



ANNO TRICESIMO NONO & QUADRAGESIMO

# GEORGI III. REGIS.

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## Cap. II.

An Act for opening and making Two new Streets in  
the City of *Aberdeen*. [4th April 1800.]

**W**HEREAS the principal Avenues to the central Parts of the Preamble:  
City of *Aberdeen*, from the South and North, by the Bridges  
of *Dee* and *Don*, are narrow, indirect, and incommodious;  
and the Increase of the Inhabitants of the said City; and Demand for  
Houses and other Buildings, render it expedient to open certain new  
Streets and Passages; and by the Direction of the Magistrates of the said  
City, Surveys have lately been made, and Plans formed for Two new  
Streets, with Areas on each Side thereof, intended for new Buildings to  
occupy the Property herein-after described, which will be attended with  
great Utility and Advantage to the Publick in general, and to the said City  
and its Inhabitants in particular; but as this Design cannot be accomplish-  
ed without the Authority of Parliament; May it 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 Magistrates and other Members of  
the Town Council of the City of *Aberdeen* for the Time being, the Mem-  
bers in Parliament for the Town and County of *Aberdeen*; the Principal  
of the Marischal College of *Aberdeen*, the President of the Society of Ad-  
vocates in *Aberdeen*, the Conveener of the Incorporated Trades, and the  
President of the Society of Shipmasters of *Aberdeen*, all for the Time being,  
[Loc. & Per.] 3 C shall

Trustees appointed to open and make Two new Streets.

shall be, and they are hereby appointed Trustees for executing this Act Seven of whom are hereby declared to be in all Cases a Quorum; and the said Trustees shall be and hereby are authorized and empowered, from and after the passing of this Act, by themselves or their Deputies, Agents, Workmen, Servants, and others, to be employed by them, but upon the Terms and Conditions herein-after mentioned, to open and make Two new Streets or Avenues, the One from the South-west Part of the Town of *Aberdeen*, beginning at a Foot-path or Lane, leading from the Entry of the *Dambead* Road, towards the Chapel of Ease, and to be carried from thence Eastward, nearly in a straight Line along the Grounds on the North Side of the *Windmillbrae* across the *Denburn*, and the *Back*, and *Correction Wynds*, and through *St. Catherine's Hill*, and the *Narrow Wynd*, until it join the West End of the *Castle Street* or Market Place of the said City; and the other beginning at the South Side of a Foot Road or Lane adjacent to and upon the East Side of the High Road leading to *Old Aberdeen*, called *Love Lane*, and to be carried from thence nearly in a straight Line South, through the neighbouring Grounds by the Town's Meal Market and *North Street*, until it enter the North Side of the *Castle Street*, or as near to the said several Lines of Direction as conveniently may be.

Power to treat with Proprietors, etc.

II. And be it further enacted, That the said Trustees, or Quorum of them, shall have full Power and Authority, and they are hereby empowered and authorized to treat and agree with the several Owners, Occupiers, Liferenters, Lessees, and all others interested, for the Purchase of such Lands, Houses, Tenements, Leases, and Hereditaments, as may be necessary for the making and completing the said Two new Streets or Avenues, in the Direction before described, or either of them, and Areas on each Side thereof, not exceeding in whole One hundred and sixty Feet in Breadth whereof Sixty Feet is to be appropriated for the Street, and Fifty Feet on each Side thereof for Areas; particularly with *George Walker* in *Bents of Skene*; *George Bartlet* Farmer at *Springfield*; *William Troup* in *Middletown of Pitfodels*; *William Troup junior*, *Salmon Fisher* in *Aberdeen*; the Principal and Professors of *Marischal College*; the Incorporation of Weavers in *Aberdeen*; the Society of Shipmasters there; *Alexander Duncan* Farmer in *Brae of Pitfodels*; the Incorporation of Hammermen in *Aberdeen*; *Christian Clark*, or *Mistress Gordon*, in *Windmillbrae of Aberdeen*; *Alexander Henry Feuer* there; *Widow Innes* there; *John Jameson Taylor* there; *George Duncan* Mealseller there; the Master or Managers of the Trades Hospital of *Aberdeen*; the Master of Kirk and Bridge Works of the Burgh of *Aberdeen*; Master *William Robertson* Preacher of the Gospel there; the Heirs and Widow of *James Young* Merchant there; *Miss Falconer* Residenter there; *William Stevenson* Weaver there; *John Mackie* Maltster there; *George Watson* Barber there; *Robert Spark* Merchant there; *William Strachan* Baker there, of *Belmontstreet* Society for Church and Ground adjoining; *James Gillespie* Stabler there; *Alexander* or *Robert Walker* and Company, Manufacturers there; *James Gibb* Merchant at *Bridge of Dee*; *John Stewart* Stabler in *Aberdeen*; *Robert Irvine* Stabler there; *Thomas Davidson* Weaver there; *Thomas McCombie* Merchant there; the *Banchory* Farming Society; *William Duguid* Merchant in *Aberdeen*, or the Heirs of *Alexander Leslie*, some Time Merchant there; *Miss Malcolm* Residenter there, or the Heirs of *John Malcolm* Merchant there; the Heirs of *Alexander Petrie* Shipmaster

