



ANNO QUADRAGESIMO OCTAVO

# GEORGI II. REGIS.

\*\*\*\*\*

## *Cap. 44.*

An Act for the further Supply of the City and Suburbs of *Glasgow* and Places adjacent with Water. [27th May 1808.]

**W**HEREAS the City and Suburbs of *Glasgow* and Places adjacent are at present very scantily supplied with Water: And whereas a Company was lately formed under the Name of The Company of Proprietors of the *Glasgow* Waterworks, for the Purpose of introducing a Supply of Water from the River *Clyde* into the said City and Suburbs, from the Eastern Extremity of the said City; and the said Company was incorporated by an Act of Parliament, passed in the Forty-sixth Year of the Reign of His present Majesty, intituled *An Act for supplying the City and Suburbs of Glasgow with Water*: And whereas it is of great Consequence to the Prosperity of the said City and Suburbs and Places adjacent that the Inhabitants thereof and Manufacturers residing therein should have a constant and abundant Supply of so necessary an Article, and at a reasonable Rate: And whereas these important Objects can be best accomplished by there being more Companies established and incorporated for supplying the said City and Suburbs and Places adjacent with Water, and particularly at the Western Extremity thereof; and the several Persons herein-after named, being willing to undertake to procure an additional Supply of Water, to be raised from the River *Clyde* into Reservoirs, to be formed on Part of the Lands of *Cranstonhill* and the adjacent Grounds in the Barony Parish of *Glasgow* and County of *Lanerk*, situated at the West Extremity of the said City, which the said Persons have purchased from *Richard Gillespie* of *Southwoodside* and *Walter Logan* of *Cranstonhill*; and to be conveyed from thence by

[Loc. & Per.] 8 S Pipes

46G.3.c.136.



Proprietors.

Incorporated.

Pipes under Ground, through and along the Road leading by *Anderston* to *Glasgow*, and through *Argyle Street* and *Trongate Street*, and the other Streets in *Glasgow*, from which Pipes such Water is to be distributed through *Anderston*, and the City and Suburbs of *Glasgow*; but these Objects cannot be attained without the Aid 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 *Richard Gillespie* and *Walter Logan*, *William Glen*, *Robert Shireff*, *Charles Shireff*, *John Semple*, *Robertson Buchanan*, *David Mutrie*, *John Geddes*, *Colin Gillespie*, *Henry Houldsworth*, *James Laird*, *Robert Yuille*, *William Young*, *Andrew Bocket*, *John Mair*, *Robert Fulton*, *Alexander Andrew Mitchell*, *William Harley*, *William Kidston*, *William Aitken*, *William McWhire*, *James Gillespie*, *William Scott junior*, *John Blackburn*, *Mrs. Elizabeth Ritchie*, *Nathaniel Stevenson*, *Thomas Dunlop Douglas*, *Alexander Leslie*, *Archibald Douglas*, *Allan Bogle*, *John Maxwell*, *Robert Bogle junior*, *Hugh Bogle*, *James Bogle*, *James Buchanan junior*, *Colin Campbell*, and *Robert Struthers*, together with such other Person or Persons, and such Bodies Politic and Corporate or Collegiate, as shall at any Time hereafter be possessed of One or more Shares of such Undertaking; and the Successors, Executors, Administrators, and Assigns of such several Persons and Bodies Politic, Corporate, and Collegiate shall be and they are hereby united into a Company for supplying the City and Suburbs of *Glasgow* with Water from the *River Clyde*, and for making, completing, and maintaining the necessary Works for that Purpose, and shall be One Body Corporate and Politic, by the Name of the Company of Proprietors of the *Cranstonhill Waterworks*; and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall sue or may be sued; and shall also have full Power to purchase Lands, Tenements, or Heritages, to them, their Successors or Assigns, for the Use of the said Undertaking, but for no other Use or Purpose.

Proprietors  
to raise  
Money  
among them-  
selves for  
making Re-  
servoirs, &c.

II. And be it further enacted, That it shall and may be lawful to and for the said Company of Proprietors to raise and contribute among themselves a competent Sum of Money for making and maintaining the said Reservoirs and all other Works and Conveniences belonging or requisite thereto, not exceeding in the whole the Sum of Thirty thousand Pounds, which said Sum of Money shall be laid out and applied in the first place in discharging the Charges and Expences of obtaining and passing this Act, and the making the proper Surveys, Plans, and Estimates, and the doing and providing of all the Matters and Things preparatory and previous thereto, including the Price of the Grounds purchased for the said Reservoirs; and then in the making, completing, and maintaining the said Reservoirs, the Pipes for conveying the Water, and other requisite Works and Conveniences for putting this Act into execution; and that the said Sum of Thirty thousand Pounds, or so much thereof as shall be raised, shall be divided into Shares of Fifty Pounds each; and that the said Shares shall be and are hereby vested in the several Persons so raising and contributing the same, and their several and respective Executors, Administrators, Successors, and Assigns, to them and every of their proper Use



Use and Benefit, proportionally to the Sums they shall severally raise and contribute; and all Bodies Politic, Corporate, or Collegiate, and all Persons, their several and respective Successors, Executors, Administrators, or Assigns, who shall severally subscribe for One or more Share or Shares towards carrying on and completing the said Undertaking, and other Purposes of the said Subscription, shall be entitled to and receive, after the said Reservoirs and other requisite Works and Conveniences shall be completed, and after a Sum of not less than Three thousand Pounds shall be accumulated in manner herein-after mentioned, as a Fund for answering Contingencies, the entire and net Distribution of an equal proportional Part, according to the Money so by them respectively paid, of the Profits and Advantages which shall and may arise and accrue from the Rates and other Sums of Money to be raised, recovered, or received by the said Company of Proprietors, by the Authority of this Act; and every Body Politic, Corporate, and Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same in manner herein directed and appointed.

III. And be it further enacted, That it shall and may be lawful to and in the Power of the said Company of Proprietors, or of their Committee of Management after mentioned, by and with the Advice and Direction of any General Assembly of the said Company of Proprietors, to borrow or take up in Loan, at or below legal Interest, or by way of Annuity, any Sum or Sums of Money, for the Use and Behoof of the said Company, not exceeding the Sum of Ten thousand Pounds Sterling in the whole; and to grant, execute, and deliver to and in favour of the Lenders, or those having Right, such Bonds, Obligations, or other Deeds in Writing, as may be required, binding the said Committee of Management and their Successors in Office, and the Trade, Stock, and Estate of the said Company, for Payment of the Sum or Sums so borrowed, with Interest and Penalty, or for Payment of the Annuities agreed upon, with Interest and Penalty, as is usual in such Cases; and such Deeds shall, if necessary, contain the Clauses usual and necessary by the Law of Scotland for vesting the Lenders of the said Monies, or the Holders of the said Annuities, in the Heritable Subjects belonging to the said Company, in Security of the said Sums.

The Company, or their Committee, may borrow Sums of Money not exceeding 10,000*l.* in the whole.

IV. Provided always, and be it enacted, That nothing herein contained shall extend to charge or make liable any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who is, are, or shall be Proprietor or Proprietors of the Stock of the said Company, or Contributor or Contributors thereto, or his, her, or their Real or Personal Estate, with any Debt or Demand whatever, due or to become due from the said Company, beyond the Extent of his, her, or their Capital Stock, or Share or Shares in the Stock of the said Company; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

No Person answerable for more than their respective Stock.

V. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and all other Person and Persons of and in the said Reservoirs and other Works, or

Shares to be Personal Estate.

the



the Joint Stock or Fund of the said Company of Proprietors, shall be deemed Personal Estate, and transmissible as such, and not of the Nature of Real Property.

Proprietors  
to have a  
Vote for  
every Share  
not exceeding  
Ten.

VI. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, present at the stated General Assemblies and Special General Assemblies to be held as herein appointed, shall have a Vote for every such Share, but not exceeding Ten Votes in the whole, although possessed of more than Ten Shares in the said Undertaking; and every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for One Share in the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, who cannot attend such stated General Assemblies and Special General Assemblies, shall have a Vote for every such Share, but not exceeding Ten Votes in the whole, although possessed of more than Ten Shares in the said Undertaking, by his, her, or their Proxy or Proxies, constituted under the Seal of such Body Politic, Corporate, or Collegiate, or the Hand of such other Person, every such Proxy being a Proprietor in the said Undertaking, and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if such Principal had voted in Person; and every Question, Matter, and Thing which shall be proposed, discussed, or considered in any stated General Assembly or any Special General Assembly of the said Company of Proprietors shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Share, no Proprietor having more than Ten Votes as aforesaid; the Appointment of which Proxies may be made according to the Form following:

Form of  
Appointment  
of Proxies.

‘ I *A. B.*, One of the Proprietors of the *Cranstonhill* Waterworks, do  
‘ hereby nominate, constitute, and appoint *C. D.* to be my Proxy, in  
‘ my Name and in my Absence to vote or give my Assent or Dissent  
‘ to any Business, Matter, or Thing relating to the said Undertaking,  
‘ that shall be mentioned or proposed at any Assembly of the Com-  
‘ pany of Proprietors of the said Undertaking, in such Manner as he  
‘ the said *C. D.* shall think proper, according to his Opinion and  
‘ Judgment, for the Benefit of the same, or any thing appertaining  
‘ thereto. In Witness whereof I have hereunto set my Hand the  
‘ Day of .’

Place of  
General  
Assemblies.  
Parties to  
pay their  
Expences.

VII. And be it further enacted, That all the Meetings of the stated General Assemblies and Special General Assemblies shall be held in the said City of *Glasgow*; and that at all and every of such stated General and Special General Assemblies the Parties composing them shall pay their own Expences, the Hire of the Room in which the Meetings shall be held only excepted.

First and  
other General  
Assemblies.

