



ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

Cap. lxxxvi.

An Act to alter and amend, and in part repeal, the Powers of certain Acts for supplying the City of *Glasgow* and Suburbs with Water; to enable the Company of Proprietors of the *Glasgow* Waterworks to purchase the *Cranstonhill* Waterworks, and to raise a further Sum of Money; and to alter the Rates leviabie by the said Company of Proprietors. [27th July 1838.]

WHEREAS an Act was passed in the Forty-sixth Year of the Reign of His Majesty King *George* the Third, intituled *An Act for supplying the City and Suburbs of Glasgow with Water*, 46 G. 3. c. 136. and another Act was passed in the Fifty-ninth Year of the Reign of His said Majesty, intituled *An Act for altering and enlarging the Powers of an Act 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,'* in virtue of which recited Acts certain Works for supplying the said City and Suburbs with Water have been established at the Cost and Expence of a Company under the Style of "The Company of Proprietors of the *Glasgow* Waterworks:" And whereas an Act was passed in the Forty-eighth

[Local.]

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eighth

48 G. 3. c. 44. eighth Year of the Reign of His said Majesty, intituled *An Act for the further Supply of the City and Suburbs of Glasgow and Places adjacent with Water*; and another Act was passed in the Fifty-second

52 G. 3. c. 52. Year of the Reign of His said Majesty, intituled *An Act to enable the Company of Proprietors of the Cranstonhill Waterworks to raise more Money for the further Supply of the City and Suburbs of Glasgow and Places adjacent with Water*; and another Act was passed in the

59 G. 3. c. 117. Fifty-ninth Year of the Reign of His said Majesty, intituled *An Act to enable the Company of Proprietors of the Cranstonhill Waterworks to alter, extend, and improve their Works for supplying the City and Suburbs of Glasgow and Places adjacent with Water*; in virtue of which last Three recited Acts certain other Works for supplying the said City and Suburbs with Water have been established at the Cost and Expende of a Company under the Style of "The Company of Proprietors of the *Cranstonhill Waterworks*:". And whereas the said Company of Proprietors of the *Cranstonhill Waterworks*, since the Commencement of the said Undertaking in the Year One thousand eight hundred and eight, have only been able to make Dividends amounting in all to less than Twenty Shillings *per Centum* to the Proprietors; and in order to prevent further Loss they are desirous of selling their Works and Property to the Company of Proprietors of the *Glasgow Waterworks*: And whereas the Acquisition of the said Works and Property would enable the Company of Proprietors of the *Glasgow Waterworks* to supply with Water the said City and Suburbs, and Places adjacent thereto, more efficiently and at lower Rates than those authorized to be levied by the said recited Acts; and it is expedient that they should be enabled to purchase the said Works and Property, and that the said recited Acts should be altered, amended, and in part repealed; but these Objects cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said last Three recited Acts shall from and after the passing of this Act be and the same are hereby repealed, save and except as to the Powers and Privileges thereby granted for the Purpose of procuring and raising Water to be distributed among the Inhabitants of the City and Suburbs of *Glasgow* and Places adjacent thereto, and as to the Regulations and Restrictions relating to the Exercise of such Powers and Privileges.

The Three last recited Acts in part repealed.

Powers of the recited Acts so far as they are not hereby repealed extended to this Act.

II. And be it further enacted, That the said first Two recited Acts and said last Three recited Acts, and all and every the Powers, Privileges, Provisions, Regulations, Restrictions, Penalties, Forfeitures, Matters, and Things whatsoever contained in the said several recited Acts, so far as not repealed or varied or altered by this Act, shall be continued in full Force and Effect, and be as good, valid, and effectual for carrying this Act into execution, as if the same had been repeated and re-enacted in the Body of this Act.

Property and Estate of the Cran-

III. And be it further enacted, That from and after the Date hereof all the Lands, Buildings, Pipes, Machinery, and other Estate, Real

Real and Personal, belonging to the said Company of Proprietors of the *Cranstonhill* Waterworks, and all Debts, Rents, Rates, and Monies due to them, and all Arrears of such Rents or Rates, shall be and the same are hereby vested in and shall be available and belong and be payable to and recoverable by the said Company of Proprietors of the *Glasgow* Waterworks; and all Bonds, Securities, and Conveyances, Contracts, Agreements, and Obligations granted, made, or entered into to or with the said Company of Proprietors of the *Cranstonhill* Waterworks, shall remain in full Force and Effect, and shall be available to the said Company of Proprietors of the *Glasgow* Waterworks, in the same Manner as they were or might have been available to the said Company of Proprietors of the *Cranstonhill* Waterworks before the passing of this Act, in all Courts of Law and Equity, until the same shall be fully paid, satisfied, performed, and discharged.

stonhill
Company
vested in the
Glasgow
Waterworks
Company.

IV. Provided always, and be it enacted, That all Bonds, Securities for Money, Conveyances, Contracts, Agreements, and Obligations granted, made, or entered into or Debts owing by the said Company of Proprietors of the *Cranstonhill* Waterworks previously to the passing of this Act, under or by virtue of the said last Three recited Acts or any of them, to or with any Person or Persons whomsoever, and all Liabilities arising out of the same, shall be chargeable and charged upon the Property and Stock of the said Company of Proprietors of the *Glasgow* Waterworks, and shall remain in full Force and Effect, and be and continue valid in Law and available in all Courts of Law and Equity, until the same be fully satisfied, paid, performed, and discharged.

Glasgow
Waterworks
Company to
be subject to
the Debts,
Engagements,
and Liabilities
of the *Cran-*
stonhill Wa-
terworks
Company.

V. Provided further, and be it enacted, That nothing in this Act contained shall be held or construed to alter, affect, or diminish any Security or Securities, Mortgage or Mortgages, granted for Money borrowed under the Authority of the said recited Acts or any of them, all of which shall remain good, valid, and sufficient in favour of the Grantees therein, any thing in this Act contained to the contrary notwithstanding.

Securities
and Mort-
gages for
borrowed
Money not to
be affected.

VI. And be it further enacted, That the Amount of Capital Stock expended by the foresaid Companies in supplying the said City and Suburbs and Places adjacent thereto with Water shall be held and considered and is hereby declared to be Two hundred and sixty-seven thousand five hundred and fifty Pounds Sterling, which Sum of Two hundred and sixty-seven thousand five hundred and fifty Pounds shall and is hereby declared to form the Capital Stock of the said *Glasgow* Waterworks Company as at the Date of the passing of this Act; and the same shall be and is hereby divided into Five thousand three hundred and fifty-one Shares of Fifty Pounds each; and every Proprietor of any such Share or Shares shall be entitled to the Rights, Privileges, and Benefits, and subject to the Rules and Obligations in respect of such Share or Shares which are conferred and imposed upon Proprietors of Shares by the said first Two recited Acts and this Act.

Capital Stock
declared to
be Two hun-
dred and
sixty-seven
thousand five
hundred and
fifty Pounds.

VII. Pro-

Capital Stock declared to be exclusive of present Debts.

VII. Provided always, and be it enacted, That the foresaid Sum of Two hundred and sixty-seven thousand five hundred and fifty Pounds is not intended and shall not be held to include any Part of the Debts of the foresaid Companies; which are hereby declared to have amounted to Seventy-five thousand five hundred and seventy-four Pounds on the Thirty-first Day of *December* One thousand eight hundred and thirty-seven.

Appropriation of said Capital Stock.