Names of Heritors, etc. South Entry.

master there, or *Alexander Smith* junior, Merchant there, their Agent or Attorney; the Heirs of *James Craig* late Salmon Fisher in *Brae of Pitfodells*; *Alexander Rbind* Merchant in *Aberdeen*; the Heirs of *Lewis Menzies* Stabler, or *Robert Simmie* Reedmaker there; *Andrew Murrain* Mason there; *Andrew Ferguson* Druggist there; Miss *Farquhar* Residenter there, or the Heirs of Master *Farquhar* late Minister of Chapel of *Garioch*; *Alexander Cadenhead* Gardener in *Aberdeen*; *John Cadenhead* Gardener in *Hardgate*; Miss *Bisset* of *Lessendrum*, Residenter in *Aberdeen*; Baillie *William Ritchie* of *Technuiry*; *Robert Skinie* Soapmaker in *Aberdeen*; *George Gibb* Cooper there; *John Davidson* Merchant there; the Heirs or Widow of *John Annand* late Dancing Master there; the Heirs of *Robert Burnett* Measeller there; *William Kennedy* Advocate there; *James Strachan* Wright there; *Alexander Chalmers* Wright there; *Leys, Masson, and Company*, Manufacturers there; Mistress *Bruce* Residenter there; *John Sligo* Merchant in *Leith*, or *James Gordon* Goldsmith in *Aberdeen*, his Factor or Agent; *John Jameson* Merchant in *Aberdeen*; the Trustees of the deceased *John Harrow* Barber in *Aberdeen*, or the said *William Kennedy* their Factor or Attorney; *William Barclay* Dyer in *Aberdeen*; *James Elmslie* Mason in *Midmar*, or *John Davidson* Advocate in *Aberdeen*, his Agent or Attorney; *William Cruickshank* Merchant in *Aberdeen*; *Isaac Robertson* Schoolmaster there; *William Taws* Stabler there; *Patrick Milne* Esquire of *Crimonmogate*; *Robert Ogg* Wright in *Aberdeen*; *John Davidson* Advocate there; the Kirk Session of *New Aberdeen*; *Hary Lumsden* Advocate there; *Thomas Burnett* Advocate there; Mrs. *Magdalen Fraser*, Widow of *Thomas Fraser* of *Findrack*, Merchant there; *James Massie* Wright there; Baillie *Andrew Burnett* of *Busbybank*; the Treasurer of the Burgh of *Aberdeen*; Doctor *Andrew Henderson* Physician there; Conveener *John Low* Taylor there; *William Cruden* Esquire, late Provost of *Aberdeen*; the Heirs or Widow of *William Cusnie* late Merchant there; *George Moir* Vintner there; *Archibald Reid* Baker there; *Middleton Gordon* Merchant there; Mistress *Leys* of *Glasgoforest*; the Heirs of *Alexander Dyce* youngest, late Merchant in *Aberdeen*, or the said *John Davidson* Advocate, their Agent or Attorney; Mistress *Aberdeen* and Mistress *Efslemont* residing at *Newbills* near *Aberdeen*; the Heirs or Widow of *Alexander Garden* late Merchant in *Aberdeen*; the Widow of *John Bruce* senior, Merchant there; *John Bruce* junior, Merchant there; the Heirs of Baillie *Peter Cusnie* late Merchant there; Miss *Flemings* residing there; *John Craigg* Esquire Advocate there; *William Duguid* Merchant there; *Alexander Cheyne* Merchant there; *William Dun* Merchant there; *Alexander Martin* Flether there; the Heirs or Widow of *John Forsyth* late Farmer in *Rubislaw*; *Alexander Yates* Stationer in *London*, or *William Yates* Carpenter in *Aberdeen* his Agent or Attorney, or *Hugh Hutcheon* Advocate in *Aberdeen*; the Heirs or Widow of *John Morice* Baker in *Aberdeen*; and the Dean of Guild and Master of Mortifications of the Burgh of *Aberdeen*, who are all the Heritors, Occupiers, or Life-renters at present known or discovered, of Lands, Houses, or other Hereditaments intended to be occupied by the said *South Street* or Avenue and Building Areas along the same: And also with *Alexander Moir* Esquire of *Scotstown*; the Incorporation of Taylors in *Aberdeen*; the Society of Advocates there; the said Society of Shipmasters there; the Incorporation of Wrights and Coopers there; the Principal and Professors of the said *Marischal College* there; *George Bartlet* Farmer at *Springfield*; *James Bartlet* Merchant in *Aberdeen*; the Master and Managers of the said Trades Hospital of *Aberdeen*;