VIII. And be it further enacted, That the First General Assembly of the said Company of Proprietors for putting this Act into execution shall be



be held at *Glasgow* aforesaid, upon the Third *Thursday* after the passing of this Act, at the Hour of Twelve at Noon; and all future General Assemblies of the said Company (except such Special General Assemblies as herein-after mentioned) shall be held on the Third *Thursday* in the Month of *June* in every Year, at the Hour of Twelve at Noon; of all which General Assemblies Fourteen Days previous Notice at the least shall be given by public Advertisement in Two Newspapers usually published in *Glasgow*; and the said Company of Proprietors, at such respective General or Special General Assemblies, shall and may appoint a Chairman; and such Chairman shall not only vote as a Proprietor or Proxy, but in case of an Equality of Votes shall have the decisive or casting Vote; and if, upon any Election of a Chairman, Two or more Persons shall be proposed to fill that Office, and shall have an equal Number of Votes, then the Persons so proposed shall draw Lots for the same.

IX. And be it further enacted, That if it shall at any Time appear that for the more effectually putting this Act into execution a Special Meeting of the said Company of Proprietors is necessary to be holden, it shall and may be lawful to and for any Five of the said Proprietors, who may be collectively possessed of or entitled to Thirty Shares at the least in the said Undertaking, or any Three of the Committee of Management appointed as herein-after mentioned, upon specifying, in Writing subscribed by them, the Purport thereof, to require the Secretary of the said Company of Proprietors to call such Meeting; and the said Secretary shall thereupon convene such Meeting by giving at least Fourteen Days Notice thereof by Advertisement, to be inserted in Two Newspapers usually published in the said City of *Glasgow*, or in such other Manner as the said Company of Proprietors shall at any General Meeting direct or appoint, specifying in such Notice the Reason and Intention of requesting such Special Meeting, and the Time when and Place where the same shall be holden; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present personally or by Proxy shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors with respect to the Matters so specified only; and all such Acts of the Proprietors, or of the major Part of them met together at such Special Meeting, shall be as valid, with respect to the Matters specified in such Notice, as if the same had been done at any General Meeting.

X. And be it further enacted, That *Richard Gillespie, Walter Logan, Robert Bogle junior, William Glen, Henry Houldsworth, James Laird, and Andrew Mitchell*, shall be Directors, or a Committee, for the Management of the Concerns of the said Company, until the General Meeting to be holden on the Third *Thursday* in the Month of *June* One thousand eight hundred and eight, when the Members of the said Committee shall go out of the Direction, and Seven other Directors, holding at least Four Shares each of the Stock of the said Company, shall be chosen by Ballot or otherwise in their Room, to continue in the Direction until the General Meeting to be holden on the Third *Thursday* in the Month of *June* One thousand eight hundred and nine, when Seven other Directors, each holding at least Four

[Loc. &amp; Per.]

8 T

Shares

Meetings of Proprietors may be specially convened.

Committee of Management appointed.



Shares as aforesaid, shall be chosen in their Room; and in like Manner a Committee of Management shall be chosen of Seven Persons interested in the Company as aforesaid at the following Annual Assemblies of the said Company of Proprietors, to be a Committee of Management of the Concerns of the said Company for the Year immediately following their Election: Provided always, that any such Directors going out of the Management as above directed may be re-elected; and provided also, that if there shall not be Seven Persons holding at least Four Shares each in the said Undertaking, the said Directors may be chosen from among Proprietors holding at least Two Shares: Provided likewise, that it shall and may be lawful to and for the said Company of Proprietors, at any Special Meeting to be convened in Manner herein directed, to remove any Member of the said Committee, and to nominate another Person, qualified as aforesaid, in the Room for Stead of every Member who shall be so removed, or who shall die or refuse to act, cease to be a Proprietor in the said Undertaking, or become Bankrupt; and every Person so nominated, by the said Special Meeting shall have the like Power and Authority as if he had been nominated by the said Annual Meeting, but every Person so elected at such Special Meeting shall go out of the Direction at the same Period at which the Person in whose Room he was elected would have gone out.

First and  
other Meet-  
ings of the  
Committee.

XI. And be it further enacted, That a General Meeting of such Committee of Management shall be held for putting this Act in execution at *Glasgow* on the Second *Thursday* next after the passing of this Act, and a like General Meeting of the Committee of Management shall afterwards be held Four Times in every Year for the future, on the First *Thursday* in the Months of *March*, *June*, *September*, and *December* respectively, at Twelve of the Clock; and it shall be lawful for the Committee of Management to adjourn themselves from Time to Time as they shall think proper.

Chairman of  
the Com-  
mittee and  
Quorum.

XII. And be it further enacted, That it shall and may be lawful for the said Directors to elect a Chairman out of the Number then present to preside at each Meeting, and that any Three or more Members of such Committee, but not less, shall be a sufficient Number to constitute a Meeting for the Purpose of doing all the Acts, Matters, and Things, and exercising all the Powers and Authorities hereby directed to be done by and vested in such Committee; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee at their Meeting to be held in manner aforesaid shall be decided and determined by the Majority of Members then present; but no Member shall have more than One Vote at any such Meeting, save and except that, in the Case of an equal Division, the Chairman shall always have a casting Vote; and if upon any Election of a Chairman as aforesaid Two or more Persons shall be proposed to fill that Office, and shall have an equal Number of Votes, then the Persons so proposed shall draw Lots for the same: Provided always, that if on the Day appointed for any such Meeting of the Committee of Management as aforesaid there shall not attend so many Members of such Committee as are hereby required to constitute a Meeting for executing the Powers hereby vested in such Committee, then and in such Case, and when and so often as the same shall happen, the Meet-  
ing



ings shall be adjourned to any future Day fixed by the Member or Members then present, or if no Member shall be present, by the Secretary to the said Company of Proprietors, or such other Person as shall attend in this Place: Provided always, that it shall and may be lawful for the said Committee of Management to appoint any of their Number less than Three as Committees for particular Purposes, for the better attending to and transacting the Business of the said Company, but subject to the Approbation of a Quorum of the said Committee of Management: and in the said Shares each in the said Shares holding at least one Share among Proprietors holding at least one Share of the said Company. And be it further enacted, That it shall and may be lawful for the said Committee of Management at any such General Meeting as aforesaid, and they are hereby authorized and required, from Time to Time to nominate and appoint, by Writing under their Hands, a Treasurer and One or more Collectors of the Rates and Duties granted by this Act, and also a Secretary, Clerk or Clerks, to the said Company of Proprietors, and such Engineers, Surveyors, and other Officers as the said Committee of Management shall think proper and expedient for the better carrying the Purposes of this Act into Execution, the said Committee always taking Security from every such Treasurer, Collector, or other Officer appointed to receive Money by virtue of this Act, for lodging the same in the Bank of Scotland, or Royal Bank of Scotland, or other Bank to be appointed by the said Committee, as the same shall from Time to Time amount to Fifty Pounds; and the said Committee also taking good and sufficient Security from the Treasurer, Collector, and other Officers who shall have the Care or Custody of any Money to be raised or received by virtue of this Act, for the faithful Discharge of the Trusts reposed in them, and also from Time to Time to discharge and dismiss any such Treasurers, Secretaries, Clerks, Engineers, Surveyors, Collectors, or other Officers, and appoint others in their Stead, as there shall be Occasion; and that all such Treasurers, Secretaries, Clerks, Engineers, Surveyors, Collectors, and other Officers of the said Company of Proprietors, who shall at any Time quit or be dismissed from the Service of the said Company, and the respective Executors or Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Committee of Management, or to such Person or Persons as they shall direct, all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody or Power of such Treasurers, Secretaries, Engineers, Clerks, Surveyors, Collectors, or other Officers, Executors, or Administrators respectively, in anywise relating to the said intended Undertaking, and the said Committee of Management shall have full Power and Authority, and they are hereby required, to balance or cause to be balanced the Books of the said Company to the First Day of May in every Year, beginning on the First Day of May which will be in the Year One thousand eight hundred and eight, or at such other Period of each Year as the said Committee of Management may from Time to Time appoint; and the same being so balanced shall be examined, docketed, and signed by the major Number of the said Committee of Management within Three Weeks thereafter, and shall be produced at the General Meeting of the said Company of Proprietors to be held upon the Third Thursday in the Month of June in every Year, so that any of the said Proprietors

**Committee of  
Managers  
may appoint  
Officers.**

**Taking Security from those who are to have the Custody of Money.**

Chairman of  
the Com-  
mittee and  
(Hon.)

**Committee to  
balance and  
settle Ac-  
counts every  
Year on the  
First Day of  
May.**



Proprietors attending the said Meeting may have an Opportunity of inspecting the same; and an Abstract of the said Balance, shewing the Situation of the Affairs of the said Company, shall be signed by the said Committee of Management, and shall be at all reasonable Times, as well as the Books of the Company, patent to all and each of the Proprietors of the said Company, or the known Agents or Attornies of Proprietors residing abroad, or at a Distance from the said City of Glasgow, at least Eight Days previous to each General Meeting of the said Company of Proprietors in the Month of June; and the said Committee shall also on the said First Day of May, at least immediately previous to each Balance in every Year, call for, audit, and settle all Accounts of Money received, paid, laid out, and disbursed up to that Time for or on account of the said Company of Proprietors, by the Treasurers, Collectors, and other Officers so to be appointed as aforesaid, or by any other Person or Persons to be employed on behalf of the said Company, in or about the said intended Undertaking; Provided always, that it shall be lawful for the said Committee to call for, audit, and settle such Accounts, or any of them, oftener than once a Year, if they shall deem it proper and expedient so to do.

Provision for  
Contingen-  
cies and  
Division of  
Profits.

XIV. Provided always, and be it enacted, That such a Sum as the said Committee of Management shall think proper, not being less than Three thousand Pounds, shall be set apart out of the Profits to arise from the said Undertaking to answer Contingencies before any Dividend shall be made among the said Proprietors of any Part of the said Profits; and such Sum so set apart shall be lodged in such Bank as the Committee shall appoint, or invested in Government Securities, or lent out at Interest upon Real Security, to be approved of by the said Committee of Management, and the Dividends or Interest thereof, as well as the yearly Profits to arise from the said Undertaking, so soon as such Sum shall have been set apart as aforesaid, shall be divided among the several Proprietors of the said Company according to the Shares which they shall severally hold in the said Undertaking; but if, from any Accident which may happen to the said Undertaking, the said Sum of Money, or any Part thereof so set apart, shall be required to repair the same, no Dividend to a greater Extent than Five Pounds *per Centum per Annum* shall be made of the Profits to arise from the said Undertaking, until the Part thereof which shall have been so expended shall be replaced, or until another Sum, not less than Three thousand Pounds, shall be set apart as aforesaid.