VIII. And be it further enacted, That in consideration of the foresaid Transfer of the Property and Estate of the said *Cranstonhill* Waterworks Company to the said *Glasgow* Waterworks Company One Fourth Part of the said Capital Stock of Two hundred and sixty-seven thousand five hundred and fifty Pounds shall be and the same is hereby assigned to and vested in the Proprietors of the Stock of the said *Cranstonhill* Waterworks Company, in proportion to the Number of Shares in the last-mentioned Stock belonging to them respectively at the Date of the passing of this Act, and the other Three Fourths of the said Capital Stock of Two hundred and sixty-seven thousand five hundred and fifty Pounds shall belong to and the same are hereby vested in the Proprietors of the old Capital Stock of the said *Glasgow* Waterworks Company, in proportion to the Number of Shares of the said last-mentioned Stock belonging to them respectively at the Date of the passing of this Act.

Fractional Parts of a Share to be made up to an entire Share.

IX. Provided always, and be it enacted, That it shall be lawful to the Directors for the Time being of the said Company of Proprietors of the *Glasgow* Waterworks from Time to Time to sell and assign, at a Price to be fixed by them, such and as many fractional Parts of a Share as may be necessary to make up an entire Share therein, to such Shareholder or Shareholders as may in virtue of the Provisions of this Act become possessed of any fractional Part of an entire Share in the said Capital Stock of Two hundred and sixty-seven thousand five hundred and fifty Pounds, and may be desirous of making up such Share; and any Person acquiring such fractional Part of a Share shall from and after the Date of his or her acquiring the same be entitled in respect thereof to the same Rights, Privileges, and Benefits, and subject to the same Rules and Obligations, as any Proprietor of Shares in the Capital Stock of the said Company of Proprietors of the *Glasgow* Waterworks is by the said first Two recited Acts and this Act entitled and subject to.

Company may sell additional Stock.

X. And be it further enacted, That it shall be lawful for the said Company of Proprietors of the *Glasgow* Waterworks from Time to Time to sell by public Auction, in Lots of not more than Five Shares each, such further Number of entire Shares of Fifty Pounds in the Capital Stock of the said Undertaking, not exceeding One thousand eight hundred and forty-six entire Shares in all, as shall be authorized to be sold by any of the Annual General Meetings of the said Company, or by any General Meeting of the said Company specially called for that Purpose, previous Advertisement of such Sales being given in the *Edinburgh Gazette*, and in Three at least of the *Glasgow* Newspapers, Twenty-one Days previous to the Sale: Provided always, that not more than Five hundred of such entire Shares shall be sold in

in any One Year; and that such Shares shall not be exposed to Sale on the first Occasion at a less Price than Fifty Pounds *per* Share, nor sold at a Price below that Sum until after an Adjournment of at least Three Weeks, advertised as aforesaid, the Notice of such adjourned Sale specifying the reduced upset Price at which the said Shares are to be exposed to Sale, and so on until a Sale of the same be accomplished; and the Holder of such Shares shall, from and after the Purchase thereof, be entitled in respect thereof to the same Rights and Privileges and be subject to the same Rules and Obligations as any other Proprietor of Shares in the said Undertaking is by the said first Two recited Acts and this Act entitled and subject to: Provided also, that no higher Dividend shall be paid on such new Stock than at the Rate of Seven Pounds Sterling *per Centum per Annum* upon the Amount of Capital Stock of such new Shares as at the Rate of Fifty Pounds *per* Share.

XI. Provided always, and be it enacted, That the Power herein contained to sell further or additional Shares shall be in lieu and stead of the Power granted by the said recited Acts to create additional Stock or to sell further Shares; and the whole Power granted by the said recited Acts to create additional Stock or to sell further Shares shall be and the same are hereby repealed.

Power of selling additional Stock contained in former Acts repealed.

XII. Provided always, and be it enacted, That the whole Monies to be received by the said Company of Proprietors upon the Sale of new Stock, whether entire Shares or fractional Parts thereof, and all Interest to arise thereon, shall be applied by the said Companies towards the future Extension, Enlargement, and Improvement of the Works of the said Company for supplying the said City and Suburbs and Places adjacent thereto with Water under the Authority of the said recited Acts and this Act, and to no other Purposes whatsoever; and no Part of such Monies, or of any Interest to arise thereon, shall be divisible among the Shareholders or applicable to the ordinary Expences of the said Company.

Monies to be applied towards the Purposes of the said recited Acts and this Act.

XIII. And be it further enacted, That it shall not be lawful to the said Company of Proprietors of the *Glasgow* Waterworks to divide among themselves any larger Profits from the said Undertaking than shall amount to Seven Pounds *per Centum per Annum* on the foresaid Capital Stock of Two hundred and sixty-seven thousand five hundred and fifty Pounds, and on the Capital Stock to be hereafter expended by them in supplying the City and Suburbs of *Glasgow* and Places adjacent thereto with Water as herein provided; and whenever the Profits of the said Undertaking shall exceed the Amount of Seven *per Centum per Annum* on such Capital Stock the Rates hereby granted shall be reduced and diminished in the Manner herein-after provided, in proportion to the Excess of such Profits: Provided always, that the yearly Interest of all Monies already borrowed in virtue of the said recited Acts, or to be borrowed under this Act, for the Purpose of supplying the said City and Suburbs and Places adjacent thereto with Water, shall form one of the ordinary Items of Expenditure chargeable against the annual Revenue, before ascertaining the Profits of the said Company.

Amount of Dividends restricted to Seven *per Centum per Annum*.

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XIV. Pro-

Company to furnish a good Supply of Water at the Rates herein-mentioned.

XIV. Provided always, and be it enacted, That from and after the passing of this Act the said Company of Proprietors shall be obliged to furnish a Supply of good wholesome Water to every Inhabitant occupying a Dwelling House in any Square, Street, Close, or Lane of the said City of *Glasgow* and Suburbs, within the Limits after specified, in the Way and Manner herein-after provided, for the Use of his or her Family, at the yearly Rates herein-after specified, which yearly Rates shall be levied and recovered by the said Company in Moieties half-yearly, and in advance; *viz.*, a Rate not exceeding Six Pounds Ten Shillings *per Centum per Annum* upon the actual Rent or Value of the House occupied by such Inhabitant, under a Deduction of One Tenth of such actual Rent or Value when the Rent or Value of the House is above Five Pounds *per Annum*, and at a Rate *per Annum* not exceeding Five Shillings when the Rent or Value is at or under Five Pounds *per Annum*; and every such Rate shall be calculated according to the actual Amount of the Rent, subject to the said Deduction of One Tenth, when such Rent can be ascertained, and when the same cannot be ascertained according to a Valuation to be made by a Surveyor chosen and appointed annually by the said Company, whose Appointment shall be approved as herein-after provided; and such Surveyor shall be sworn to administer his Office faithfully according to his Judgment and Knowledge, which Oath the Sheriff or the said Lord Provost or any One of the Magistrates of *Glasgow* is hereby authorized to administer: Provided nevertheless, that the said Company shall not be entitled to ask or receive from any such Inhabitant more than the Sum of Ten Pounds in any One Year for such Supply, nor be obliged to furnish such Supply to any Inhabitant for less than Five Shillings in any One Year, or for a shorter Period than One Year, unless they shall think fit so to do; and provided further, that in case of Manufacturers or Vintners, or Persons requiring a Supply of Water for public Baths, or for Cows or Horses, or for any Purpose other than usual family or domestic Consumption and Use, such Supply shall in such Cases be furnished by the said Company at such Rates as shall be settled by and between the Directors and such Persons respectively.