Names of Heritors, etc.  
North Entry.

deen; Mistres Greig and Miss Strachan Residenters, or the Heirs of James Strachan late Merchant in Aberdeen; George Sim Merchant there; Charles Symmers Gardener there; Alexander Symmers Gardener there; the Principal and Professors of King's College Old Aberdeen; the Heirs of William Leonard Taylor, or Alexander Kilob Wright, in Aberdeen; the Treasurer of the said Burgh of Aberdeen; the Society of Operative Masons there; Janet Simpson Widow of Alexander Duffus, late Butcher, or Alexander Crombie Advocate there, her Agent or Attorney; the Heirs of Thomas Ritchie late Messenger in Aberdeen, or David Hutcheon Advocate there, their Agent or Attorney; Alexander Garrioch Merchant there; John Davie Wood Sawyer there; the Heirs of John Collie Gardener there; Alexander Shireffs Advocate there; Mistres John Davidson of Jamaica, or William Kennedy Advocate in Aberdeen, her Agent or Attorney; Mistres James Simpson Residenter in Aberdeen, or James Simpson residing in Leith, her Husband; Alexander Scott Writer in Aberdeen; the Heirs or Widow of William Duncan Corkcutter there; the Heirs of Conveener John Tower Cooper there; the Heirs of George Watson Butcher there; John Morice Wright at Woodside; Miss Neilson or the Heirs of William Neilson Butcher in Aberdeen; Andrew Murrain Mason there; James Farquhar Shoemaker there; the Society of True Blue Gardeners there; William Naughton Maltster there; William Milne Farmer at Fraserfield; William Thomson Ship-carpenter in Aberdeen; Widow Clark Residenter there; William Strachan Baker there; William Watt Shopkeeper there; Kennedy Clark Baker in Banff, or William Watt Shoemaker in Aberdeen, his Agent; Stephen Masson Merchant in Aberdeen; the Dean of Guild, and Treasurer of Aberdeen; who are all the Heritors, Occupiers, or Liferenters at present known or discovered of Lands and Hereditaments intended to be occupied by the said North Street or Avenue and building Areas along the same; or with the Heirs and Disponees of all or any of the aforesaid Persons; and with any other Person or Persons, Body or Bodies Corporate, who are or may be Proprietors, Liferenters, Occupiers, or Lessees of any of the said Lands, Tenements, or Hereditaments, or with the Owners, Liferenters, or Occupiers of any other Lands, Tenements, or Hereditaments, which may be found necessary in the making out the said intended two new Streets or Avenues before described, and the Areas on each Side thereof to be occupied thereby, in the Lines or Directions before-mentioned to the Extent before and after specified.