Committee  
of Accounts  
may be ap-  
pointed.

XV. Provided also, and be it enacted, That it shall and may be lawful for the said Company of Proprietors, at any of their General Assemblies to be holden pursuant to this Act, to appoint Three or more Proprietors of the said Undertaking, not being of the Committee of Management, as a Committee of Accounts, to examine all Accounts of Money received, paid, laid out, and disbursed for or on account of the said Company of Proprietors, and to make a Report thereupon to the next General Assembly of the said Proprietors.

Committee  
of Manage-  
ment may  
make Calls  
for Money.

XVI. And be it further enacted, That the Committee of Management shall have full Power and Authority from Time to Time, at any of their Meetings as aforesaid, to make such Call or Calls for Money from



from the several Subscribers to and Proprietors of the said Undertaking, in order to defray the Expences of or carrying on the same, as they shall from Time to Time find wanting and necessary for those Purposes, until the Sums subscribed are paid; so that no such Call shall exceed the Sum of Ten Pounds *per Centum* for or in respect of every Share in the said Undertaking, and so that such Calls be made under the Direction of the Committee of Management, and so that Fourteen Days Notice at least shall be given of every such Call by Advertisement in some Newspaper usually published in *Glasgow*, all which Money so to be called for as aforesaid shall be paid into the Hands of the Treasurer of the said Company of Proprietors, to be issued, paid, and applied for carrying on the said Undertaking in such Manner as the said Committee of Management shall from Time to Time order and direct; and that the said Committee of Management shall also have full Power and Authority, at every such Meeting as aforesaid, on behalf of the said Company of Proprietors, to contract for and purchase all such Lands, Tenements, or Heritages, and all such Materials and other Things, as shall or may be wanted for the said Undertaking and the Works hereby authorized to be made, and to treat and agree with any Person whomsoever touching the Compensation to be made for any Damages to be done in the Exercise of the Powers hereby given, and to enter into and make such Contracts and Agreements with any Contractors, Agents, Workmen, Servants, or other Persons in and about or for the carrying on of the said Undertaking and Works, or any Part thereof, as shall be thought expedient, and to enter into and make all such other Contracts, Bargains, and Agreements whatsoever touching or in anywise concerning the said Undertaking as they shall think proper, and to order and direct how the several Works shall from Time to Time be carried on, and generally to direct and manage all and singular the Affairs and Business of the said Company of Proprietors, and to do, execute, and perform all Acts, Matters, and Things which the said Company are by this Act authorized to do, save and except such only as are hereby expressly directed to be done by the Proprietors at large at any Meeting or Meetings of such Proprietors to be held as herein mentioned.

May contract  
for and purchase  
Lands,

and may generally  
manage the  
Business of  
the Company.

XVII. And be it further enacted, That the Committee of Management shall enter or cause to be entered into Books, to be provided for that Purpose at the Expence of the said Company of Proprietors, a full and true Account of all Money disbursed and Payments made by such Committee, and by all and every Person and Persons employed by or under them, and of all Monies that shall be paid to or received by them respectively, for or on account of the said Company of Proprietors, and also a full and true Account, or proper Notes and Minutes, of every Contract, Bargain, and Agreement which shall be entered into by them respectively, for or on behalf of the said Company of Proprietors, and of all and singular their respective Orders, Transactions, and Proceedings whatsoever in and about the Affairs and Business of the said Company; but that no Money shall be issued or paid by the Treasurer to the said Company of Proprietors, for or on account of the said Company, otherwise than in such Manner as shall be directed by the Committee of Management at some General or adjourned Meeting as aforesaid; and every such Book, and all other Books, Papers,

Committee to  
enter their  
Proceedings.

Money not to  
be issued by  
Treasurer  
otherwise  
than as directed  
by  
Committee  
of Management.

[*Loc. & Per.*]

8 U



pers, and Writings belonging to the said Company of Proprietors, shall at all seasonable Times be open to the Inspection of all the said Proprietors, who may take Copies thereof or Extracts therefrom without Fee or Reward.

Committee  
of Manage-  
ment may  
make Bye  
Laws.

XVIII. And be it further enacted, That the said Committee of Management shall also have full Power and Authority from Time to Time, at any such Meeting as aforesaid, to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper for the good Government of the Affairs of the said Company of Proprietors, and for regulating the Proceedings of the said Committee of Management, and for the regulating of all Officers, Workmen, and Servants to be employed in and about the Affairs or Business of the said Company of Proprietors, and for the well and orderly using of the said intended Undertaking, and the Reservoirs, Pipes, or Aqueducts, and Works thereto belonging, and for the orderly Behaviour of all Workmen and other Persons who shall be employed in or about the said Undertaking, and for their Superintendence in all respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Committee of Management shall seem meet and expedient; and all Rules, Orders, and Bye Laws so to be made as aforesaid, being reduced into Writing, and the Common Seal of the said Company thereto affixed by the said Committee of Management, shall be binding upon and be observed by all Persons using or in anywise concerned in the said Undertaking, and shall be sufficient, in any Court of Law or Equity, to justify all Persons who shall act under the same; provided that such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom called Scotland, or any of the express Directions or Provisions of this Act, or to any Contract or Agreement entered into between the said Company and the Persons receiving Water from them, and provided that Copies of such Rules, Orders, and Bye Laws, or of such of them as shall concern or relate to the using of the said intended Undertaking, and the Reservoirs, Pipes, Aqueducts, and Works belonging thereto, and to the Conduct and Behaviour of Watermen, Officers, Servants, or other Persons employed in

about the said Undertaking, or of the Persons receiving Water therefrom, shall first have been approved of at some General Assembly of the said Proprietors, and shall be written or printed in large Characters, and be fixed and continued in some conspicuous Place or Places at the said Reservoirs, and where the Business of the said Undertaking shall be transacted.

Bye Laws  
subject to  
Appeal.

XIX. Provided always, and be it enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any such Rule, Order, or Bye Law, may, within three Calendar Months next after any such Order, Judgment, or Determination shall have been made or given, first giving Twenty-one Days Notice to the Person or Persons against whom any Complaint is intended to be made, complain to the Justices of the Peace



Peace at the General Quarter Sessions to be held for the Under Ward of the said County of Lanark, who shall, in a summary Way, either hear and determine the said Complaint at such General Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace, to be held for the Under Ward of the said County; and the said Justices may, if they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and may also order and award such further satisfaction to be made to the Party injured as they shall judge reasonable; and the Determination of such Justices of the Peace at their Quarter Sessions shall be final and conclusive without being subject to Advococation, Suspension, or Reduction, any Law or Statute to the contrary notwithstanding.

And it is further enacted, That if at any Time, after the passing of this Act, it shall be necessary or expedient to call a Special Meeting of the Proprietors at large, for the more effectually putting this Act in execution, or in order to take their Opinion respecting any Matter or Thing to be done in or about the said Under Ward, it shall be lawful for the said Committee of Management, pursuant to an Order or Resolution for that Purpose to be made at any Meeting of the said Committee, to call a Special Meeting of the Proprietors at large by public Advertisement in some Two Newspapers published in the said City of Glasgow, specifying in such Advertisement the Cause of calling such Special Meeting, and the Time and Place where and where the same shall be held, the Time being not less than Fourteen Days after such Notice shall be given; and the said Company of Proprietors are hereby authorized and required to meet pursuant to such Notice, and to take into Consideration the Matters so submitted to them by the said Committee of Management, and to give their Decision and Determination of the same, and the said Committee of Management, or the major Part of them, according to the Number of Votes they shall have a Right to give, either as Principals or Proxies, respecting such Matters, shall be binding and conclusive upon the rest of the Proprietors to all Intents and Purposes, and shall be observed and acted upon according to the Conduct and Behaviour of Watermen, Officers, Servants or other Persons employed by the said Company, and every Proprietor of any Share in the said Company shall be bound to pay their proportion of the Money so to be called for, as herein before is mentioned, into the Hands of the Treasurer of the said Company, at such Time and Place as shall be appointed for that Purpose by the Committee of Management making such Call, and of which such Notice shall be given as herein before is directed; and that if any Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid at the Time and Place which shall be appointed for that Purpose in manner aforesaid, it shall be lawful for the Company of Proprietors to sue for and recover the same, with Interest at the Rate of Five Pounds per Centum from the Time appointed for the Payment thereof, in any Court competent to entertain such Cause, in Scotland, or in any of His Majesty's Courts of Record at Westminster or Edinburgh respectively, by Action of Debt or on the

Committee of Management may make Bye Laws.

Committee of Management may call Special Meetings of Proprietors at large.

Proprietors to pay their Shares of the Money called for at the Place appointed.

Bye Laws subject to Appeal.



And if First  
Call not an-  
swered in  
Six Months,  
Shares to be  
forfeited.

the Case; and in case any such Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so first to be called for as aforesaid for the Space of Six Calendar Months after the Time to be appointed for Payment thereof as aforesaid, and the same shall not have been sued for by the said Company of Proprietors as aforesaid, or if sued for shall not have been recovered by them, then and in such Case the Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest whatsoever in the said Undertaking, and all Profit and Advantage thereof; and all Shares that shall or may be so forfeited shall be vested in the said Company of Proprietors in Trust for and for the Benefit of all the rest of the said Proprietors in proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of the Committee of Management of the said Company of Proprietors, be sold by the said other Proprietors by public Auction for the most Money that can be got for the same, and the Produce thereof shall be divided among them in proportion to their respective Shares and Interests in the said Undertaking; and in the Event that any Person or Persons paying any such First Call as aforesaid shall neglect or refuse to pay his, her, or their proportionable Part of the Money to be thereafter called for as aforesaid, and for the Space of Six Calendar Months after the Time to be appointed for Payment thereof as aforesaid, and the same shall not be sued for by the said Company of Proprietors as aforesaid, or if sued for shall not be recovered by them, then and in such Case the Share or Shares shall and may be sold by the said Company of Proprietors, or their Committee of Management, by public Auction, for the highest and best Price or Prices that can be got for the same, every such Sale being advertised at least once a Week for Three Weeks successively in some One or more of the Newspapers published in Glasgow; and the said Company of Proprietors, or Committee of Management, rendering an Account of every such Sale or Sales to every such Person or Persons when demanded, and paying to every such Person or Persons any Overplus of such Price or Prices, after deducting all Charges, and such further proportionable Sum or Sums of Money which may remain due upon such Share or Shares by such Person or Persons to the said Company of Proprietors.

