



ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

Cap. ix.

An Act to alter and amend an Act passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, for regulating the Conversion of the Statute Labour within the Barony of Gorbals in the City of Glasgow and County of Lanark. [30th July 1831.]

WHEREAS an Act was passed in the Twelfth Year of the Reign of His late Majesty King George the Third, intituled *An Act for repairing and widening several Roads leading through the County of Lanerk, and for building a Bridge over the River Clyde at or near a Place called the Howford, in the said County*; and another Act was passed in the Forty-seventh Year of the Reign of His said Majesty, intituled *An Act for amending an Act of the Twelfth Year of His present Majesty, for repairing and widening several Roads through the County of Lanark, and for building a Bridge over the River Clyde, at or near a Place called the Howford, in the said County*; and for making more effectual and converting the Statute Labour within the said County, and for repairing and regulating the Roads within the same; and another Act was passed in the Sixth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for regulating the Conversion of the Statute Labour within the Barony of Gorbals in the City of Glasgow and County of Lanark*: And whereas by the said last-recited Act the said Two first-recited Acts were altered and amended, in so far as related to the Barony of Gorbals, and certain Rates and Powers of Assessment, and other Powers relating to the Statute Labour of the said Barony, were granted to and conferred upon the Trustees appointed by the said last-recited Act: And whereas it is expedient and necessary to repeal the Provision hereinafter recited contained in the said last-recited Act, to the Effect therein and hereinafter set forth, suspending the Operation thereof, and that the said Act itself be altered and amended and brought into full and immediate Operation: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty,

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So much
of the last-
recited Act
as is herein
mentioned
repealed.

jesty, 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 so much of the said last-recited Act as enacts that the said Act should be suspended, and have no Force or Operation, until the said Barony shall be disjoined from the said Parish of *Govan*, *quoad civilia et quoad sacra*, or, in the Event of such Disjunction not being obtained, until the Corporation of the City of *Glasgow*, Superiors of the said Barony, the Preceptor and Patrons of *Hutchison's* Hospital, the Trades House and Incorporated Trades of the City of *Glasgow*, *James Lawrie* and *David Lawrie*, all Heritors in the said Barony, should concur in an Application to the proper legal Authorities for effecting the Disjunction, *quoad civilia et sacra*, of the said Barony from the other Parts of the said Parish of *Govan*, and that it should not have Operation or Effect unless such Application should be defeated by the Opposition or Non-concurrence of the Number of Heritors requisite by Law for obtaining the said Decree of Disjunction, but if so defeated then this Act should have full Force and Operation from and after the Dismissal of such Action, provided always, that notwithstanding of the Suspension of the Provisions of the said Act in any of the Events aforesaid, nothing therein contained shall be construed to affect the full Operation thereof in so far as regarded the defraying the Expences of obtaining the same, shall be and the same is hereby repealed, and the said last-recited Act in all its other Parts and Clauses shall be and be deemed to be in full Force and Operation, in the same Way and Manner and to the same Effect and Extent as therein contained or expressed, and the Rates of Assessment thereby granted shall be exigible, and the Powers conferred on the Trustees thereby appointed, and the whole Provisions of the said Act (excepting so much thereof as is hereby repealed), shall, in so far as not otherwise altered by this Act, be and continue to be in full Force and Effect in the same Manner as if the same had been repeated in the Body of this Act; and the said last-recited Act and this Act shall be held and construed together as One Act.

Trustees
may levy
bygone
Assessments.

II. Provided always nevertheless, and be it enacted, That nothing herein contained shall prevent the Trustees under the said Acts of the Twelfth and Forty-seventh Years of the Reign of His said Majesty King *George* the Third to complete the Levy of the Assessment laid on in the said Barony of *Gorbals* for the Year ending the Twenty-first Day of *December* One thousand eight hundred and thirty-one, and to finish the Operations undertaken by them within the Barony out of such Assessments, the said Trustees being besides indemnified out of the Funds to be raised under the said last-recited Act and this Act for such Debt and Expences as may be due to them on the Expiration of their Trust, such Debt and Expences not exceeding the Sum of Four hundred Pounds in the whole.

Power to
borrow
Money.

III. And in order to enable the Trustees under the said last-recited Act and this Act to discharge the said Debt to the said former Trustees, and pay the Expences of obtaining this Act, and other Expences connected therewith, be it further enacted, That it shall be lawful for the Trustees under the said last-recited Act and this Act to borrow, on the Assessment authorized by the said last-recited Act to be made, such Sum or Sums of Money, not exceeding in the whole One thousand Pounds, as may be considered necessary at any Special Meeting of the Trustees under the said last-recited Act and this Act,
called

called in manner therein or herein directed, provided that One Half of the whole Trustees shall be present thereat.