Misnomers  
not to afford  
Objections.

III. Provided always, That although any of the Heritors, Occupiers, or Liferenters of any of the said Lands, Tenements, and other Hereditaments, shall, through Misinformation, have been wrong named or described, it shall not afford any Ground or Pretence for the said Heritors, or others interested, or any of them, for objecting to, or interrupting the Execution of the said Works under this present Act.

Trustees to  
intimate to  
Heritors,  
Acceptance of  
Property  
before 31st  
Dec. 1800

IV. Provided also, and be it enacted, That the said Trustees shall be obliged, on or before the Thirty-first Day of December One thousand eight hundred, to give Notice by Advertisement, to be inserted in the Newspaper called *The Aberdeen Journal*, and in one of the Newspapers published at *Edinburgh*, to the several Heritors and Liferenters of the said Lands, Tenements, and other Hereditaments, whose Properties are intended to be taken and purchased for the Purposes of this present Act, describing such Properties, and the Owners thereof, and others interested therein,

in as far as known; otherwise this Act shall be no longer binding upon the said Heritors and Life-renters; and after such Notice and Advertisement, it shall be in the Power of the said Heritors and Liferenters severally; if so inclined, to compel the Trustees to proceed and complete the Purchase of such Lands, Tenements, and Heritages, in the Terms and upon the Conditions of this Act.

V. And be it further enacted, That it shall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, Minors, Ideots, furious or other Persons, and to and for all and every other Person or Persons whomsoever, who are or shall be seised, possessed of, or interested in any of the said Lands, Houses, Tenements, or other Hereditaments, to sell and convey to the said Trustees, all or any such Lands, Houses, Tenements, or other Hereditaments, or any Part thereof, and all their Right to and Interest in the same, for the Purposes aforesaid; and that all Contracts, Agreements, Sales, or other Conveyances so made, shall be valid to all Intents and Purposes, any Law, Statute, or Usage, to the 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 or in pursuance of this Act.

Power to  
Minors, etc.  
to sell and  
convey.

VI. Provided always, and be it enacted, That in case no Agreement shall be concluded between the said Trustees and the said Heritors, Liferenters, or Lessees, or any of them, either by the Heritors and others interested, refusing or neglecting to treat and agree, or to accept of the Value and Price offered to them by the said Trustees, within Ten Days after being required under Form of Instrument so to do, or from the said Persons interested being under Incapacity or unknown, then it shall be competent to the Sheriff Depute of the County of *Aberdeen* for the Time being, or his Substitute, upon Application being made to him by the said Trustees, to name and appoint Seven skilful and indifferent Persons, who, after being sworn by the said Sheriff faithfully to discharge their Duty, shall have full Power and Authority, and they are hereby empowered and required to value and appretiate the several Properties, one or more specified in such Application, within Two Calendar Months after their being so appointed, and their Decision and Determination therein shall be final and obligatory on all the Parties concerned: Provided nevertheless, that it shall be optional to any Heritor, Liferenter, Lessee, or other Person interested, either to allow the Appretiation to be made as aforesaid, or (within Six Days after the Nomination of Appretiators by the Sheriff is intimated to him or her) to name one Arbitrer for him or herself, who, along with another Arbitrer whom the said Trustees shall be obliged to name within Six Days after being required so to do, shall have full Power, and they are hereby empowered to ascertain and determine the Value and Price to be paid to the Heritor or other Party Submitter, for his or her Property, within One Month after they are named; and that such Arbitrers, in case of differing in Opinion between themselves, shall have full Power and be obliged, within Ten Days after such Difference is declared, to name an Overman or Umpire with the like Powers as themselves, to be continued during Fourteen

In case of  
Owners, etc.  
refusing to sell  
and convey,  
Appretiators  
to be appointed.

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Days

Days after he is so named, and within which Time he shall be obliged to determine.

In case of Arbiters failing to nominate an Overseer, or the Overseer refusing to act, the Sheriff Depute to nominate Two Valuers.