Directing the  
Proceedings  
in Actions  
for Calls.

XXII. And be it further enacted, That in Actions brought by the said Company against any Owner or Owners of any Share or Shares in the said Undertaking to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrears shall amount unto for such and so many Call or Calls of such or so many Sum or Sums of Money upon such or so many Share or Shares belonging to the said Defendant or Defendants (as the Case may happen to be), whereby an Action hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and in such Action it shall only be necessary to prove that the Defendant or Defendants, at the Time of making



such Call or Calls, was or were a Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Call or Calls, or any other Matters whatsoever; and the said Company shall thereupon be entitled to recover the Call or Calls which shall appear due, unless it shall appear that any such Call exceeded the Sum of Ten Pounds *per Centum* of the Subscription, or was made without the Orders of the Committee, or without Notice given as aforesaid; and after Judgment shall be given for the said Company in any such Action Execution shall not be stayed by reason of any Appeal against any such Judgment in any competent Court of Law in *Scotland*, or any Writ of Error brought by the Defendant or Defendants in any such Action in any of His Majesty's Courts of Record at *Westminster* or *Edinburgh*, unless such Defendant or Defendants, with Two sufficient Securities, shall first become bound to the said Company by Recognizance, to be acknowledged in the Court in which such Judgment shall be given, in Double the Sum adjudged to the said Company by such Judgment, to prosecute the said Appeal or Writ of Error with Effect; and also, if the said Judgment be affirmed, or the said Writ of Error be non-prossed, to satisfy and pay the Debt, Damages, and Costs adjudged by the said Judgment, and all Costs and Damages to be awarded for Delay of Execution.

XXIII. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, his, her, or their respective Executors, Administrators, and Assigns, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned, the Conveyances of which Shares may be in the Form or to the Effect following;

Shares may be sold.

I A. B. of in consideration of paid to me by C. D. of do hereby bargain, sell, assign, and transfer to the said C. D. the Sum of Capital Stock of and in the *Cranstonhill* Waterworks, being One Share [or so many Shares, as the Case may be,] in the said Undertaking, to hold to the said C. D. Executors, Administrators, and Assigns, subject to the same Rules, Orders, and Restrictions, and on the same Conditions, that I held the same immediately before the Execution hereof; and I the said C. D. do hereby agree to take and accept the said Capital Stock or Share subject to the same Rules, Orders, Restrictions, and Conditions. As witness our Hands and Seals the Day of

Form of Conveyance.

And on every such Sale the said Deed of Conveyance (being executed by the Seller or Sellers and the Purchaser or Purchasers of such Share or Shares) shall be kept by the said Purchaser or Purchasers for his, her, or their Security after the Clerk or Clerks to the said Company of Proprietors shall have entered in a proper Book or Books to be kept for that Purpose a Memorial of such Transfer and Sale for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid, and the said Clerk or Clerks is

[Loc. & Per.]

8 X

or



or are hereby required to make such Entry or Memorial accordingly immediately, or at least within Forty-eight Hours after the said Deed shall have been presented for Registration, under a Penalty of Five Pounds, to be forfeited to the Holder of the said Deed, and until such Memorial shall have been made and entered as above directed such Purchaser or Purchasers shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Share or Shares paid to him, her, or them, nor any Vote in respect thereof as a Proprietor or Proprietors of the said Undertaking.

Persons selling Shares after a Call to be liable for such Call.

XXIV. And be it further enacted, That after any Call of such Money shall have been made by such Committee as aforesaid every Person, and all Persons selling or transferring any Share or Shares which he, she, or they shall possess in the said Undertaking, shall, as well as the Person or Persons to whom such Share or Shares shall be sold, be liable in the Payment of every such Call in the Manner directed by this Act, unless such Person or Persons so selling or transferring shall at the Time of such Sale or Transfer have paid and discharged to the Treasurer of the said Company of Proprietors the whole and entire Sum of Money which shall have been called for upon each Share so sold and transferred.

Names of Proprietors to be entered, and Certificates of their Shares delivered to them.

XXV. And be it further enacted, That the said Committee of Management shall, and they are hereby required to, cause the Names and Designations of the several Persons who shall be entitled to Shares in the said Undertaking, with the Number of the Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by their Secretary, and after such Entry to cause the same to be signed by their Chairman; and they shall also cause a Certificate so signed by the Chairman and Secretary to be delivered to every Proprietor, on Demand, specifying the Share or Shares to which he or she is entitled in the said Undertaking, and such Certificate shall be admitted in all Courts whatever as Evidence of the Title of such Proprietor, his or her Executors, Administrators, and Assigns, to the Share or Shares therein specified, but the Want of such Certificate shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof.

For the Purpose of making and covering Calls, the Persons whose Names are standing in the Company's Books as Proprietors are to be deemed the actual Proprietors.

XXVI. And be it further enacted, That the Bodies Politic and Corporate, and all and every Person and Persons whose Names shall at any Time hereafter stand in the said Register Book or List of Proprietors of the said Company, whether as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, whether as Subscribers or as Successors, Executors, Administrators, or Assigns of Subscribers, shall be deemed and taken to be the Proprietors of the several Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which original Proprietors of Shares in the said Undertaking are made subject and liable by this Act, and that all Notices hereby required to be given previous to the Forfeiture of Shares to the Proprietors thereof shall, if given to the Persons appearing by the said

Register



Register Book of the said Company to be such Proprietor or Proprietors, or their Representatives, or left at his, hers, or their last and most usual Place of Abode, be in all respects good, sufficient, and conclusive, and all Payments of Interest and Dividends due and to grow due on any such Shares shall be made to such Persons as by the said Book of the said Company shall so appear to be Proprietors thereof; and that no Assignment, Transfer, Bargain, or Sale of any Share or Shares, or other Instruments giving Title to any such Share or Shares, which shall not have been enrolled or registered as directed by this Act, shall be admitted as Evidence, either to defeat any Action or Suit brought or to be brought by the said Company of Proprietors to recover the said Calls, or to entitle any Person or Persons to recover any Share or Shares forfeited to the Company of Proprietors, or to make the said Company of Proprietors liable to the Payment of Dividends to any other Person than such as appear upon the said Book to be Proprietors of the said Shares, but that in all such Cases the said Book shall be considered as sufficient and conclusive Evidence of the Proprietorship of the said Shares.

XXVII. And be it enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby empowered, to raise and convey Water from the said River Clyde at any Part or Parts thereof most convenient, opposite to the Village of *Anderston*, or opposite to the Grounds belonging to the Heirs of *William Gillespie* of *Bishopston*, formerly Part of the Estate of *Stobers*, lying immediately to the West of *Hyde Park*, the Property of *John M'Wham*, and for that Purpose to open the Ground on the Banks of the said River Clyde at the Places aforesaid, or any of them, and to lay down a Pipe or Pipes, and to make a Drain or Drains into or from the said River Clyde in manner after mentioned for the Purpose of conveying from thence the said Water for supplying the said City and Suburbs and Places adjacent, and also for the Supply of any Steam Engine or Engines which the said Company of Proprietors may erect or use, and which they are hereby authorized and empowered to erect or use, for the Purpose of raising and conveying Water from the said River Clyde as aforesaid, and to make or erect a Cofferdam or other Dam or Dams for protecting the said Pipe or Pipes, Drain or Drains, during their Time that the same are making or laying down, and to do and perform every other Matter and Thing necessary for raising such Water, and to convey the same through the Waterside Ground opposite the said Village of *Anderston*, and through the Street or Road in the said Village called *Geddeside Street*, and thence along the Road leading from the East End of *Anderston* to *Finniestown*, until the said Road reaches the Lands belonging to *James Hill* and *William Ditchison*, both Writers in *Glasgow*, and thereafter through the said Lands, and through the Lands lying to the West thereof, acquired by the said Company from the said *Richard Gillespie*, and thereafter through the Lands of *Granstonhill* situate as Reserve or Reservoirs to be formed in and upon the said Lands of *Granstonhill*; and also, after raising the said Water from the said River, and conveying the same through the Waterside Grounds opposite the said Grounds belonging to the Representatives of the said *William Gillespie*, to convey the same in a Pipe or Pipes through the said last-mentioned Grounds, as nearly as conveniently may be, to

For the purpose of raising and conveying Water, and conveying it in Pipes.

Power to raise Water, and convey it in Pipes.

For the purpose of raising and conveying Water, and conveying it in Pipes.

For the purpose of raising and conveying Water, and conveying it in Pipes.