Surveyors not to be paid by a Per-centage; and their Appointment to be subject to Approval of the Magistrates, &c.

XV. And be it further enacted, That the Surveyors to be appointed by the said Company shall not be paid by a Per-centage on nor according to the Amount of the Rents of the Houses so to be assessed or of the Rates to be levied from the Occupants thereof, but by a Salary, and that the Appointment of every such Surveyor by the said Company shall be intimated to and subject to the Approval of the following Parties, or of a Majority of them; namely, the Lord Provost and Magistrates of the City of *Glasgow* for the Time being, the Chief Magistrates of *Gorbals*, *Anderston*, and *Calton* for the Time being, and One Commissioner of Police for *Glasgow*, *Gorbals*, *Anderston*, and *Calton*, to be appointed annually from among their own Numbers respectively by the respective Boards of Police for these Places: Provided always, that in the event of a Majority of the said Parties before set forth disapproving of any such Appointment, their Decision shall be subject to be reviewed by the Sheriff of the County of *Lanark*, who shall determine whether such Appointment is a proper one or not, and whose Determination thereon shall be final and binding, without

without being subject to Advocation, Suspension, or other Appeal whatsoever: Provided also, that the Acts and Proceedings of such Surveyor, until his Appointment be set aside by the Determination of the Sheriff, shall be valid and effectual in Law for the Purposes of this Act.

XVI. And be it enacted, That as soon as practicable after the passing of this Act the said Company of Proprietors shall prepare a Schedule, in which the Houses occupied by the Inhabitants of the said City and Suburbs within the Limits after-mentioned shall be divided into Four Districts, in which the maximum Points of Delivery of Water shall be respectively Sixty Feet, Ninety-five Feet, One hundred and thirty-five Feet, and One hundred and sixty Feet, and into an additional District, including the Points of Delivery above One hundred and sixty Feet, all above the Level of High Water of the River *Clyde* at Neap Tides at the *Glasgow Bridge*; and which Districts shall be termed respectively the First, Second, Third, Fourth, and High Service Districts; and the Heights of the Points of Delivery according to which the said Division into Districts is to be made shall be ascertained and fixed by a Surveyor, to be nominated by the Sheriff of *Lanarkshire*; and the said Company shall be obliged at the Time of their Survey in each Year to furnish a written or printed Notice to each Householder taking a Supply of Water, specifying the District in which his or her House is situate, and the Supply of Water to which he or she is entitled in virtue of this Act.

Height of
Service of
Water in cer-
tain Districts.

XVII. And be it further enacted, That the said Company of Proprietors of the *Glasgow Waterworks* shall be obliged as soon as practicable, and not later than Three Years after the passing of this Act, to furnish, in the Manner provided by the said first Two recited Acts, to the Inhabitants of the said City and Suburbs occupying any private Dwelling House in any Street, Close, Lane, or Place where the Pipes of the said Company shall have been laid, a regular daily Supply of good wholesome Water for domestic Consumption and Use during the Periods and in the Quantities after mentioned respectively; namely, in the First Service District from Six of the Clock in the Morning till Ten of the Clock in the Evening, in the Second Service District from Six of the Clock in the Morning till Eight of the Clock in the Evening, in the Third Service District from Six of the Clock in the Morning till Five of the Clock in the Evening, and in the Fourth Service District not less than Eighty Gallons daily to each House, the High Service District being supplied with such Quantities and for such Periods as may be mutually agreed upon between the said Company and the respective Inhabitants of the said District; and to furnish, without reference to Hours or Points of Delivery under the foresaid Elevation of One hundred and sixty Feet, to every Inhabitant of the said City and Suburbs occupying a Dwelling House in any Street, Lane, Close, or Place where the Pipes of the said Company shall have been laid, who shall provide and maintain a sufficient Cistern with a properly constructed Ball-cock attached thereto, a constant daily Supply of good wholesome Water for domestic Consumption and Use: Provided always, that until it shall become imperative on the said Company, in virtue of the Provisions of this Act, to furnish the

Quantity
and Duration
of Supply
of Water.

foresaid

foresaid stated Supplies, the Inhabitants of the said City and Suburbs comprised within the Limits herein described shall be entitled to be supplied according to the Terms and Provisions of the said first Two recited Acts, and that under the Penalties herein provided in Cases of Want or Deficiency of Supply, which Penalties may be pursued for and recovered before the Sheriff of the said County, or any of the said Magistrates.

In case Houses are situate in Two Districts.

XVIII. Provided always, and be it enacted, That if any House or Tenement supplied with Water by the said Company, whether an entire House occupied by One Family or divided into Flats or Stories, shall be so situated as that One Part thereof shall be in one of the said Service Districts, and another Part in a higher Service District, then and in such Case, unless the said Company shall supply the whole of such House during the Number of Hours for which the Part thereof which shall be in the lower Service District is entitled to be supplied, such House shall be deemed and taken to be in both Service Districts, and the lower Part shall be supplied as situated in the Service District in which it is placed, and the higher Part as in the Service District in which it is placed, from the Pipes of the Company appropriated to such Services respectively.

Penalty for not supplying Water for domestic Purposes.

XIX. And be it enacted, That if the said Company shall not supply good wholesome Water as herein specially directed and provided it shall be lawful for any Householder who shall have paid or tendered the Amount of Water Rates chargeable against him or her to give Six Days Notice of his or her Intention to complain to the Sheriff of the County of *Lanark*, or to any of the Magistrates of the said City, to the said Company, or their Secretary, in Writing, specifying the Matter of Complaint; and in case the said Company shall not within such Six Days have removed the Cause of Complaint, then upon Application to the said Sheriff or any of the said Magistrates, and upon Proof of the Want or Deficiency of Supply, the said Sheriff or any such Magistrate shall award to the Complainer a Penalty against the said Company not exceeding Five Shillings for each Day during which the Supply shall have been wanting or deficient, unless it shall be proved to the Satisfaction of the Sheriff or Magistrate that such Want or Deficiency did not arise from the Neglect or Default of the said Company; and the said Sheriff or Magistrate shall be entitled to award Costs against either of the Parties if they shall think fit.

Proviso in case Deficiency arise from unavoidable Causes.

XX. Provided always, and be it enacted, That if the Inability to give or the Interruption of such Supply shall be proved to the Satisfaction of the Sheriff of the County of *Lanark* or the Magistrates of the City of *Glasgow* to proceed from Accidents to the Works, Pipes, Stopcocks, or Machinery of the said Company, or from Frost or Drought, or from necessary Repairs, or from Operations required for extending the Works or increasing the Supply of Water to the said City and Suburbs, or from Operations required for giving additional Supplies to the Inhabitants or Manufactories, or for cleaning the Pipes, or from the Acts of Persons not in the Employment of the Company, or from any other Cause, though of a different Description from the Causes herein-before specially set forth, which to the said Sheriff

or Magistrates shall seem reasonable, the said Company shall not be liable in any Penalty for such Inability to give or Interruption of Supply, and the Sheriff or Magistrates may, if he or they shall see Cause, award Costs of Suit against either of the Parties.