VII. And be it further enacted, That in case of the said Arbiters failing to determine or to name an Overseer, or of the Overseer named declining to accept and act within the respective Times before limited; in either of these Events it shall be competent to and in the Power of the said Sheriff Depute, or his Substitute, and he is hereby empowered and required, upon Application of the said Trustees, to nominate and appoint Three skilful and indifferent Persons for ascertaining and determining upon Oath, by the Decision of all or any Two of such Persons, the Value to be paid to the Heritor or Heritors, or other Party Submitters, for their Property or Interest, and which last Decisions and Determinations shall also be final and binding upon all the Parties concerned; Notice in Writing being always given to the Person or Persons interested, if they can be discovered, at least Ten Days before the Time of such Valuation or Assessment, either by the Valuers or Arbiters to be named by the Sheriff, or the Parties themselves, intimating the Time and Place of the Meeting of the Valuers; by delivering such Notice to such Person or Persons personally, or by leaving the same at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of the said Lands, Tenements, or other Hereditaments intended to be valued, in case such Party cannot otherwise be found out, to be served with such Notice; and all which Decisions and Determinations to be made and pronounced either by the Appraisers to be named by the Sheriff or the Arbiters named by the Parties themselves, or the Overseer, after being duly authenticated, shall be entered in the Records of the Sheriff Court of *Aberdeen*, and the same, or Copies thereof, signed by the Clerk of Court, shall be deemed and taken as good and lawful Evidence in all Courts of Law and Equity whatever.

Trustees not to dispossess Heritors till it is necessary.

VIII. Provided nevertheless, That it shall not be lawful to or in the Power of the said Trustees to compel any Proprietor of Houses or Heritages in the Line of the said Streets, or within the proposed Areas intended to be built upon, to sell or dispose of the same, by Valuation or otherwise, as hereby directed, for the Purpose or with a View of the said Trustees again selling or disposing of such Houses or Heritages, as they formerly stood, but only for the Purpose of taking down the same, and disposing of or using the Ground and Areas for the Purposes of this Act; nor shall it be lawful to the said Trustees to enter upon the Premises, or to dispossess the Proprietors, Occupiers, or Lessees for the Time, of any Part, of the said Houses, Tenements, or other Hereditaments, at any Time sooner than it shall become necessary to use and employ the same for the Purpose of opening and making either of the said intended new Streets, or the Execution of the Plans of building on the Areas on each Side thereof; and particularly that it shall not be in the Power of the said Trustees to sell or dispose of any of the said Houses, Tenements, or other Hereditaments, or to cause any Part thereof to be taken down or removed, except for the Execution of the Purposes of this Act only; but such Proprietors, after their Acceptance and Receipt of the agreed or awarded Price of their respective Properties, shall be liable and obliged, during their Possession thereof, to pay to the said Trustees such reasonable Rent or annual Consideration for the same, as shall be agreed on between them and the said Trustees,

Trustees, or as shall be fixed by the Arbiters who previously determined the Value and Price to be paid therefor.

IX. And be it further enacted, That if any of the Owners, Proprietors, and Lessees of the said Lands, Houses, Tenements, or other Hereditaments, upon legal Tender made to him, her, or them respectively, either personally or at their Dwelling Houses, if residing within the City of *Aberdeen*, or if residing without the said City, made at the Dwelling House of some Tenant or Occupier of the Premises, shall refuse or neglect to accept of such offered Price, or if the Party or Parties interested shall not be able to make out a good Title to the Premises, to the Satisfaction of the said Sheriff Depute, or that the Subjects are encumbered or entailed, so that the Price of the same cannot be safely and legally paid to the Parties immediately interested; in any of these Events the said Trustees are and shall be authorized to make Payment and Consignation thereof, with the Approbation and Warrant of the said Sheriff Depute, or his Substitute, into the Bank of *Scotland*, or the Royal Bank of *Scotland*, for the Use and Behoof of the Parties truly interested; and upon Evidence being given of such Payment or Consignation in the respective Cases aforesaid, it shall be lawful to the said Sheriff, and he is hereby authorized and required, on Application of the said Trustees, to discern and adjudge the full Right and Property of the said Lands, Houses, Tenements, Leases, and other Hereditaments, respectively to belong to the said Trustees, as fully and freely as if the respective Proprietors and others interested therein had disposed and conveyed, or had resigned the same to and in Favour of the said Trustees and their forefairs; and it shall then, and not before or otherwise, be lawful to and for the said Trustees to enter upon the Premises, and to convert and dispose of the same for the Purposes of this Act.