and along the East or the West Boundaries thereof to the North Boundary thereof, or through any Street that may be formed thereon, and thereafter across the said Road to *Finniestown*, and through the Lands of the said *Walter Logan*, or through these Lands and the Lands acquired from the said *Richard Gillespie* into the said Reservoir or Reservoirs: Provided always, that the Power and Authority hereby granted to the said Company of Proprietors shall not prevent any other Person or Company acquiring or possessing Power for that Purpose from raising and conveying Water from the aforesaid River at any Place or Places within the aforesaid Limits, or from laying Pipes in the aforesaid Lines, in so far as not previously occurred by the said Company of Proprietors, to any Reservoir or Reservoirs he or they may construct, either for his or their own Use, or for a further Supply to the Inhabitants of the said City and Suburbs and Places adjacent, and with Power to the said Company of Proprietors to convey the said Water from the said Reservoir or Reservoirs in Pipes under Ground through the Turnpike Road leading from *Dumbarton* to *Glasgow*, and thereafter through *Argyle Street* and *Trongate Street* of *Glasgow*, and the other Streets of the said City and Suburbs, and to convey and distribute Water from the said Reservoir or Reservoirs in Pipes by means of Branch Distribution and other Pipes, through the City and Suburbs of *Glasgow* and Places adjacent, to the Houses, Workhouses, and other Appurtenances of the Inhabitants thereof, agreeing with the said Company of Proprietors to be supplied with such Water; and with Power also to the said Company of Proprietors to purchase all Grounds, Privileges, or Servitudes necessary for making any such Reservoir or Reservoirs, and for erecting Steam Engines, laying Pipes, and making and constructing such other Works, Buildings, and Erections, and other Conveniences, and for doing every other Matter and Thing necessary for the Purposes before and after mentioned; and to make and construct such Reservoir or Reservoirs, and to erect Steam Engines, and lay Pipes, and make and construct such other Works, Buildings, and Erections, and other Conveniences, and to do every other Matter and Thing necessary for the conveying Water taken from the said River *Clyde* at the Place or Places aforesaid into the said City and Suburbs of *Glasgow* and Places adjacent, or necessary for supplying the Inhabitants of the said City and Suburbs and Places adjacent therewith; and further, and particularly with a view to the Supply of the poorer Classes of the Inhabitants of the said Suburbs, and Places adjacent, to make and erect public Wells or Fountains in such Parts of the said Suburbs and Places adjacent as may be most convenient for that Purpose, but not within the Royalty of the said City, nor upon the Streets or public Places of the Barony of *Corbals*, without the Consent of the Magistrates of *Glasgow*, all such Wells or Fountains as may be placed on the Roads leading from *Glasgow*, or other Places under the Jurisdiction of the Trustees upon the said Roads, being to be placed and constructed at the Sight and to the Satisfaction of the Superintendent for the said Trustees, and shall be placed upon the Edge of the Side Paths next to the said Roads, and so constructed as that the waste Water shall run freely off by the Sewer; and providing that no Steam Engine or Reservoir shall be placed in any of the said Streets, Roads, Lanes, or Passages, or public Courts, or in any of the Squares or public Places within the said City or Suburbs, or within the Places adjacent, either under the Jurisdiction of the said Magistrates or of the said



said Trustees; upon the said Roads; nor shall any Steam Engine whatsoever be erected within the Liberties of the said City, nor shall any Erection be made upon the Streets or public Places of the said City, without the Consent of the Magistrates and Council, nor within any Square, Court, or inclosed Ground within the Royalty of the City of *Glasgow* belonging to any one Individual without his or her Consent, excepting the Erections herein allowed for the Protection of the upright Pipes, and declaring that nothing herein contained shall prevent the said Company from placing and erecting in Courts, Areas, or Closes belonging to Two or more Proprietors, with Consent always of One or more of the said Proprietors, such Cisterns as the said Company may think necessary; and for the Purposes aforesaid the said Company of Proprietors, their Deputies, Servants, Agents, and Workmen, are hereby authorized and empowered to enter into and upon all Lands and Grounds, Highways, Roads, Passages, Streets, and Places belonging to any Person or Persons, Bodies Politic, Corporate, or Collegiate, which the said Company of Proprietors shall think necessary for conveying Water from the said River *Clyde* to the said City and Suburbs of *Glasgow* and Places adjacent as aforesaid, and to set out such Parts thereof as shall be necessary and proper for making the said Reservoirs, laying the said Pipes, and for constructing the Works and other Conveniences aforesaid; and also from Time to Time to open, scour, cleanse, repair, maintain, enlarge, contract, and alter such Reservoirs, Pipes, Works, and Conveniences, or to make such additional Works and Conveniences as may be necessary for the Purposes aforesaid; and also, for the Purposes aforesaid, to bore, dig, cut, trench, sough, get, remove, take, carry away, and lay Earth, Clay, Stones, Soil, Rubbish, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got in making such Reservoirs, laying such Pipes, or in constructing such Works and Conveniences, or which may hinder, obstruct, or prevent the making, laying, or constructing the same, or the using, completing, enlarging, and maintaining the same; and to use, exercise, and employ all necessary Ways and Means for conveying and bringing a sufficient Supply of Water from the said River *Clyde* to the said City and Suburbs and Places adjacent for the Use of the Inhabitants thereof; and from Time to Time to repair, maintain, support, continue, and enlarge the same according to the Tenor and Effect and true Intent and Meaning hereof; and also to make, maintain, repair, and alter any Fences, Passages, Bridges, or Arches which may be necessary for the Purposes aforesaid, or any of them; and from Time to Time to make, construct, and erect, and to repair and maintain, any Steam Engine or Engines, Cisterns, Ponds, Basins, Main Pipes, Rider Pipes, Hand Pipes, Service Pipes, Branch Pipes of Lead and other Metal, Cocks, Chamber Cocks, Cocks in common, Stop Cocks, Valves, Fire Plugs, Air Plugs, Fire Cocks, Bores, Main Services, Ferrols, Feeders, Tank Pins, Drains, Pumps, Sluices, and other Works and Devices as they shall think proper; and for all or any of the Purposes of this Act to break up and remove the Soil, Posts, Kirbs, Bulk Heads, Bars, Sewers, Drains, Pavements, and gravelled and other Ways of any of the present and future Roads, Streets, Squares, Lanes, Passages, Alleys, public Courts, Footways, public Quays, Closes, and public Places, and to enter into any private Lands or Grounds within the said City and Parts adjacent; and to dig

[Loc. & Per.] 8 Y and



and sink Trenches, and lay Pipes, and put Stop Cocks, Chamber Cocks, Fire Cocks, Fire Plugs, and Branches from such Pipes in such Places, for the laying and fixing such Pipes, and such other Matters and Things, in such Places and in such Manner as they shall judge necessary for distributing and conveying such Water to the respective Houses, Offices, Workhouses, Manufactories, and other Tenements of the Inhabitants of the said City and Suburbs and Places adjacent; and for that Purpose to erect standard or upright Pipes on the Sides or Gavels of any Tenement or Building, to supply any Inhabitant of any of the Stories or Floors thereof with Water, and to build up or surround the same with a Covering of Timber, Stone, or Brick Work, or other Building for preserving the same; provided that no such Stone or Brick Work shall be erected or built in front of any of the said Tenements; provided also, the said Company do not obstruct or stop up any Window or Light of any Proprietor, without his Consent, by the said upright Pipes or Buildings for preserving the same; and from Time to Time, as Occasion may require, to alter the Position of, and to repair, relay, and maintain such Pipes, Stop Cocks, and Air Plugs and Machinery, and to do all other Acts, Matters, and Things which shall from Time to Time be necessary or proper for completing and amending, repairing and improving, and for using the Works authorized by this Act to be done and provided for the Purposes, and according to the true Intent and Meaning hereof, they the said Company of Proprietors, their Deputies, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and the said Company of Proprietors making Satisfaction in the Manner herein-after mentioned to the Owners and Proprietors of and all Persons interested in the Lands, Tenements, and Heritage respectively which shall be used for the Purposes of this Act, or injured in Value by means of the Powers thereby granted; or which shall be by them sustained by reason of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company of Proprietors, and their Deputies, Servants, Agents, and Workmen, and all other Persons whomsoever, for what they or any of them shall do by virtue hereof, subject nevertheless to such Provisions or Restrictions as are herein contained: Provided always, that the Furnace of every Steam Engine to be erected by the said Company of Proprietors shall be constructed upon the Principle of consuming its own Smoke; and provided that the said Company of Proprietors shall not enter upon any of the Streets, Lanes, or public Places of the said City for laying, in the first instance, their Main and distributing Pipes, without giving Seven Days previous Notice to the Magistrates, but declaring that the said Company of Proprietors shall be entitled to lay their small or lead Pipes for the Service of the Inhabitants without giving such Notice, and also to make all necessary Repairs upon any of their Pipes, and for that Purpose to replace and renew the same without giving such Notice; and the said Company of Proprietors shall as soon as conveniently may be replace and make good, and shall maintain for the Space of Twelve Months thereafter, all such Roads, Streets, and Sewers and Drains as it may be necessary to take up or to injure in executing the Powers of this Act.

Wrote to the  
Council of the  
State of the  
National

XXVIII. And



XXVIII. And be it enacted, That the whole of the Pipe or Pipes in which the Water shall in the first place be conveyed from the said River Clyde shall be sunk in the Sides and Embankments, or in the Bed or Channel of the said River, and shall not project into the Water, or be raised above the Surface of the Sides and Embankments, Bed or Channel of the said River, excepting that the Mouths or Ends of the said Pipes may be raised any Space not exceeding One Foot above the Level of the Surface of the Bed or Channel of the River, and that the South Ends or Extremities of the said Pipes shall not be laid in the Bed of the said River farther than Twenty Feet from the Embankment or Breastwork on the North Side of the said River, and further, that the said Pipes shall be constructed and laid in such a Manner in all other respects as not to interrupt or prove in any Degree detrimental to the Navigation of the said River, or to the Vessels, Owners, Masters, or Mariners thereof navigating the same.

Manner in which Pipes shall be laid in the River Clyde.

XXIX. And be it enacted, That if at any Time the Trustees for improving the said River under an Act passed in the Thirty-second Year of the Reign of His Majesty King George the Second, intituled *An Act for improving the Navigation of the River Clyde to the City of Glasgow, and for building a Bridge across the said River from the said City to the Village of Gorbals*, and under another Act passed in the Tenth Year of the Reign of His present Majesty, intituled *An Act to explain and amend an Act made in the Thirty-second Year of the Reign of King George the Second, for improving the Navigation of the River Clyde to the City of Glasgow, and for building a Bridge across the said River from the said City to the Village of Gorbals*, shall think it necessary or expedient to deepen or widen the Channel of the said River, or Banks thereof, at or near the Place where the said Company of Proprietors are allowed to take Water therefrom, and to construct Works for that Purpose, the said Company of Proprietors shall and are hereby bound and required, upon receiving Three Months Notice from the said Trustees, to alter their said Works from Time to Time so as to admit of the Improvements of the Navigation of the said River by the deepening or widening thereof as aforesaid, or otherwise, it being hereby provided that during the Time the said Improvements are carrying on, and until they are finished, the said Company of Proprietors may take Water from the River in such a Way as to them may seem proper, but in such a Manner as that the Navigation of the said River shall not thereby be impeded or interrupted.

Pipes to be removed, if necessary, for the Improvement of the River.