XXI. And be it further enacted, in regard to the foresaid special Provisions for a regular Supply of good wholesome Water to the Inhabitants of the City and Suburbs of *Glasgow*, That the following shall be the Boundaries within which the said Provisions shall be binding on the said Company; *viz.*, *primo*, from the North Side of the River *Clyde*, along a Line drawn in continuation of a new Street now forming in the Lands of *Hyde Park*, to the Reservoir in *Cranstonhill*, from thence in a straight Line to the Intersection of *Sauchiehall Street* by *Dalhousie Street*, along *Sauchiehall Street* to *Cambridge Street*, from thence to the Road leading to *Garscube*, along the said Road, including the Houses on each Side thereof, to the Head of *Buchanan Street*, from thence in a straight Line to the Junction of *Stirlings Road* with *High John Street*, along *Stirlings Road* to its Junction with *Castle Street*, from thence in a straight Line, passing the *High Church*, to the *Molendinar Burn*, along the *Molendinar Burn* to *Duke Street*, along *Duke Street* to the East Side of the Cattle Market and *Graham Square*, and from thence in a straight Line to *Rutherglen Bridge*; *secundo*, from the South Side of the River *Clyde*, along a Line drawn in continuation of *West Street* in *Tradeston*, to the *Glasgow, Paisley, and Ardrossan Canal*, along the said Canal to the Basin at *Port Eglington*, from *Port Eglington* in a straight Line to the Old *Gorbals Toll Bar*, from thence in a straight Line to the Junction of *Lawmoor Street* with *Rutherglen Lone*, and from thence along *Lawmoor Street* to the River *Clyde*: Provided always, that the Inhabitants of the City and Suburbs beyond the said Limits shall receive a sufficient Supply of good wholesome Water at the Rates aforesaid from the said Company, the Amount of such Supply to be fixed, in case of Complaint, by the said Sheriff or Magistrates of *Glasgow*.

Boundaries
of Districts of
fixed Periods
of Supply.

XXII. And be it further enacted, That if any Inhabitant occupying any private Dwelling House in any Street, Close, Lane, or Place in the said City or Suburbs, where the Pipes of the said Company shall not happen to be laid shall be desirous of obtaining a Supply of Water, and shall at his own Expence grant Security to the Satisfaction of the said Company that the Rates to be derived by the said Company from laying Pipes adequate to the Supply of the Neighbourhood in which such Dwelling House shall be situate shall amount to not less in each Year than Ten *per Cent.* on the whole Cost of furnishing and laying such Pipes, then the said Company shall be bound, as soon as practicable and without any undue Delay, to furnish and lay such Pipes as far as the House of the Inhabitant requiring the same: Provided always, that in case of any Dispute between the said Company and any such Inhabitant as to the Sufficiency or Form of the Security to be found by such Inhabitant, or the Cost of furnishing and laying Pipes adequate for the Supply of the Neighbourhood to which such Pipes are required to be laid, such Dispute shall be settled by the Sheriff of the County of *Lanark*, or the Magistrates of *Glasgow*, whose Determination shall be final and conclusive, and not subject

Company to
lay Pipes
when re-
quired, on
Security
being found.

to Suspension, Advocation, Reduction, or any other Stay or Appeal whatsoever.

Supply of
Water to
Factories.

XXIII. And be it further enacted, That the said Company shall be bound, so far as practicable consistently with the Supply herein provided to be given for domestic Purposes, to supply the Factories or public Works already in existence within the said City and Suburbs with filtered Water at Rates not exceeding Seven Pounds Ten Shillings a Year for every One thousand Gallons delivered daily at Points of Delivery not exceeding Sixty Feet in Height above the Level of High Water of the River *Clyde* at Neap Tides at the *Glasgow Bridge*, and not exceeding Fifteen Pounds *per Annum* for the same Quantity at Points of Delivery exceeding the said Height; and shall also be bound to furnish unfiltered Water to the existing Factories and public Works within the said City and Suburbs at Rates not exceeding Five Pounds *per Annum* for every One thousand Gallons delivered daily to the East of *Charlotte Street*, and Six Pounds *per Annum* for the same Quantity delivered daily to the West of that Street: Provided always, that the said Factories or public Works shall be so supplied with filtered and unfiltered Water by the said Company in Quantities not less than the Quantities at present respectively received by them, and that the said Company shall be bound to furnish such Supply of filtered and unfiltered Water to Works hereafter to be erected within the Boundaries herein described at the respective Prices herein-before mentioned.

Proceeding
in case of
Failure of
Supply to
Factories.

XXIV. Provided further, and be it enacted, That it shall be competent to any Person or Persons entitled under the Provisions of this Act to a Supply of filtered or unfiltered Water for Factories or public Works, and not receiving the same, who shall have paid or tendered the Water Rates chargeable against him or them, to give Six Days Notice of his or their Intention to complain to the Sheriff of the County of *Lanark*, or to any of the Magistrates of *Glasgow*, to the said Company or their Secretary in Writing, specifying the Matter of Complaint; and in case the said Company shall not within such Six Days have removed the Cause of Complaint, then upon Application to the said Sheriff or any of the said Magistrates, and upon Proof of the Want or Deficiency of Supply, the said Sheriff or any such Magistrate shall award to the Complainer or Complainers a Penalty against the said Company not exceeding Three Times the Amount of the daily Water Rates payable by the Complainer or Complainers during the Continuance of such Want or Deficiency, unless it shall be proved to the Satisfaction of the said Sheriff or Magistrate that such Want or Deficiency did not arise from the Neglect or Default of the said Company, but proceeded from some other Cause which to the said Sheriff or Magistrate shall seem reasonable, as herein provided in regard to any Complaint of Want or Deficiency of Supply of Water for domestic Purposes.

Supply of
Water
to Commis-
sioners of
Police.

XXV. And be it enacted, That the said Company of Proprietors shall and they are hereby required, as far as practicable consistently with the Supply herein provided for domestic Purposes, to furnish the said Commissioners of Police with such Quantity of Water as they may require,

require, not exceeding Two millions five hundred thousand Gallons *per Annum*, for cleansing the Squares, Streets, Lanes, and Closes of the said City and Suburbs, at the Rate of Ten-pence for every Thousand Gallons.

XXVI. And be it further enacted, That it shall be lawful to the said Company, and they are hereby authorized and empowered, by themselves or their Officers authorized by them, to enter at all seasonable Hours into the Dwelling Houses and other Premises in the said City and Suburbs receiving a Supply of Water from the said Company, and to inspect and examine all Pipes, Stopcocks, Ballcocks, Cranes, Valves, Ferrules, and other Apparatus, and the Cisterns which the Parties may attach thereto for the Purpose of a constant Supply, and to point out and specify such Alterations or Repairs thereon as may be necessary for preventing Waste of Water, and in the event of the Person or Persons who shall occupy such House or Premises neglecting or refusing to execute such Alterations or Repairs for the Space of Four Days after Notice, printed or written, specifying such Alterations or Repairs, shall have been left at such House or Premises, it shall be lawful for the said Company, by themselves or their Servants, unless an Appeal shall be made to the Sheriff or Magistrates as after mentioned; to cut through or otherwise detach from these Pipes the Pipes or other Apparatus for supplying such House or Premises, and to refuse to supply such House or Premises with Water until such Alterations or Repairs shall have been executed: Provided always, that if any Person or Persons shall consider any such Alterations or Repairs unnecessary it shall be lawful to him or them to appeal in a summary Manner to the Sheriff of the County of *Lanark* or the Burgh Court of *Glasgow*, whose Determination in the Matter shall be final and conclusive, and not subject to Review by Advocation, Suspension, Reduction, or any other Stay or Appeal whatever.

Company to inspect Stopcocks, &c., and to order Alterations and Repairs.

XXVII. Provided further, and be it enacted, That in case any Person or Persons supplied with Water for domestic Purposes in manner aforesaid shall, by himself or any Member of his Family, appropriate such Water or any Quantity thereof to any other Purpose or Purposes, such Person or Persons shall forfeit and pay to the said Company such Sum, not exceeding Twenty Shillings for each Offence, as shall be fixed by the said Sheriff or Magistrates.