In case of Refusal the Money to be consigned.

X. And be it enacted, That in case the Lands, Tenements, or other Hereditaments, taken or used for the Purposes of this Act, are held under Entail, or are subject to Liferents, Annuities, Jointures, or other Incumbrances, or shall belong to any Corporation, married Woman, Infant, Lunatic, or Person or Persons under any other Disability or Incapacity, the Purchase Money or Recompence to be paid for the same, if not exceeding Twenty Pounds Sterling, shall be paid to or for the Use of the Person or Persons then entitled to the Rents and Profits of the Lands, Tenements, Houses, or other Hereditaments, so taken or used for his, her, or their own Use or Benefit, but the said Purchase Money or Recompence, if exceeding the Sum of Twenty Pounds Sterling, shall be laid out and invested by the Authority, and under the Direction of the Court of Session, in the Purchase of other Lands, Tenements, Houses, or other Hereditaments of the like Nature, and the Rights, Titles, and Securities thereof shall be devised and taken to the same Person or Persons, and to the same Series of Heirs, and for the Benefit of the same Person or Persons, and for the same Uses and Purposes, and under the same Conditions, Provisions, and Limitations, as are mentioned and contained in the Title Deeds of the Lands, Tenements, Houses, and other Hereditaments, taken or used for the Purposes of this Act, or such of them as shall be then existing and capable of taking Effect; and in the meantime until such Purchase can be made, such Money shall, under the Direction and by the Authority of the Court of Session, be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, at the highest Rate of Interest that can be obtained for the same; and

Re-investing Purchase Money of Lands.

and such Interest arising upon all Sums that shall exceed Twenty Pounds, and shall not amount to One hundred Pounds, shall go and be applied to or for the Use of the respective Person or Persons who would be entitled to the Rents and Profits of the Lands, Tenements, Houses, or other Hereditaments, so to be purchased with such Money, in case such Purchase had actually been made and completed; but if the Money so paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, as aforesaid, shall amount to One hundred Pounds, or more, then and in that Case the Interest arising thereon shall annually be accumulated and added to the principal Sum itself, to carry Interest together, until a proper Purchase or Purchases shall be found, and shall be approved of by the said Court of Session; and it shall be lawful to and for the said Court, to make such Order or Orders, in a summary Way, touching the Payment or Application of the Monies so to be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, and the Interest that from Time to Time may arise thereon, as the said Court shall think fit.

Liferenters  
to be secured  
in 5<sup>l.</sup> per  
Cent.

XI. And be it further enacted, That in case any Tenement, House, Land, or other Hereditament, shall happen to be liferented by any Person, and shall be valued at a Price which, at the Rate of Five Pounds *per Centum per Annum*, will not yield an Interest equal to the Annuity which such Liferenter received from the Subject liferented, at a Medium of Three preceding Years, the said Trustees shall be obliged to give sufficient Security to make up to the Liferenter annually, during his or her Life, the Deficiency or Difference betwixt the said Interest and Annuity; and that in case the Liferenter and Fiar of such Subject shall not both concur in receiving and discharging the Price or adjudged Value thereof, the said Trustees in that Event shall be obliged (if the Parties desire it) to keep the said Price during the Life of the Liferenter, and to pay at the Rate of Five Pounds *per Centum per Annum* of Interest, to be applied in Part of the Liferent Annuity.

In case of the  
awarded Price  
not being  
paid, the  
Award to be  
null and void.

XII. Provided always, and be it further enacted, That in case the Sum or Sums of Money awarded by the said Valuator or Arbiters, in Manner above directed, to be paid to the Owners, Occupiers, Liferenters, and others interested, for their respective Interests in the Premises aforesaid, shall not be paid, tendered, or consigned, as herein-before directed, within Six Calendar Months next after the same shall have been so awarded, then and in such Case the Award and Determination of the said Arbiters, and the Order and Adjudication of the said Sheriff thereupon, shall not be binding on the said Parties, the Owners, Occupiers, and others interested in the Premises, but the same shall continue binding on the said Trustees; any Thing herein contained to the contrary notwithstanding.