XXX. And be it enacted, That the whole of the Works to be made in pursuance of this Act shall be made and constructed in such a Manner as not to impede, interrupt, or in any Degree damage or prove detrimental to the said River Clyde, the Navigation thereof, or Vessels resorting to the said City of Glasgow, or to any future Operations which the said Trustees may think it expedient to carry on for the Improvement of the Navigation of the said River, and in case the said Company of Proprietors shall erect or construct any of their said Works in a Manner which shall be prejudicial to the said River Navigation thereof, or Vessels resorting to the City of Glasgow, or which may prevent any future Improvements which the said Trustees may think it proper to make on the said Navigation, the Sheriff Depute of the County of Lanerk

Steam engines to be constructed so as not to obstruct the Navigation.

Works to be constructed so as not to obstruct the Navigation.



is hereby authorized and required, upon the Application of the said Trustees, to ascertain and determine, with the Assistance of such Engineers and skilled Persons as he may think proper, whether and how far the Works and Operations complained of are inconsistent with the Provisions of this Act, or detrimental to the said River or Navigation; and in the Event of the said Works and Operations being found inconsistent with the Provisions of this Act, or detrimental to the said River or Navigation thereof, to decern and adjudge the said Company of Proprietors, at their own Expences, to pull down and demolish all such Works and Erections; which Judgment and Sentence shall be final and binding on all Parties concerned, without being subject to review in any Manner of Way whatsoever; it being hereby further provided, that in case any Damage shall arise to the said Navigation, or to the Works for improving the same, or to the Vessels navigating the said River, by the Operations of the said Company of Proprietors, the said Company shall be liable in and bound to pay the full Amount of the said Damages, with the Expences incurred in recovering the same, to the said Trustees, or to any other Person who shall sustain such Damage, the said Damage to be ascertained by the Verdict of a Jury, and decerned for in manner herein provided.

Trustees of the Navigation not to be liable for Damage done to the Works of the Company.

XXXI. And be it enacted, That in case any of the Works of the said Company of Proprietors shall be hurt, destroyed, or damaged by the Operations of the said Trustees in improving the said River, or any of the Pipes belonging to the said Company which are to be sunk in the Sides, Embankments, Bed, or Channel of the said River, hurt, destroyed, or damaged by any of the Vessels trading to or from the City of *Glasgow* when navigating the said River, the said Trustees, and the Owners or Masters of such Vessels, shall not be responsible for any such Damage, or liable in Payment thereof, or of any Expences thereby incurred; any thing in this Act, or in the aforesaid Acts passed in the Thirty-second Year of His late Majesty King *George* the Second, and in the Tenth Year of the Reign of His present Majesty, notwithstanding.

Nothing in this Act to abridge Rights of the Magistrates of *Glasgow*.

XXXII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, abridge, or diminish any Rights, Privileges, Jurisdictions, and Powers which now belong to or are enjoyed by the Magistrates and Council of *Glasgow*, or by the Bailies on the River and Frith of *Clyde* in virtue of former Acts of Parliament, Royal Charters, immemorial Usage, or otherwise.

Plan of Reservoirs, &c.

XXXIII. And whereas a Map or Plan, describing the Places where the said Reservoirs in the Lands of *Cranstonhill*, and Grounds to the East thereof, are intended to be made, and a Description of the Line of the Pipes through which the Water will flow to such Reservoirs, and from the same through the said City and Suburbs of *Glasgow*, hath been deposited with the Clerk of the Peace of the County of *Lanerk* at *Glasgow*; be it enacted, That such Map or Plan and Description shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and all Persons interested therein shall at all reasonable Times have Liberty to inspect and peruse the same, and take a Copy thereof or any Part thereof, paying the Sum of One Shilling to the Clerk of the



the Peace, or his Deputy, for every such Inspection; and that the said Company shall not, in making the said Reservoirs, or in laying the said Pipes for the Conveyance of the said Water from the said River *Clyde*, so far as without the Royalty of the said City, deviate more than Twenty Yards of Three Feet each from the Site of the said Reservoirs, or the Line and Course, of the said Pipes, described in the said Map or Plan and Description, unless the same shall be built upon in Manner herein directed, without the Consent and Approbation in Writing of the Person or Persons, Body Politic or Corporate, through whose Lands or Grounds such Deviation shall be made; and that the said Company shall within the Royalty of the said City lay their Pipes in manner herein mentioned, and shall not have Power, after the Main Pipes and Collateral or Branch Pipes are once laid within the Royalty of the City of *Glasgow*, to deviate from or alter the Course of the said Pipes without the Consent and Approbation in Writing of the Magistrates and Council of the said City, or of the Person or Persons through whose Grounds such Deviation and Alteration shall be made.

XXXIV. Provided always, and be it enacted, That the said Company shall not have Power to lay more than One Main Pipe, with One Collateral Pipe, or in place thereof Two Collateral Pipes, in the Streets, Squares, or Lanes of the said City, except in *Argyle-street* and *Trongate-street* Eastward to the West End of *Gallowgate-street*, in which Streets the said Company shall have Power to lay One Main Pipe, with Two Collateral Pipes; and that none of the said Pipes within the Royalty of the City of *Glasgow* shall be laid deeper in the said Streets than Three Feet Six Inches from the Surface of the Causeway to the under Part of the Pipe, except where any Obstruction shall occur or be found, in which Event the said Pipes shall not be laid deeper than is necessary for avoiding such Obstruction; and provided also, that the said Company shall not lay any of the said Main or Collateral Pipes within Five Feet from the Centre of the Causeway of the said Streets, leaving a free Space of Ten Feet in Breadth in the Centre of each of the said Streets, nor within Three Feet of the Curb Stone of the Foot Pavement on the Sides of the said Streets, and that the said Company shall conform to the same Rules and Regulations, and shall have and enjoy the same Privileges, as are or shall be fixed and allowed by the Magistrates and Council of *Glasgow* with regard to the Pipes laid or to be laid by the *Glasgow* Waterworks Company in the Streets of the said City.

Prescribing  
how Pipes  
are to be laid.

XXXV. Provided also, and be it enacted, That the said Company of Proprietors shall not have a Right to carry any Pipe or Pipes along either of the Bridges across the said River, commonly called the *Old* and *New* Bridges, until they shall have given Seven Days previous Notice to the said Magistrates of such Intention in manner herein provided, and until they shall have found sufficient Caution acted in the Court Books of the said Burgh in usual Form for all or any Damages which may be occasioned by their Operations to the said Bridges.

No Pipes to  
be carried  
across the Old  
and New  
Bridges with-  
out Notice.

XXXVI. Provided always, and be it enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, or any Person or Persons acting by and under their Authority, to take,

Houses al-  
ready erected  
not to be  
injured.

[*Loc. & Per.*]

8 Z

use,



use, injure, or damage, in the making the said Reservoirs, or for laying the said Pipes, or for any of the Purposes aforesaid, any House or other Building erected or built, or to be erected or built, without the Consent of the Owner or Owners thereof: Provided always, that the said Company of Proprietors shall not be restrained from erecting standard or upright Pipes on the Sides or Cavelts of any Tenement or Building, to supply any Inhabitant of any Story or Floor thereof with Water, in the Manner herein directed.

Satisfaction  
to be made.

XXXVII. And be it further enacted, That the said Company of Proprietors shall and do make or tender Satisfaction to the Owners and Occupiers of and Persons interested in any Lands, Grounds, Tenements, or Heritages, not already belonging to the said Company, which shall be required for any of the Purposes of this Act, before they shall in any wise make use of the same, and also for any other Lands, Grounds, Tenements, or Heritages which shall be damaged in the Execution, or by virtue of any of the Powers aforesaid, for the Lands, Grounds, Tenements, and Heritages so to be taken, used, or damaged; and in case the Parties shall not agree touching the Amount of such Satisfaction within the Space of Twenty-one Days after Application shall have been made for that Purpose, by or on behalf of the said Company of Proprietors, to the respective Owners and Occupiers of and Persons interested as aforesaid, then upon Payment of such Sum or Sums of Money as shall be awarded by a Jury of Fifteen Persons, summoned and chosen by the Sheriff of the County within which such Lands or Houses shall be situated, in such Manner as Juries are summoned and chosen by the Sheriffs of Counties in Scotland, whose Determination is hereby declared to be final, without being subject to Suspension, Advocation, or Reduction; and in the Event that such Jury shall award a greater Compensation than the Company shall have offered, but less than the Owner or Owners, Occupier or Occupiers, shall have required, the Expence of such Jury shall be defrayed and borne by the said Company, 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 Expence shall be paid by the said Company; and, on the other Hand, if the said Jury shall award the Sum offered by the Company, or a less Sum, the whole of the said Expence shall be paid by the said Owner or Owners, Occupier or Occupiers: Provided always, that in all Cases where any Person or Persons shall by reason of Absence, be prevented from treating with the said Company, such Costs and Expences shall be borne and paid by the said Company: Provided also, that after having offered to the Proprietor or Proprietors, Occupier or Occupiers of the Lands or Houses, such Sum as the said Company shall think reasonable, it shall and may be lawful for them to enter into and upon such Lands or Houses for the Purposes of this Act, and no Stop shall in the meantime be put to the Operations of the said Company on Pretence of settling the said Damage, or that they have not been satisfied and paid money to do so.

Bodies Politic  
empowered  
to sell and  
convey  
Lands.

XXXVIII. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Husbands, Guardians, Trustees, and Feoffees in Trust for charitable and other Purposes, Committees,



Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Females Covert, who are or shall be seized, possessed of, or interested in their own Right, or entitled to by Will, or other Interest therein; and for every Person or Persons, who shall be, or shall be seized, possessed of, or interested in any Lands, Grounds, Tenements, or Heritages which shall be necessary for the Purposes aforesaid, to contract for, sell, and convey the same, and every Part thereof, unto the said Company of Proprietors, and all Bodies Politic, Corporate, or Collegiate, and all other Persons whomsoever, so conveying as aforesaid, are hereby indemnified for what they shall respectively do in relation to any such Sales which they, she, they, or any of them shall make by virtue and impuissance of this Act, and all such Contracts, Agreements, Sales, Conveyances, and Assurances shall be made at the Expence of the said Company of Proprietors; and such of them as shall be made of any Lands, Tenements, or other Heritages to the said Company of Proprietors shall be made according to the Forms and Customs prescribed by the Laws of Scotland.

Contracts and Sales to be made at the Expence of the Company.