Penalty in case of misappropriating Water.

XXVIII. Provided always, and be it enacted, That in case any Stopcock, Ballcock, Crane, Valve, or other such Apparatus, situate within any Dwelling House or other Premises for supplying the same with Water, shall be wilfully or negligently left open so as to allow the Water therefrom to run to waste, the Person or Persons occupying such Dwelling House or other Premises shall forfeit and pay to the said Company such Sum, not exceeding Ten Shillings for each Offence, as shall be fixed by the Sheriff of the County of *Lanark* or the Magistrates of the City of *Glasgow*.

Penalty for careless Waste of Water in Dwelling Houses or other Premises;

XXIX. Provided further, and be it enacted, That in case any Pipe, Fountain, Well, Stopcock, Ballcock, Crane, Valve, Plug, or other Apparatus for supplying Water from the Pipes of the said Company shall be wilfully, maliciously, or negligently opened and left open, whereby

for malicious Waste of Water elsewhere, or for Damage to Pipes, &c.

whereby the Water in the Pipes connected therewith shall be allowed to run to waste, or shall in any way be wilfully, maliciously, or negligently destroyed or damaged by any Person or Persons whatsoever, the Person or Persons so offending shall forfeit and pay to the said Company, or other Party informing against him or them, such Penalty, not exceeding Ten Shillings for each Offence, as shall be fixed by the said Sheriff or Magistrates.

Directors
may sell Pro-
perty not
required.

XXX. And be it further enacted, That the Directors of the said Company of Proprietors of the *Glasgow* Waterworks for the Time being shall have Power and Authority from Time to Time and they are hereby authorized to sell and dispose of such Lands, Tenements, or Heritages, and such Materials and other Things belonging to the said Company, as shall at any Time be found not to be necessary for the said Undertaking and the Works thereof, either by public Auction or by private Sale, for the best Price or Prices that can be got for the same; and the Proceeds of such Sales shall, in the Option of the Directors, be applied towards Payment of any Debt incurred or to be incurred in supplying the said City and Suburbs with Water, or to the Extension or Enlargement of the Works.

Provision for
Contingen-
cies.

XXXI. Provided further, and be it enacted, That such a proportional Sum as the Directors of the said Company of Proprietors of the *Glasgow* Waterworks for the Time being shall think proper shall be set apart annually out of the Profits of the said Undertaking, after Deduction of all necessary Expences in repairing and maintaining the Works of the said Company, until the Sums so set apart shall amount to a Sum not exceeding the Sum of Six thousand Pounds, to answer Contingencies; and such Sums so set apart shall be lodged in such Bank as the Directors shall appoint, or be invested in Government Securities, or lent out at Interest upon Real Security, to be approved of by the said Directors; and the Dividends or Interest accruing thereon shall, together with the Profits to arise from the said Undertaking, be divided among the several Proprietors of the said Company according to the Shares which they shall severally hold in the said Undertaking at the Time of such Division, so as that such Dividends shall not exceed the Amount to which they are herein-before restricted; and if from any Accident which may happen to the Works, Pipes, or Buildings of the said Undertaking the said Sum of Money or any Part thereof so set apart shall be required to repair the same, then the Part thereof which shall have been so expended shall be replaced by a proportional Part of the Profits, until such Deficiency shall be made up, and a Sum of not more than Six thousand Pounds be accumulated as aforesaid.

Commision-
ers.

XXXII. And be it further enacted, That the Lord Provost, or in his Absence the acting Chief Magistrate, the Dean of Guild, and the Deacon Convener of the City of *Glasgow* for the Time being, the Provost of *Calton*, the Provost of *Anderston*, and the Chief Magistrate of *Gorbals*, all for the Time being, and Three Commissioners of Police for the City of *Glasgow*, and One Commissioner of Police for each of the Districts of *Gorbals*, *Anderston*, and *Calton*, (not being Shareholders in the said Company,) to be nominated annually by the Boards of Police to which they respectively belong, shall be and they

are hereby appointed a Board of Commissioners for the Purposes herein-after mentioned; and the said Board is hereby required to meet at the Place appointed for the Management of the Affairs of the said Company in *Glasgow* upon the First *Monday* of *July* yearly at Twelve o'Clock Noon, on a printed or written Notice to be given to them Four Days before such Meeting by the Secretary for the Time being of the said Company, any Four of the said Board being a sufficient Number or Quorum to constitute a Meeting for the Purpose of exercising the Powers hereby vested in the said Board; and the Lord Provost of *Glasgow*, or in his Absence the acting Chief Magistrate, if present, shall be Chairman, in whose Absence the Members of the Board present at any annual or adjourned Meeting shall elect their own Chairman, and the Chairman shall have a deliberative Vote, and also, in case of Equality, a decisive or casting Vote; and the said Commissioners or the said Quorum, being so met, may adjourn such Meeting from Time to Time when necessary: Provided always, that if any of the *ex officio* Members of the said Board shall happen to be a Shareholder in the said Company the Corporation or Board to which he shall belong shall be obliged to appoint another Person to officiate in his Room while he continues so disqualified.

XXXIII. And be it further enacted, That the said Commissioners, or their said Quorum, having met as herein-before provided, shall ascertain whether the free Revenues of the said Undertaking, after deducting all Expences of Management, the yearly Interest of all Monies borrowed or to be borrowed as herein provided, and the whole Costs and Charges of maintaining and repairing the Works of the said Company, and of supplying the said City and Suburbs and Places adjacent thereto with Water under the Authority of the said recited Acts and this Act, and after providing for the contingent Fund hereby appointed to be accumulated, have exceeded the Amount of Seven Pounds *per Centum per Annum* on the foresaid Capital Stock of Two hundred and sixty-seven thousand five hundred and fifty Pounds, and on the additional Capital Stock authorized to be raised as aforesaid; and if it shall appear to the said Commissioners that the free Revenues have exceeded the Amount of such Per-centage they shall at their Discretion certify the same by a Minute under their Hands, specifying the Amount of the Excess of Revenues, which Excess shall be placed to the Credit of the Revenue for the following Year, and the Assessment, when Occasion requires, shall be reduced to a Rate that will yield, as near as may be, the said Per-centage, and no more; and in making the said Inquiries the said Commissioners shall be entitled, if they think fit, to take the Assistance of an Accountant or other qualified Person at the Expence of the said Company, such Expence not exceeding in any One Year the Sum of Ten Pounds Ten Shillings; Provided always, that the Proceedings and Decisions of the said Board of Commissioners shall be liable to be reviewed by the Sheriff of the County of *Lanark*, if the said Company shall think fit to appeal therefrom, and the Determination of the said Sheriff shall be final and conclusive, and binding on all Parties, without being subject to Advocation, Suspension, Reduction, or any other Stay or Appeal whatsoever: Provided always, That

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if and as often as the free Revenues of the said Undertaking shall cease to yield the foresaid Per-centage of Seven Pounds *per Centum per Annum* on the foresaid Capital Stock of Two hundred and sixty-seven thousand five hundred and fifty Pounds and additional Capital Stock hereby authorized to be raised, it shall be lawful to the Directors of the said Company again to increase the said Rates to such Amounts (not exceeding the maximum Rates hereby authorized to be levied) as shall appear to them necessary to yield the said Per-centage.

If the Commissioners fail to attend, Directors to levy Rates.