IV. And whereas certain of the Streets, Roads, Places, and Lanes of the said Barony have gone into very great Disrepair, and stand in need of Common Sewers and other Operations beyond the Limits of ordinary Expenditure; be it therefore enacted, That it shall be in the Power of the said Trustees, on being required thereto by the Proprietors of the Property to be affected thereby to the Extent after mentioned respectively, and offering to pay One Half of the whole Expences that may be incurred in fulfilling the Object of such Requisition, to cause Common Sewers to be made, and Causeways to be new formed and new laid, to the Extent requisite, and thereafter to cause to be levied on the whole Householders along such Streets, Roads, Lanes, and Places as the said Operations may front, and along Fifty Feet more on each Side of such Operations, and on the Householders of Courts or Closes behind the same having their main or principal Entrance on such Streets, Lanes, Roads, and Places on which such Operations are executed, and along Fifty Feet on each Side thereof, Double the Assessments authorized to be levied by the said last-recited Act, aye and until the whole of the Expences of such Operations, with Interest thereon, be fully liquidated; such Householders always having recourse for Repayment of One Half of the said double Assessment, that is, of the whole extra Assessment, on their Landlords.

Certain Repairs to be made, and Assessments levied to defray the same.

V. Provided always, and be it enacted, That the making of such Common Sewers shall not be proceeded with unless the Proprietors to the Extent of One Third of Property to be affected thereby shall concur in a Requisition and Offer of Payment to the above Effect; and in like Manner, that the new forming of Causeways and other Operations shall not take place until the Proprietors to the Extent of One Half of the Property to be thereby affected shall make a similar Requisition and Offer of Payment: Provided also, that the respective Extents of the Property for which Common Sewers and other Operations are to be made shall in every Case be fixed according to the Rental ascertained by the Police Books of the Barony for the Time being.

Common Sewers to be made only in certain Events.

VI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint any Person who has been or may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be the Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act

Same Person not to be Clerk and Treasurer.

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as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds Sterling to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, by summary Action in the Court of Session.

Quorum of Trustees.

VII. And to prevent the Trouble and Delay experienced in calling and constituting the General, Annual, and Quarterly Meetings of the said Trustees, where a Quorum of Nine is required, be it further enacted, That all Matters, Acts, and Things directed to be done by the said last-recited Act and this Act by such Quorum may be performed and executed by the Majority of such Trustees present at their said respective Meetings, the Number present not being less than Seven, in place of Nine, as fixed by the said last-recited Act; and all the Acts done by the Majority of a Meeting of Seven Trustees as aforesaid shall be as valid and effectual as if the same had been performed by all the said Trustees: Provided always, that a Majority of the Trustees elected for each separate District shall be always a Quorum of such District Trustees, when acting as Committees in their own District under the Powers committed to them by the said last-recited Act.

Accounts to be audited, and Expences allocated.

VIII. And be it further enacted, That the Trustees under the said last-recited Act and this Act, at their Annual Meeting in *February* each Year, shall audit the Accounts of each District, and at their Annual Meeting in *July* thereafter appoint and allocate the Sums to be laid out on the different Streets of each District, and limit the Extent and Amount of the Repairs thereon, in conformity with Reports to be made out and furnished by the Committee of each District respectively, specifying the Kind, Form, Situation, and Extent of such Repairs; and the Committee of the several Districts shall thereafter respectively limit their Expenditure in such Districts to the Sums so allocated, and act in conformity with the Instructions issued by the said General Meetings.

Collector may be appointed.

IX. And be it further enacted, That it shall be lawful for the said Trustees, if they shall think it necessary, to appoint a Collector or Collectors for each separate District of the Barony, instead of appointing a Collector for the whole Barony, as directed by the said last-recited Act, for the more speedy and easy exacting and recovering of the Monies to be levied in such Districts; such Collectors giving Security for their faithful Accounting in Manner and in the Terms provided for by the said last-recited Act.

Expences, &c. how to be defrayed.

X. And be it further enacted, That the said Sum so authorized to be borrowed, and the Costs and Charges of obtaining and passing this Act, shall and may be defrayed by and out of the Money to be raised by virtue of the said last-recited Act.

Public Act.

XI. 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.