And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Heritages 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 Corporation, 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, under the Direction and by the Authority of their Court of Session, be with all convenient Speed paid into the Bank of Scotland, or Royal Bank of Scotland, 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 Lands, Tenements, or Heritages, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt, or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the said Lands, Tenements, or Heritages, or affecting other Lands, Tenements, or Heritages standing settled thereunto, to the same or the like Uses, Intents, or Purposes; (and where as 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 Lands, Tenements, or Heritages, which shall be conveyed and settled to, for, and upon such and other like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements, or Heritages 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 meantime, and until such Purchase shall be made, the Interest or Annual Produce of such Money shall from Time to Time be paid, by Orders of the said Court, to the Person or Persons who would

Application of Compensation Money when exceeding 200l.



would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, and Heritages so hereby directed to be purchased, in case such Purchase or Settlement were made.

If under  
200*l.* and  
above 20*l.*

XL. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Heritages purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any 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 Lands, Tenements, or Heritages 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 to be placed to his, her, or their Account 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 Three or more of the said Committee of Management, (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 any Manner herein-before directed, so far as the Case may be applicable.

When under  
20*l.*

XLI. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned shall 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 Lands, Tenements, or Heritages so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Committee of Management, or any Three or more of them, shall think fit, or in case of Infancy or Lunacy, then to his, her, or their Tutors or Curators, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not  
making out  
Titles.

Or if Persons  
cannot be  
found, Pur-  
chase Money  
to be paid  
into the Bank.

XLII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Heritages 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 Company of Proprietors, 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 Lands, Tenements, or Heritages be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Committee of Management, or any Three or more of them, 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*, to the Credit of the Parties interested in the said Lands, Tenements, or Heritages (describing them), subject to the Order, Controul, and Disposition of the Court of Session; which said Court, on the Application of any Person or Persons making Claim to such



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 same 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*, 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.

XLIII. Provided always, 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 Bank of *Scotland*, or Royal Bank of *Scotland*, under the Direction and by the Authority of the Court of Session, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Heritages, or any Estate, Right, or Interest in any Lands, Tenements, or Heritages, to be purchased in pursuance of this Act, or to any 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 Lands, Tenements, or Heritages at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Heritages, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court; and the Rents and Profits of the Lands, Tenements, and Heritages to be purchased with such Money, and also the 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 Lands, Tenements, or Heritages, or to some Estate or Interest therein.

In case of questionable Title Possessor to be deemed to have a Title until the contrary shall be shewn.

XLIV. Provided also, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Heritages to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied to the Purchase of other Lands, Tenements, or Heritages to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by the said Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purchases as the said Court shall direct.

Expences of Purchases may be allowed by the Court.

XLV. And be it further enacted, That such of the Inhabitants of the said City and Suburbs of *Glasgow*, and Places adjacent, as shall be desirous

For conveying Water from the Company's

[*Loc. & Per.*]

9 A



Pipes to the  
Houses of  
Inhabitants.

Persons  
supplied under  
this Act not  
to supply  
other Persons  
with Water.

rous of having the Water laid into their Houses, or other Appurtenances, may and are hereby authorized and empowered, at their own Expence, (having first obtained the Consent in Writing under the Hands of such Person or Persons as shall be authorized by the said Committee of Management to give such Consent,) to open the Ground between the Pipes belonging to the said Company and the respective Houses, Brew-houses, Manufactories, or Offices of such Inhabitants, and to lay Leaden or other Pipes (the Bore thereof to be ascertained by the said Company) from such respective Houses, Brewhouses, Manufactories, or Offices, to communicate with the Pipes belonging to the said Company in any Road, Street, Lane, Passage, or Place within the said City and Suburbs of *Glasgow*, and Places adjacent, such respective Inhabitants of the said City and Suburbs of *Glasgow*, and Places adjacent, making Satisfaction in the Manner directed by this Act to the Trustees of the said Turnpike Road, and to the Owners and Occupiers of and Persons interested in any Lands, Grounds, Tenements, or Heritages, who shall or may be injured by such Operations or by any other Operations performed by such Inhabitants in taking or using a Supply of Water from the said Company, and also paying to the said Company of Proprietors, yearly, quarterly, or monthly, such Sum or Sums of Money for such Water as shall be mutually agreed upon between them; and in case of Default in Payment of any such Sum or Sums of Money so agreed to be paid as aforesaid, it shall and may be lawful for the said Company to cause the Pipe or Pipes belonging to the Person or Persons making such Default, and communicating with any Main or other Pipe or Pipes belonging to the said Company, to be separated from the said Pipe or Pipes with which the same shall so communicate, and to cause the Water to be stopped from issuing or running into the House, Office, Work, or Manufactory of every Person making such Default, and that the Sum and Sums of Money which shall be due and in arrear from such Person or Persons to the said Company of Proprietors shall and may be recovered by the said Company, by Distress and Sale of the Goods and Chattels of the Persons liable to pay the same, in the same Manner as Rents payable by any Lease may be by Law recovered; and if any Person shall lay or cause to be laid any Leaden or other Pipe to communicate with any Main or other Pipe belonging to the said Company of Proprietors, or any Pipe or Pipes communicating therewith, without such Consent being obtained as aforesaid, every such Person shall forfeit and pay to the said Company of Proprietors, their Successors, Executors, Administrators, or Assigns, the Sum of Twenty Shillings for every Day such Pipe shall so remain: Provided always, that such Inhabitants of the City of *Glasgow* as shall have laid Leaden Pipes as aforesaid shall be at liberty to remove and take away the same, and the Cocks thereto belonging.

Persons sup-  
plied under  
this Act not  
to supply  
other Persons  
with Water.

XLVI. Provided always, and be it further enacted, That if any Inhabitant of the said City of *Glasgow*, or any other Person or Persons whomsoever, supplied with Water by virtue of this Act, shall supply any other Inhabitant thereof, or any other Person whatsoever, with any Part of such Water, then and in every such Case every Person so offending shall for every such Offence forfeit and pay to the said Company of Proprietors any Sum not exceeding Five Pounds, and it shall be lawful for the said Company of Proprietors, if they shall so think fit, also to take off



the Water from the House or Office of any Person so offending for every such Offence. *which is hereby enacted that the said Company shall be bound to supply the said Water to the said Person or Persons as soon as they shall apply for the same.* XLVII. Provided nevertheless, and be it further enacted, That nothing herein contained shall extend to subject any Person or Persons whomsoever supplied with Water by virtue of this Act to any Penalty or Forfeiture for supplying any other Person or Persons also supplied with Water by virtue of this Act with any Quantity of such Water during such Time as the Pipes or Cocks of such last-mentioned Person shall or may happen to be out of repair; provided the same shall be done with the Consent of the said Committee of Management, or of such Person or Persons as shall be authorized by them to give such Consent; and provided that such Pipes or Cocks nevertheless shall be repaired as soon as possible after any Damage shall happen thereto. *and it is hereby enacted that the said Company shall be bound to supply the said Water to the said Person or Persons as soon as they shall apply for the same.* XLVIII. And be it enacted, That every Person or Persons contracting with the said Company of Proprietors for the Supply of Water shall, in every Water Butt, Cistern, or Receptacle for Water to be provided by the said Parties so contracting with the said Company, attach and fix a Ball Cock or other self-acting Cock to the Pipe conveying Water from the Pipes belonging to the said Company into such Butt, Cistern, or other Receptacle, and to repair and renew the same as often as shall be necessary, in order to prevent the Water running to waste, when such Butt, Cistern, or other Receptacle shall be full; and no Communication shall be made between the said Water Cistern and the Sink Stone, Jaw Box, or Roan, of or belonging to any House or Houses which may be supplied by the said Company with Water without their Consent; and the Person or Persons neglecting to attach and fix, or to repair and renew, such Ball Cock, or forming such Communication, shall forfeit to the said Company of Proprietors a Sum not exceeding Five Pounds for every Offence; and the authorized Servant or Servants of the Company shall have free Access (at all reasonable Times) to the Premises so to be supplied as aforesaid, to see that such Ball Cocks are kept in proper and sufficient Repair and Condition. *and it is hereby enacted that the said Company shall be bound to supply the said Water to the said Person or Persons as soon as they shall apply for the same.* XLIX. Provided always, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to alter or change the Course and Direction of the present or future public Streets, Sewers, and Drains in the said City without the Consent of the said Magistrates and Council, and that any Ground which shall or may be opened or broken up for laying, taking up, or repairing any Pipe by virtue of this Act shall by the said Company and Occupiers respectively be filled in, and the Rubbish occasioned thereby carried away, as soon as conveniently may be, and in the meantime shall be fenced or guarded so as that the same may not be dangerous to Passengers; and that Notice in Writing shall be given by such Company and Occupiers respectively immediately upon the breaking up of any Ground as aforesaid to the Lord Provost and Magistrates of the said City for the Time being, or left at the Town Clerk's Office in the said City, or to the said Trustees of the said Turnpike Road, or to the Proprietor or Proprietors thereof, or left at his, hers, or their usual Place, or Places of Abode, as the Case may be, in order that the Pavement and Ground, and all Things that shall have been

it is hereby  
enacted that  
the said Com-  
pany shall be  
bound to supply  
the said Water  
to the said Per-  
son or Persons  
as soon as they  
shall apply for  
the same.

Except in  
certain Cases.

Stopcocks to  
be provided  
in Cisterns.

Ground laid  
open to be  
fenced.

it is hereby  
enacted that  
the said Com-  
pany shall be  
bound to supply  
the said Water  
to the said Per-  
son or Persons  
as soon as they  
shall apply for  
the same.



been removed shall be made good at the Sight of the said Lord Provost and Magistrates, or Trustees of the said Turnpike Road, or Proprietor or Proprietors thereof respectively, by the said Company, or Person or Persons with whom the said Company shall have agreed as aforesaid, within Seven Days after any such Pipe shall have been laid or repaired as aforesaid, under the Penalty of Ten Pounds for each Day thereafter that the said Pavement and Ground and other Things shall not be made good as aforesaid, to be applied to the Use of the Poor of the City of *Glasgow* aforesaid, and to be sued for, recovered, and levied by the Lord Provost and Magistrates of the said City by the same Ways and Means as are in this Act directed in the Case of other Penalties; and in the Event that the said Pavement and Ground, and all Things that shall have been so removed, shall not have been made good within Seven Days as aforesaid, then and thereafter it shall and may be lawful for the said Lord Provost and Magistrates, or the Proprietor or Proprietors thereof, as the Case may be, to order and direct such Pavement and Ground, and all Things which shall have been so removed as aforesaid, to be made good at the Expence of the said Company, or Person or Persons with whom they shall have agreed as aforesaid, and to sue for and recover such Expences by the same Ways and Means by which any Penalty may be sued for and recovered by virtue of this Act.