XXXIV. Provided always, and be it enacted, That in the event of the said Commissioners or a Quorum of them not attending such annual or adjourned Meeting, or of their not subscribing such written Minute as is herein-before provided to be made by them, on or before the First Day of *August* annually, then and in either of these Events the Directors of the said Company of Proprietors shall be at liberty, during the Year commencing at the following Term of *Whitsunday*, to levy such Rates, not exceeding those hereby granted, as they shall think necessary.

Company authorized to borrow 100,000*l.*

XXXV. And be it further enacted, That it shall be lawful to the said Company of Proprietors, for the Purposes of the said recited Acts and this Act, to borrow and take up on Interest upon the Security of the said Undertaking, and the Estate, Funds, and Profits thereof, in the Manner provided by the said second-recited Act, any Sum or Sums of Money, including the present Debts of the said Companies, not exceeding in all the Sum of One hundred thousand Pounds Sterling.

Provisions for Pipes of any new Company.

XXXVI. And be it enacted, That if it shall be found necessary for enabling any new Company, or other Body Corporate or Collegiate, or any other Person or Persons, duly authorized by Parliament to supply the said City and Suburbs with Water, to lay their requisite Pipes, the said Company of Proprietors shall be bound, when required by such new Company or Person or Persons, to alter, lift, shift, remove, or adapt the Pipes, Mains, or other Conduits for conveying or distributing the Water belonging to the said Company of Proprietors then laid or carried in or through the Streets, Lanes, Squares, Closés, or other Places of the said City and Suburbs, so as to make room for and to admit of the Introduction of the necessary Pipes, Mains, or other Conduits of such new Company or other Body or Person or Persons as aforesaid, along with the Pipes and Mains of the said Company of Proprietors; and the Expence attending the shifting or altering, removing, or relaying of the said Pipes, Mains, or Conduits shall be paid one Half by the said Company of Proprietors, and the other Half by the said new Company or other Body or Person or Persons as aforesaid; and in the event of any Difference of Opinion as to the Necessity of altering, lifting, shifting, relaying, or removing the Pipes, Mains, or Conduits, or as to the Mode of executing such Operations, such Differences shall be referred to the amicable Determination of Two Engineers, one to be named by such new Company or other Body or Person or Persons, and the other by the said Company of Proprietors, or of an Oversman to be

named by such Two Engineers, in case of their differing in Opinion, whose Decision shall be final and binding on both Parties: Provided always, that the said Company of Proprietors shall not be liable in Damages to their Tenants in consequence of the temporary Interruption of the Supply of Water by the said Operations beyond a rateable Proportion of the Rent payable by such Tenants corresponding to the Period during which they may be deprived of Water by the said Operations; and in the event of any Claims being made for Payment of such rateable Proportion, the Amount of the same shall be borne and paid one Half by the said Company of Proprietors, and the other Half by such new Company or other Persons duly authorized as aforesaid.

XXXVII. 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 or Magistrates and Council of *Glasgow*, the Bailies on the River and Firth of *Clyde*, the Bridge Trustees, the *Clyde* Trustees, or the Trustees of Statute Labour, or other Body legally vested with the Management of the Streets, in virtue of Acts of Parliament, Royal Charters, immemorial Usage, or otherwise: Provided always, that nothing herein contained shall interfere with or affect the Rights of the Parties maintained in an Action presently depending before the Court of Session regarding the Weir at the *Glasgow Bridge*, the whole of which Question is reserved entire.

Reserving
the Rights of
the Magis-
trates, &c.

XXXVIII. And be it enacted, That in addition to the Provisions relative to extinguishing Fires in the said recited Acts the said Company of Proprietors shall be bound to keep constantly charged with Water, by sufficient Pressure, the whole of the Main Pipes belonging to them, under a Penalty of Fifty Pounds for each Neglect so to do, to be recovered by summary Process before the Sheriff of the County of *Lanark*, or the Burgh Court of *Glasgow*, at the Instance of any Inhabitant of the said City or Suburbs paying Rates to the said Company: Provided always, that if through any Accident, necessary Repairs or Operations, or from any other Cause which to the said Sheriff or Burgh Court may seem reasonable, the said Main Pipes shall not be so charged, such Penalty shall not be exigible; and provided further, that the said Company shall not be entitled to make any Charge for keeping the said Mains constantly charged, or for the Water which may at any Time be used for extinguishing Fires.

Provision in
case of Fires.

XXXIX. Provided also, and be it enacted, That in the event of any Dispute or Difference of Opinion between the Magistrates or Master of Works of the said City, or a Person to be named by them or him, and the said Company, or a Person to be named by the said Company, to the proper Number and Situation of Fire Plugs and other Things directed by the said recited Acts or this Act to be furnished at the Expence of the said Company, such Dispute or Difference of Opinion shall be determined by the Sheriff of *Lanarkshire*, whose Decision shall be final and binding on all Parties; and the said Company shall be bound to furnish to the Superintendent or Master of Police of the said

As to Dis-
putes be-
tween Magis-
trates, &c.
and the
Company.

said City a Set of Keys for opening the Stopcocks between the Main Pipes and Service Pipes to be used in Cases of Fire : Provided always, that the Keys to be placed in the Hands of the said Superintendent or Master of Police shall in no Case be used in such a Manner as to be prejudicial to the Works of the said Company or to the legitimate Use of the Water ; and in the event of the said Keys being used by the Superintendent of Police, or those in the Charge of the Fire Engines, without the Co-operation of the said Company, due Notice of such Use shall be given in Writing to the said Company as soon as practicable thereafter.

Proprietors of Manufactoryes may require the Company to place Fire Plugs adjacent thereto.

XL. And be it enacted, That it shall at any Time be competent to any Person or Persons, being Owners or Occupiers of any public Work or Manufactory in the said Districts, to require the said Company to place Fire Plugs, at the Expence of the Party requiring the same, opposite or near to such public Works and Manufactory, and outside of the same, in the Streets and Lanes of the said Districts, and to attach the same to the Pipes most suitable for that Purpose, to be used for extinguishing Fires only, and that exclusive of and in addition to the Fire Plugs to be provided by the said Company ; and the said Company shall, when so required, be obliged to place and attach such Fire Plugs at the Expence of such Party requiring the same.

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

XLI. 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* under the Powers of the said last Three recited Acts shall be sunk in the Side and Embankments or in the Bed or Channel of the said River, and shall not project into the Water, and shall not be raised above the Surface of the Sides and Embankments or in the 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 Bank or 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 where it is or shall hereafter be made navigable, or to the Vessels, Owners, Masters, or Mariners thereof, navigating the same.

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

XLII. And be it enacted, That if at any Time the Trustees for improving the said River, under an Act passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for amending Three Acts for enlarging the Harbour of Glasgow, and improving the Navigation of the River Clyde to the said City, and for other Purposes therein mentioned*, and the Acts therein recited, 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 under the Powers of the said recited Act passed in the Forty-eighth Year of the

the Reign of His Majesty King *George* the Third, 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.

XLIII. And be it enacted, That the whole of the Works to be made in pursuance of the said recited Act passed in the Forty-eighth Year of the Reign of His said Majesty King *George* the Third 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 *Lanark* 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 discern 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.

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

XLIV. 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,

Trustees of the Navigation not to be liable for Damage.

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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.

Opening and
re-causeway-
ing Streets.

