by the Law of *Scotland*.

XLIX. And be it further enacted, That the Expences incurred in applying for and obtaining this Act, shall be paid and defrayed as follows, that is to say: — One-third Part thereof from the Rates of Conversion of Statute Labour hereinbefore authorised to be levied; One other Third Part thereof from the Duties to be levied in the said Cattle Market; and the Remainder thereof to be paid and defrayed from the common Funds of the said City.

Expences of Act how to be paid.

L. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Thing done in pursuance of this Act, for which no particular Relief has been already provided, it shall and may be lawful to and for such Person or Persons, within Six Calendar Months after the Matter complained of shall be done, but not afterwards, to appeal to the Sheriff-Depute or Sheriff-Substitute, or to the Justices of the Peace of the said County of *Lanark* assembled in their General Quarter Sessions; the Appellant giving the Defender or Defenders Fifteen Days Notice of such Appeal; and the said Sheriffs and Justices are hereby authorised and required to call the Parties before them, and to determine the Matters in Dispute, and their Judgments thereon shall be final and conclusive, without being subject to review by Advocation, Suspension, Reduction, or otherwise howsoever.

Appeal

LI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

Public Act

## SCHEDULE to which this Act refers.

*New Streets running Eastward from Stockwell-Street to King-Street, and from thence Eastward across Saltmarket-Street, to the Molendinar Burn.*

|  |   |
|--|---|
| Lieutenant General Munro.  | Francis Reid, Watchmaker.                                   |
| Heirs of George Oswald, of Scots-town.   | Mrs. Morrison, Broker.                                      |
| Robert Robertson, Cooper.  | Mrs. Gemmil.  |
| James Paton, Weaver.   | Mrs. Downie, Residenter.                                    |
| James Craig, Hosier.   | Heirs of John Buchanan, late Spirit Dealer.                 |
| John Thompson, Merchant.   | Henry Wardrop, late Coppersmith.                            |
| The Secretary for the Glasgow Gas Company.                                     | Miss M'Arthur.  |
| William Scott, Manufacturer.   | George Brown, of Capelrig.                                  |
| James Baird, Painter.  | Bazil Ronald, late Glover.                                  |
| The Trustees for the Widow and Representatives of the deceased Robert Barbour. | ——— Warren, Son of the late Alexander Warren.               |
| James Watson, Manufacturer.  | John Green, Broker.   |
| Mrs. Brown and the Misses Watson, Residenters.                                 | James Parker, Baker.  |
| David Kier, Vintner.   | Robert Miller, Spirit Dealer.                               |
| The Heirs of Alexander Stewart.  | Heirs of the Rev. D. M'Naught.                              |
| James Douglas, Slater.   | Jacob Ewing, Smith.   |
| The Corporation of Glasgow.  | The Heirs of —— Park, late Farmer in Kilbride.              |
| David M'Haffie, Merchant.  | John Thompson, Chandler.                                    |
| Robert Shiells, Tobacconist.   | William Reid.   |
| Mrs. Paul, Residenter.   | The Trustees of the Statute Labour for the City of Glasgow. |

*New Street to be made from Great Hamilton-Street, or Monteith Row, Westward, and terminating at or near the Cross.*

|   |                   |
|---|-------------------|
| Walter Stewart.                           | William Newlands. |
| William Steele.                           | Robert Tannahill. |
| Miss Greig.                               | William Campbell. |
| Mrs. Richard Allan.                       | James Campbell.   |
| Andrew M'Gilchrist.                       | John M'Lauchlan.  |
| John Urquhart for William Orhart's Heirs. | Miss Robertson.   |
|   | John M'Farlane.   |