Penalty for  
interrupting  
Workmen.

L. And be it further enacted, That if any Person shall wilfully or maliciously hinder or interrupt the said Company of Proprietors, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing and performing any of the Works, or in exercise of any of the Powers and Authorities by this Act granted, or shall in anywise cause or procure the same to be done, every Person so offending shall for every such Offence forfeit and pay to the said Company of Proprietors, or to the proper Person or Persons by them authorized in that Behalf, any Sum not exceeding Ten Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or Interruption, such Damage to be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered.

Penalty for  
injuring the  
Works.

LI. And be it further enacted, That if any Person shall wilfully or maliciously break, throw down, damage, or destroy any Works to be erected and made by virtue of this Act, or destroy, damage, or injure any Engine, Waterhouse, Reservoir, Pipe, Plug, or other Matter or Thing which shall be made, provided, or procured for the Purposes of this Act, or of the Materials used or provided for the same, every such Person shall forfeit and pay to the said Company of Proprietors any Sum not exceeding Ten Pounds, and also the full Amount of the Damage which shall be recovered, in like Manner as the said Penalty is hereby authorized to be recovered.

Penalty for  
injuring the  
Water.

LII. And in order to preserve the Water to be conveyed into the said City and Suburbs of *Glasgow* and Places adjacent pure and wholesome, be it enacted, That no Person shall bathe in any of the said Reservoirs or Basins, or wash any Dogs or other Animals therein, or cast, throw, or put any Dog or Cat, or other Filth, Dirt, or any noisome or offensive Thing, or wash or clean any Cloth, or any Wool, Cotton, Linen,  
Leather,



Leather, or any noisome or offensive Thing, in any of the said Reservoirs or Basins, or suffer the Water of any Sink, Sewer, or Drain to run or be conveyed into the same, or into any of the said Pipes, or cause any other Annoyance to be done to the said Water thereof, upon pain of forfeiting to the said Company of Proprietors for every such Offence a Sum not exceeding Five Pounds.

LIII. And be it further enacted, That if any Person or Persons shall take or cause to be taken or used any Water from or out of any Reservoir, Tank, or Aqueduct which shall be made by the said Company of Proprietors by virtue of this Act, without the previous Consent in Writing under the Hand or Hands of such Person or Persons as shall be authorized by the said Committee of Management to give such Consent, then and in every such Case every Person so offending shall forfeit and pay to the said Company of Proprietors a Sum not exceeding Twenty Shillings for every such Offence.

Water not to be taken from Reservoirs.

LIV. And be it further enacted, That if any Person or Persons shall make use of the Water raised from the said River *Clyde* by virtue of this Act for the Purpose of supplying any Pond or Reservoir in any Yard, Field, or Garden, or for the Purpose of watering any Yard, Field, or Garden, or any Street, Highway, Road, Lane, or Passage, or for any Purpose whatsoever, which shall not have been agreed upon by and between such Person or Persons and the said Company of Proprietors, or their Committee of Management, or some Person or Persons authorized by such Committee for that Purpose, or without the Consent of the said Company of Proprietors or their Committee of Management, or of some Person or Persons authorized by such Committee for such Purpose, every Person so offending shall for every such Offence forfeit and pay to the said Company of Proprietors a Sum not exceeding Twenty Shillings Sterling.

Water not to be diverted to any Use not agreed upon.

LV. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons whatsoever at all Times to use and employ the Water which shall be raised from the said River *Clyde* by virtue of this Act in the extinguishing of any Fire or Fires which may happen to any House or Building within the said City and Suburbs, without making any Compensation or Satisfaction for the same to the said Company of Proprietors, or any other Person or Persons whatsoever, and that proper Fire Plugs, with painted Directions or Marks on the Houses and Buildings in the said City and Suburbs, shall be provided at the Expence of the said Company of Proprietors, the Numbers of which in each Street shall be equal to those provided by the Company of Proprietors of the *Glasgow Waterworks*, and their Situation shall be fixed by the Magistrates of *Glasgow*.

Water of the Company may be used for extinguishing of Fires.

LVI. And be it further enacted, That the Property of and in the said Undertaking, and the Profits arising therefrom, after deducting the Money laid out in obtaining and passing this Act, and of making the different Surveys and Plans of the same, and of the Lands and Grounds through which the same is intended to be carried as aforesaid, and making and constructing the Works authorized by this Act, and all other incidental Costs, Charges, and Expences whatsoever touching or

Property of Undertaking vested in Proprietors.

[*Loc. & Per.*]

9 B

concerning



concerning the same in any wise howsoever, which shall be respectively borne, paid, and defrayed by the said Company of Proprietors, and are hereby vested in the said Company of Proprietors, and they shall severally and respectively be entitled thereto in such Shares and Proportions and in the Manner prescribed by this Act.

Recovery of Penalties.

LVII. And be it enacted, That the Penalties and Forfeitures authorized to be sued for, levied, and recovered by this Act shall and may be sued for, levied, and recovered by the said Company of Proprietors in the same Way and Manner as Debts are sued for, levied, and recovered by the Laws of Scotland.

To compel Payment of Subscriptions.

LVIII. And be it enacted, That the several Persons who have subscribed or who shall hereafter subscribe any Money for and towards making and completing the said Undertaking shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Portions thereof as shall from Time to Time be called for by the said Committee of Management, under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Committee in Manner before mentioned; and in case any Person or Persons shall neglect or refuse to pay the same at the Time and in the Manner required for that Purpose, it shall be lawful for the said Company of Proprietors to sue for and recover the same in any Court of Law or Equity.

If Water not brought within Five Years, the Act to expire.

LIX. Provided always, and be it further enacted, That in case the said Company of Proprietors shall not have brought a Supply of Water for the Use of the said City and Suburbs of Glasgow, and Places adjacent, in the Manner directed by this Act, within the Space of Five Years next after the passing thereof, then this Act, and the several Powers and Authorities hereby granted, shall cease and determine.

Limitation as to raising of Water.

LX. Provided also, and be it further enacted, That the Quantity of Water so to be raised and conveyed as aforesaid shall not at any Time or Times be so great as to lessen the Depth of the said River Clyde more than One perpendicular Inch from its Surface throughout the Extent thereof in any Part of the said River, and that for the Purpose of ascertaining the Quantity of Water so to be raised and conveyed as aforesaid, a proper Index or Water Gauge shall be erected under the Direction of the Sheriff of the said County of Lanark, and continued in the said River Clyde by the said Company of Proprietors, to which Gauge Access shall at all Times be given to the Trustees of the River Clyde, every Proprietor and Occupier of Land on the Banks of the said River, and every Person interested in the Navigation thereof; and whenever it shall appear, by means of the said Index or Water Gauge, that the Water in the said River Clyde shall have been lowered more than One Inch from the Surface thereof by reason of the Water so raised and conveyed as aforesaid, it shall and may be lawful for the said Trustees, any such Proprietor or Occupier or Person, to apply to the said Sheriff by a summary Application to prevent the raising and conveying of Water as aforesaid so as to lessen the Depth of Water more than One Inch in the said River as aforesaid: Provided also, that the Main Pipe or Pipes discharging Water into the



the Reservoir or Reservoirs shall not be of greater inside Diameter than will discharge at any One Time a Cylinder of Water of more than Fourteen Inches in Diameter, that is to say, that the said Company shall not have Power to convey a greater Quantity of Water into the said Reservoir or Reservoirs, at any One Time, than is capable of being conveyed by a Pipe of the Bore and Dimensions aforesaid.

**LXI.** And be it further enacted, That in case any Person or Persons shall think him, her, or themselves aggrieved by any thing done in pursuance of this Act, and for which no particular Remedy or Method of Relief hath been already directed and appointed, it shall and may be lawful for him, her, or them to appeal to the Justices of the Peace at the first Quarter Sessions to be held for the Under Ward of the said County; and in case the Cause of Complaint arise within Fifteen Days before such Quarter Sessions, then such Appeal shall be made to the said Justices at the Second such Quarter Sessions, who are hereby authorized and required to take cognizance thereof, and to hear and determine the Complaint or Complaints of any Person or Persons so aggrieved, and if they see Cause shall and may, by Order of such Meeting, mitigate at their Discretion all or any of the said Penalties or Forfeitures imposed or incurred by the said Party or Parties complaining, or vacate and set aside the Conviction or Convictions, and set the Parties at liberty, or otherwise may ratify and confirm the same, with such Costs, as to them in their Discretion may seem proper, and to levy by their Order or Warrant such Costs so awarded by Distress and Sale of the Goods and Effects of any Person or Persons, who shall refuse to obey the same, and for Want of sufficient Distress, to commit the Party to the Common Gaol of the County for any Time not exceeding Three Months, or until Payment of such Costs shall be made; but the Person or Persons so appealing shall and they are hereby directed to give Notice in Writing to the Defender or Defenders of such their Intention of bringing or prosecuting any Appeal Fifteen Days before the said Quarter Sessions, and shall within Five Days after such Notice lodge in the Hands of the Clerk to the said Justices a Bond signed by him, her, or them to prosecute such Appeal; and in case such Appeal shall be disallowed, the Appellant shall pay such Costs and Charges as the said Justices shall direct in that Behalf; and every such Appeal shall at the said Quarter Sessions be heard and finally determined, without being subject to Advococation, Suspension, or Reduction.

**LXII.** 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.

**LONDON:** Printed by GEORGE EYRE and ANDREW SROTTSWOOD, Printers to the King's most Excellent Majesty, 1834.

Appeal to the Quarter Sessions.

To compel Payment of Subscriptions.

If Water not brought within Five Years the Act to expire.

Limitation as to raising of Water.

Public Act.