XLV. And be it enacted, That from and after the passing of this Act it shall not be lawful for the said Company of Proprietors, or for any Person acting under or for them, to open any of the Streets, Squares, or Lanes within the said City or Suburbs, for the Purpose of laying or repairing any of the Cocks or laying or repairing any of the Pipes in the said Streets, Squares, or Lanes, till they shall have given previous Notice in Writing to the Superintendent or other Officer having charge of the public Streets, intimating that it is their Intention to open the particular Part of the Street intended to be opened, and specifying the Number of the House or Shop in the said Street opposite to which such Opening is to be made, and the Time when such opening is to commence, so that the said Superintendent may have it in his Power to be present thereat; and in every such Case the said Company or their Servants shall at their own Expence make and re-causeway the said Openings as soon as practicable, so as to give as little Inconvenience to the Public as possible; and in order to provide a proper Fund for completely repairing the Injury done to the Causeway by such Openings it shall be lawful for the Commissioners or Superintendent of Streets to demand and receive from the said Company, immediately after the Re-causewayings of such Openings are finished, such a Sum as will enable them or him to relay the Causeway at such future Time as may be necessary; and in case the Parties shall not agree touching the Expence of the said Causeway or other Works, all such Differences shall be determined by the Award and final Decision of Two Persons of Skill, mutually chosen, with Power to choose an Umpire in the event of their differing in Opinion, declaring that on Payment of the Sum so awarded or otherwise settled the said Commissioners or Superintendent shall have no other Claim on the said Company in all Time coming for Repairs on that particular Part of the Street, unless re-opened or otherwise affected by the said Company under the Powers hereby conferred on them.

Space to be
left for Pas-
sengers and
Carriages
while laying
or repairing
Pipes.

XLVI. And be it enacted, That in laying and repairing Pipes of the said Company, or in executing any Work or Operations under the Powers hereby conferred, they shall wherever practicable leave a sufficient Space for the free Passage along the said Streets, Squares, and Lanes for Foot Passengers, Horses, and Carriages, at the Sight and to the Satisfaction of the Commissioners or Superintendent of Streets, or of the Magistrates of the District.

No Part
of the
Broomielaw
to be
taken.

XLVII. Provided always, and be it enacted, That it shall not be lawful to the said Company of Proprietors to enter upon or take Possession of the Harbour of the *Broomielaw* of *Glasgow*, or any Part thereof, or the Wharfs or Sheds at the said Harbour on either Bank of the River *Clyde*, or to construct any Work or to execute any Operation whatever within the said Harbour, or its Wharfs or Sheds, or in the Bed or Channel of the River *Clyde*, or on the Banks of the said River (except the Operations authorized by the said recited Acts),

or to enter upon or take possession of or encroach upon the Public Park or Green of *Glasgow*, or any Part thereof, or any Lands or unbuilt Property not converted or laid off into Streets or Lanes belonging to the Corporation of *Glasgow*, or to the respective Trustees of the said River or Bridges over the said River *Clyde* at *Glasgow*, without the Consent of the said Corporation or of the said Trustees respectively had thereto in Writing, any thing contained in this or the said recited Acts to the contrary notwithstanding: Provided always, that the Powers contained in the said recited Acts of carrying Pipes along the Bridges across the said River shall, under the Conditions and Limitations therein contained, be continued in full Force and Effect.

XLVIII. And whereas the Annual General Meetings of the said Company of Proprietors of the *Glasgow* Waterworks are by the said first-recited Act appointed to be held upon the First *Wednesday* of *May* in every Year, upon Twenty-one Days previous Notice by Advertisement in Two Newspapers usually published in *Glasgow*, which has been found inconvenient; be it therefore enacted, That the next Annual General Meeting of the said Company of Proprietors shall be held on the Fourth *Wednesday* after passing of this Act; and all subsequent Annual General Meetings of the said Company of Proprietors shall be held within the City of *Glasgow* upon the last *Wednesday* of *June* in every Year, and that Fourteen Days previous Notice shall be given of all such Meetings by public Advertisement in some Two Newspapers published in *Glasgow*; and it shall be lawful for the Proprietors assembled at any such Meeting to adjourn the same to such Time and Place as they shall think proper; and at all such Annual General Meetings or adjourned Annual General Meetings hereby authorized to be held every Business, Matter, or Thing shall and may be transacted and done which by the said first Two recited Acts and this Act, or any of them, is appointed to be done, or might have been lawfully done in pursuance thereof at the Annual General Meetings by the said first recited Act authorized to be held.

Annual
General
Meetings.

XLIX. And be it enacted, That the present Directors of the *Glasgow* Waterworks shall continue in Office until the next Annual General Meeting to be held on the Fourth *Wednesday* after the passing of this Act, when their Powers and Authorities shall cease and determine; and the Proprietors present at the said next Annual General Meeting shall nominate and appoint Twelve Directors from the Proprietors in the Undertaking duly qualified according to the Tenor of the said first recited Act, which Directors shall be subject to the same Rules and Regulations and enjoy the same Powers and Authorities as are conferred on the Directors or Committee of Management by the said first-recited Act: Provided always, that the Whole or any Number of the present Directors may be re-elected.

Election of
Directors.

L. And be it enacted, That the Directors to be appointed as aforesaid shall meet as soon after their Appointment as may be, and shall, before proceeding to any other Business, appoint from among their Number a Deputy Chairman, who, in Absence of the Lord Provost, shall preside at all Meetings of the Directors: Provided always, that

Appoint-
ment of a
Deputy
Chairman or
Preses.

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in the Absence of the Lord Provost and Deputy Chairman the Directors present at any Meeting may choose from among themselves a Preses, who shall sign the Minutes of such Meeting; and the Lord Provost or Deputy Chairman or other Preses shall have a deliberative and in Cases of Equality a casting Vote.

Capital
Stock may
be divided
into smaller
Shares.

LI. And be it further enacted, That it shall be lawful for the said Company of Proprietors of the *Glasgow* Waterworks assembled at any of the Annual General Meetings of the said Proprietors, or at any Special General Meeting duly called, to divide each entire Share of the Capital Stock of the said Undertaking into Five Shares, and upon such Division being resolved upon and declared at such Meeting each entire Share of the said Stock shall thereafter be held to be Five divided Shares; and the additional Stock herein-before authorized to be sold and disposed of by the said Company shall suffer a like Division, and may be sold and disposed of by the said Company in divided Shares in the Manner herein-before provided; and thereafter the Proprietors of the Stock of the said Undertaking shall, in respect of each divided Share belonging to them respectively, be entitled to all the Rights, Privileges, and Benefits, and be subject to all the Rules and Obligations, that any Proprietor of an entire Share in the said Capital Stock was before such Division entitled and subject to by virtue of the said recited Acts and this Act: Provided always, that after such Division every Person who shall be Proprietor of One or more of such divided Shares shall have a Vote at all General Meetings of the said Company of Proprietors for every such divided Share belonging to him, but not exceeding Thirty Votes in all, although he should have Right to more than Thirty divided Shares; and that no Shareholder shall be eligible as a Director of the said Company who is not possessed of Twenty divided Shares at least, unless there shall not be Twelve Shareholders possessed of Twenty divided Shares each, in which Event the Directors may be chosen from among the Proprietors holding at least Ten divided Shares each.

Gas Pipes to
be laid Four
Feet from the
Water Pipes,
and in a
particular
Manner.