On Payment  
of the agreed  
Prices, the  
Trustees at  
Liberty to  
pull down  
Houses, &c.

XIII. And be it enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, after making Payment of such Sum or Sums of Money as shall be agreed on between them and the said Owners and Occupiers, or other Persons interested therein respectively, or adjudged or awarded as aforesaid, for the Purchase of the said Lands, Houses, Tenements, and other Hereditaments, Tacks or Leases, or after Consignation thereof in the Cases aforesaid, to order the said Houses, Tenements, and other Buildings, to



be taken down, and the Areas to be cleared, and otherwise to use the Property so acquired, as shall be thought proper and necessary, by the said Trustees, for the Purposes of this Act.

XIV. And be it also enacted, That after the Purchase of any such Tenements, Houses, Lands, and other Hereditaments, as shall be found necessary for the Execution and completing of the said new Streets or Avenues, and the Areas on each Side thereof, the said Trustees shall be, and they are hereby authorized and empowered to sell by publick Auction, for an adequate Price, the Materials of all such Houses and Buildings, and also the remaining Ground or building Areas along each Side of the said intended new Streets, for Payment either of a reasonable Price, or annual Feu-duty; and that they shall be obliged to account for and apply both the Purchase Money and annual Feu-duties thereof to and for the Purposes of this Act, and none other; and that they are and shall be authorized and empowered to pay the Purchase Money or adjudged Value of the said Lands, Tenements, and other Hereditaments, Tacks or Leases, out of such Sums of Money as they may raise by voluntary Subscriptions, or out of such other Sums as shall be raised and received by them, in way of Loan or otherwise, for the Purposes of this Act.

Trustees to sell Materials of old Houses, and to feu or sell Areas for new Houses.

XV. Provided also, and be it enacted, That previous Notice shall be given by the said Trustees to the Tenants and Occupiers of all such Lands, Tenements, Houses, Leases, and other Hereditaments, as are to be so converted and disposed of for the Purposes aforesaid, Three Months at least before the Term of *Whitsunday*, at which the said Tenants or Occupiers are to be removed therefrom, by affixing a Notice in Writing to that Effect upon the most patent Door of such Houses, Tenements, and other Hereditaments, or by delivering such Notice to the principal Occupiers thereof.

Notice to be given to Tenants to remove.

XVI. And be it further enacted, That in the Event of either of the said new Streets, or Areas on each Side thereof, cutting through and taking off only a Part of any of the Houses or Buildings that may be standing thereon, or of the Gardens, Courts, or other Grounds, occupied thereby, the Proprietors, Liferenters, and Possessors of such Houses, Buildings, and other Hereditaments aforesaid, shall be entitled (if they so incline) to receive and be paid the full and adequate Value of the Whole of such Buildings, Houses, and other Hereditaments; and which the said Trustees shall be, and are hereby obliged to purchase, account for, and pay accordingly, as the same shall be determined, in the Manner before directed.

If Part only of a Property is taken, an adequate Value to be given for the Whole.

XVII. And be it further enacted, That all the Meetings of the said Trustees shall be held within the Town House of the said City, and that they shall have Four quarterly stated general Meetings during the Year, in the same Place; *videlicet*, upon the First *Tuesday* of *June*, the First *Tuesday* of *September*, the First *Tuesday* of *December*, and the First *Tuesday* of *March* annually, at Twelve of the Clock at Noon, for putting this Act and the Powers hereby committed to the said Trustees in Execution, beginning the First of the said quarterly Meetings upon the First *Tuesday* of *June* in the Year One thousand eight hundred; and that at all Meetings of the said Trustees, the Provost, or other Person acting as Chief Magistrate

Meetings of the Trustees.

[Loc. & Per.]