- Misses Neilson.  
 James Black, for the Heirs and Representatives of the deceased Thomas Chalmers.  
 Thomas Muir.  
 James Wright.  
 Thomas Ferrie.  
 James Ferrie.  
 Robert Steven.  
 James Peat, Tanner in Glasgow, for himself and the other Representatives of the deceased James Peat, Tanner in Glasgow.  
 Peter Aitken.  
 George Lyon for the Heirs of John Horn.  
 William Taylor for the Heirs of John Taylor.  
 John Swanston.  
 James Davidson.  
 Francis Murray.  
 — Paul.  
 Miss Mary Black.  
 Thomas Cameron.  
 William M'Ewan.  
 Miss Isobel Lang.  
 Mrs. Gillespie for the Heirs of — Gillespie.  
 David Donald.  
 Walter M'Farlane.  
 Thomas Burn.  
 Heirs of James Baird.  
 William Hunter.  
 James Campbell, Saint Andrew Lane.  
 — Stewart of Carfine.  
 Thomas Burn.  
 Mrs. Niven for the Heirs of David Niven.  
 John Hall, Spirit Dealer, Trustee for — M'Lean.  
 William Anderson.  
 William Smith.  
 A. Livingstone.  
 Heirs of — Maxwell Cumming.  
 Heirs of John Donaldson.  
 David Mathie.  
 Archibald Turner.  
 William Tailor.  
 Alexander Muirhead.  
 Michael Gilfillan.  
 William Croom.  
 Alexander Sword.  
 George Balbirnie.  
 William Mitchell.  
 George Pinkerton.  
 Walter Buchanan.  
 Peter Peterson.  
 John Sommerville.  
 John Sorley, senior.  
 Moses M'Culloch.  
 Adam Bald.  
 William Auld.  
 Duncan Kennedy, Trustee on Charles Walker's Estate.  
 James Lockhart Spencer.  
 Charles Walker.  
 Andrew Templeton.  
 James Cleland, Esq. for the Heirs of Alexander Stewart.  
 Henry Monteith, Esq.  
 — Grahame, Deacon of the Incorporation of Wrights.  
 David M'Haffie.  
 Andrew Campbell.  
 Mrs. Graham.  
 William Aird.  
 James Young.  
 Misses Blair.  
 Mrs. Lawson and — Lawson her Husband.  
 William Grahame.  
 Robert Tailor.  
 John M'Intosh, Trustee on Herbertson's estate.  
 — Herbertson.  
 James Grahame.  
 Francis Garden, Trustee on Mr. Grahame's Estate.  
 John Wilson, Wire-worker, and Margaret Sommerville, his Wife.  
 — Barr, for the Heirs of Barr.  
 — Lightbody, for the Heirs of Lightbody.  
 James Alexander.  
 William Gilmour.  
 Richard H. Morris.  
 James Andrew.  
 John Anderson.  
 William Ferguson.  
 Joshua Campbell.  
 Andrew Crichton.  
 — Kinnieburgh, Wife of — Scott, and the said — Scott.

[Local.]

|   |   |
|---|---|
| — Kinneburgh, Wife of —<br>Shirra, and the said — Shirra. | James Ballantine, Esq. for himself,<br>and the other Trustees of —<br>Ballantine.                               |
| James Buchanan.   | Donald Cuthbertson, for the Heirs<br>of the late David Dale, and also<br>for the Trustees of — Ballan-<br>tine. |
| Robert Simpson.   | James M'Ruer, Preses of the Gra-<br>hame Society.   |
| — Austin.   | Rev. Dr. John Lockhart.   |
| William Wilson.   | George Rutherford for the Heirs<br>of David Black.  |
| Duncan Carmichael.  | Doctor Baird.   |
| Robert Boyd.  | John M'Intyre.  |
| Major James M'Allister.                                   |   |
| Andrew White.   |   |
| James Campbell of Petershill.                             |   |
| Miss Burnside.  |   |
| John Burnside, Surgeon.                                   |   |
| John Ballantine.  |   |