LII. And be it further enacted, That Pipes which shall hereafter be laid and used for the Conveyance of Gas within the Limits of this Act shall be laid at the greatest practicable Distance, and whenever the Width of the Carriageway will allow thereof such Pipes shall be laid at the Distance of Four Feet at the least, from the nearest Part of any Pipe laid down for the Conveyance of Water within the Limits of this Act, except in Cases where it shall be unavoidably necessary to lay any Gas Pipe across any such Water Pipe, in which Case the said Gas Pipe shall be laid over or under such Water Pipe, as the Case may require, at the greatest practicable Distance therefrom, and shall therewith form a Right Angle, or as nearly such as may be practicable; and in such Case the Gas Pipe so crossing the Water Pipe shall be at least Nine Feet in Length, and be so placed that no Joint of any such Gas Pipe shall be nearer to any Part of such Water Pipe than Four Feet; and in laying down the said Gas Pipes the Person or Corporation to whom the same shall belong shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall lay each Pipe as near as may be in its
Place

Place in the Trench, and shall in such Trench properly form the Jointing of such Pipes with other Pipes connected therewith with proper and sufficient Materials, and shall also make and keep all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, or Openings therein, respectively air-tight, so as to prevent the Gas from escaping therefrom, upon pain of forfeiting the Sum of Five Pounds for every such Offence, to be paid to the Person or Persons who in the Judgment of the Judge or Magistrate before whom the Conviction takes place shall have sustained any Annoyance or Injury or Damage by any such Act so done or committed.

LIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which are or shall be laid down or set up by any such Person or Corporation supplying Gas within the Limits of this Act, such Person or Corporation shall at their own Expence, immediately after Notice of any such Escape of Gas given to them or him, by Parol or in Writing, from any Person whomsoever, cause the most speedy and effectual Measures to be taken to prevent such Gas from further escaping; and in case such Person or Corporation shall not within Twenty-four Hours next after such Notice given stop and prevent any further Escape, and thereby remove the Cause of Complaint, then and in every such Case such Person or Corporation shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of some credible Witness, by Complaint to be made to the Judge Ordinary of the County of *Lanark*, or the Magistrates of *Glasgow*, as the Case may be, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of such Person or Corporation.

For preventing the Escape of Gas.

LIV. And be it further enacted, That if any Person or Corporation making or supplying Gas within the Limits of this Act shall empty or permit to flow any Washings or waste Liquids, Substances, or Things whatsoever which shall arise or be produced in or by the said Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or other Thing to the Water contained in such River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be spoiled, fouled, or corrupted, then and in each and every such Case the Person or Corporation so offending shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered before the Judge Ordinary of the County of *Lanark*, or the Magistrates of *Glasgow*, as the Case may be, with Double Expences of Process, and the whole of such

Penalty for conveying Washings of Gas into any River, Stream, &c.

[Local.]

24 P

Penalty

Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased or determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said waste Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, Canal or Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Act shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the Person or Corporation to whom such Gas Works belong, and they or he shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things from being emptied or from running or flowing in manner aforesaid, and every other such Act from being done as aforesaid, then and in every such Case such Person or Corporation so offending shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so emptied or allowed to run or flow in manner aforesaid, or such other Act shall be so done as aforesaid; and such last-mentioned Penalty shall and may be recovered, levied, and applied in such and the like Manner as any other Penalties and Forfeitures are in and by the said recited Acts or this Act directed to be recovered, levied, and applied, and shall be paid to the Informer, or to the Person or Persons who in the Judgment of the Judge Ordinary or Magistrates before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by such Act done or committed.

To prevent
Contamina-
tion of the
Water by
Gas.

LVI. And be it further enacted, That whenever the Water of the said Company shall be contaminated or affected by the Gas of any Person or Corporation supplying Gas as aforesaid such Person or Corporation so offending shall forfeit and pay to the said Company for every such Offence a Sum not exceeding Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered; and in case any such Water shall be contaminated or affected by Gas as aforesaid, then and in every such Case the Person or Corporation supplying such Gas shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Clerk or Secretary for the Time being of the said Company, to be left at the usual Office or Place of transacting Business of the Person or Corporation so offending, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from Works, Mains, or Pipes, or contaminating or affecting such Water; and in case such Person or Corporation shall not within Twenty-four Hours after each and every such Notice so left as last aforesaid effectually stop and prevent Gas from so escaping, and

wholly and satisfactorily remove the Cause of every such Complaint, and prevent such Contamination, whereof Notice shall be given as aforesaid, that then and in every such Case the Person or Corporation supplying such Gas shall on each and every Complaint whereof Notice shall be given as aforesaid forfeit and pay to the said Company, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Five Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath or Affirmation of One credible Witness, by and in the Name of the Clerk or Secretary of the said Company, before the Judge Ordinary of the County of *Lanark*, or the Magistrates of *Glasgow*, with Costs, to be assessed by such Judge or Magistrates, and to be levied and recovered as any other Penalty is by this Act directed to be levied and recovered; and such Penalty or Penalties and Costs, when so levied, shall be paid to the Treasurer for the Time being of the said Company.

LVI. And whereas it may become a Matter of Question upon such Complaint as aforesaid whether such Water be contaminated or affected by such Gas; be it therefore enacted, That in every such Case it shall be lawful for the said Company to remove the Surface of the Ground, and to examine the Mains, Pipes, Conduits, and Apparatus of the Person or Corporation supplying Gas as aforesaid, for the Purpose of ascertaining whether such Contamination be occasioned by the Gas of such Person or Corporation; and if it appear that such Contamination is occasioned by the Gas of such Person or Corporation the Costs and Expences of such Examination, and of the Repair of the Pavement which shall be taken up or disturbed, shall be borne and paid by such Person or Corporation as aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by such Judge or Magistrates as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not proceeded from any Gas of such Person or Corporation the said Company shall bear and pay all the Costs and Expences of such Examination and Repair, and shall also make good to the Person or Corporation supplying Gas as aforesaid any Loss, Injury, or Damage which may be occasioned to the Works of such Person or Corporation in and by such Examination, and also shall make good any Loss, Injury, or Damage which may have been occasioned in or by such Examination to the Pavements of the Streets and other Places so broken up or disturbed as aforesaid, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Judge or Magistrates as aforesaid.

For ascertaining if the Water is contaminated.

LVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against any Person or Corporation supplying any Gas within the Limits of this Act, in respect of any of their Works, or the Means which shall be employed by them or any of them in making the said Gas, or in furnishing

Persons supplying Gas liable to be indicted for a Nuisance.

furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action against such Person or Corporation, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or upon any other Cause whatsoever.

Provisions,
Penalties, &c.
as to Con-
tamination
of Water by
Gas, &c.
applicable
to Tar, Oil,
&c.

LVIII. And be it enacted, That all the Clauses, Prohibitions, and Provisions herein-before contained against the Contamination of Water by the Washings, waste Liquids, Substances, or Things arising or produced in or by any Gas Work, or the Manufacture of Gas, and for the Detection thereof, or relative thereto, shall be applicable and be applied to, for, and in respect of any Washings, waste Liquids, Substances, or Things arising in the Use of Gas, Tar, and Oil in any Operation or Manufacture whatever, or Nuisance arising therefrom; and all the Penalties and Forfeitures hereby imposed upon any Person, Company, or Corporation making or supplying Gas, and offending as aforesaid, shall be and are hereby imposed upon any Person, Company, or Corporation using Gas, Tar, and Oil, and offending by Contamination of Water or Nuisance as aforesaid, and shall be recoverable and be applied in the like Manner as the Penalties and Forfeitures hereby imposed in respect of Gas are authorized and directed to be recovered and applied.

Expence of
Act.

LIX. And be it further enacted, That the Expence of procuring this Act shall be paid by the said *Glasgow* Water works Company out of the Funds belonging to them in virtue of the said recited Acts and this Act.

Public Act.

LX. 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.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1838.