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trate of the said City for the Time; shall preside, and in case of an Equality of Votes in any Question that may come before the said Trustees, shall have a casting or decisive Voice therein, as well as a deliberative one; and that their Præsides shall cause the Whole of the said Trustees to be summoned to attend the said quarterly Meetings, by written or printed Notices, to be given to them personally, or left at their Dwelling Houses (if residing within the said City) at least Twenty-four Hours previous to the Time of the said Meetings, with full Power also to the said Trustees to nominate and appoint Treasurers, Clerks, and other Officers and Servants proper and necessary under them; in order to the due Execution of this Act, and, when they think proper, to remove and displace them, or any one of them respectively; and also to limit and appoint reasonable and adequate Salaries, Wages, and other Allowances, to be made and paid to such Officers and Servants, and to make such other Orders, Rules, and Regulations, as the Nature of each particular Service shall seem to them to require, and they shall deem expedient; and from Time to Time to vary, alter, or revoke, any of the said Rules and Regulations, and to do such other Acts and Things as to the said Trustees shall appear proper and necessary for putting this Act in Execution, they being always consistent with the several Powers and Regulations of this present Act.

Adjourned  
Meetings.

XVIII. And be it enacted, That the said Trustees present at such quarterly Meetings may adjourn themselves from Time to Time as they may think proper or necessary, for executing the Powers vested in them by this Act; and that the Clerk of the said Trustees shall give written or printed Notices to each of them of such adjourned Meetings, in the same Manner as is required for the said quarterly Meetings; and it shall also be in the Power of the Præsides of the said Trustees, of himself, to appoint other Meetings of them, to be held so often and at such Times as may to him seem necessary and expedient; the whole Trustees being always summoned to attend every such Meeting, in Manner above-mentioned.

Acts of the  
Trustees to be  
recorded.

XIX. And be it further enacted, That all and every Act and Acts of the said Trustees shall be entered and minuted in Books to be kept for that Purpose, by their Clerk or other Person to be appointed for that Purpose; which, and all other Books and Entries respecting the same, or that contain any Account or Accounts relative to the Purposes of this Act, shall be produced, if required, at every publick Meeting, and shall be signed by the Præsides thereof; and such Entries and Books, after being so signed and authenticated, shall be held and taken to be the original Orders and Proceedings of the said Meetings, and also shall and may be produced and taken in Evidence in all Courts whatsoever: And in case any Surplus of the Money received for the Lands, Tenements, and Hereditaments, acquired by the said Trustees, shall remain in their Hands after paying the Expences of this Act, and what is laid out in making the proposed new Streets and the new Buildings on the Sides thereof, the said Trustees shall be and they are hereby obliged to pay such Surplus to the Treasurer of the City of *Aberdeen* for the Time being, for the Use of the Community; and it shall be in the Power of any Member of the Town Council for the Time, to call for an Account of the Money received and expended, and to sue for the Payment and Application of the Surplus as aforesaid.

XX. Provided always, and be it enacted, That it shall not be lawful to, or in the Power of the said Trustees, to enter upon the Execution of any Part of the aforesaid Work and Improvements, until they shall have raised and secured, by Subscription, Loan, or otherwise, the respective Sums of Money following, *videlicet*, Fifteen thousand Pounds Sterling, before beginning the said South Street or Avenue; and Five thousand Pounds Sterling, before beginning the said North Street or Avenue, to be applied and employed, as they shall have Occasion, towards defraying the Expence which shall be incurred by them in the Purchase of Property, or otherwise, from Time to Time, in the Execution of the Purposes of this Act.

Trustees not to enter upon the Execution of the Act, till 15,000 l. is raised for the South Entry, and 5000 l. for the North Entry.

XXI. And be it also enacted, That in case any Suit or Action shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, the Defendant or Defendants of such Suit or Action may produce this Act, and plead that the said Things were done by the Authority thereof; and if it shall appear so to be done, that then the Defendant or Defendants shall be absolved from every such Suit or Action, and shall have Triple Costs and Expences, in the Defence thereof, awarded to them, from and against the Prosecutor or Prosecutors of the same.

Act to be pleaded in Actions brought.

XXII. And be it further enacted, That this Act shall be deemed, taken, and allowed, in all Courts of Law and Equity, as a Publick Act; and all Judges and Justices are hereby required to take Notice thereof as such accordingly, without specially pleading the same.

Publick Act.

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