*New Street running Westward from the Barrack-Yard, on the North of the  
Gallow-Gate, and terminating at or near the Cross.*

|                         |                          |
|-------------------------|--------------------------|
| William Newlands.       | Robert Taylor.           |
| John Sorley, junior.    | James Jackson.           |
| Joseph Bain.            | James Kerr.              |
| James Hamilton.         | George Brown's Heirs.    |
| Michael Gilfillan.      | James Melvin.            |
| Alexander Muirhead.     | Peter M'Garvie's Heirs.  |
| James Crum.             | Mrs. Mary Russell.       |
| James Kirkland.         | George Morrison.         |
| George Scott.           | Robert Whites Heirs.     |
| David M'Haffie.         | Mr. — Kindlay.           |
| James Peat.             | Miss Muir.               |
| James Andrew.           | Alexander Govan.         |
| Thomas Logan.           | Mrs. Dun.                |
| James Morrison's Heirs. | William Buchanan.        |
| Adam Crawford.          | Alexander Neilson.       |
| Shoemakers Corporation. | Robert Jarvie.           |
| Andrew M'Gilchrist.     | William Brisband.        |
| Dr. Nisbet.             | Mrs. Morton's Heirs.     |
| Robert Provand's Heirs. | James Mossman.           |
| John Taylor's Heirs.    | David Gilmour.           |
| James Wright.           | Archibald Cameron.       |
| Alexander Peterkin.     | John Gentle.             |
| Slater Company.         | James Lyon.              |
| William Watson.         | John Gardner's Heirs.    |
| Edward Collins.         | John Steven.             |
| James Sword.            | Walter Graham's Heirs.   |
| Thomas Cameron.         | Mrs. Katharine Wylie.    |
| John Reid.              | Miss Margaret Coats.     |
| John Alexander.         | John Livingston's Heirs. |
| William Watson.         | John Walker's Heirs.     |
| Peter Paterson.         | James Bennet.            |
| John Stevenson.         | Mrs. Sorraick.           |
| William Anderson.       | Burgher Congregation.    |

Michael Miller.  
 Jean Bogle.  
 Relief Congregation.  
 George Lyon.  
 William Kidston.  
 Walter Hamilton.  
 John Moffats Heirs.  
 John Carmichael.  
 John Baird.  
 Porteous Campbell.  
 Thomas Muir.  
 Glasgow College.  
 Andrew Crawford.  
 Robert Frame.  
 Robert Aitken.  
 Mrs. James Milliken.  
 Messrs. Pott and M<sup>c</sup>Millan.  
 John Manners.  
 Robert M<sup>c</sup>Culloch.  
 Archibald Sinclair.  
 Rev. William Haldane.

Elizabeth Knox.  
 John M<sup>c</sup>Intyre.  
 James Baird.  
 William Lang.  
 John M<sup>c</sup>Indoe.  
 James Burns.  
 James Ure's Heirs.  
 James Gardner.  
 Miss Austin.  
 John King.  
 Margaret Scotland.  
 Robert Galloway, junior.  
 Mrs. William Graham.  
 William Craig.  
 James Douglas.  
 Mrs. Daniel Brodie.  
 Daniel Brodie.  
 Gabriel Watson's Heirs.  
 Robert Aitken.  
 William Miller.  
 Robert Allan.

*The Tenements bounded by the Salt-Market, Molendinar Burn, Market-Lane, and Bridge-Gate.*

Andrew Stewart, Spirit-dealer.  
 Corporation of Glasgow.  
 John Howie, Skinner.  
 James Brownlee, Messenger.  
 Robert Wood, Merchant.  
 The Heirs of John Smith, Watch-maker.  
 James Van, Grocer.

John M<sup>c</sup>Kellar, Smith.  
 Alexander Douglas, Smith.  
 Adam Wright, late Tin-smith.  
 The Representatives of Claud Marshall, late Writer.  
 James Robertson, Broker.  
 William Clark, Manufacturer.  
 James Baird, Painter.

