ANNO QUINQUAGESIMO NONO

# GEORGII III. REGIS.

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## *Cap.* cxvii.

## An Act to enable the Company of Proprietors of the *Cranstonhill* Water Works to improve their Works. [2d *July* 1819.]

WHEREAS by an Act passed in the Forty-eighth Year of the Reign of His present Majesty, intituled *An Act for the farther* 48G.3.c.xliv.
*Supply of the City and Suburbs of* Glasgow, *and Places adjacent, with Water*, it was enacted, that the several Persons therein named, and such other Person or Persons, and such Bodies Politic and Corporate or Collegiate, as should at any Time thereafter be possessed of One or more Shares of the said Undertaking, and their Successors, Executors, Administrators, and Assigns, should and they were thereby accordingly united into a Company for supplying the City and Suburbs of *Glasgow*, and Places adjacent, with Water from the River *Clyde*, and for making and maintaining the necessary Works for that Purpose, by the Name of the Company of Proprietors of the *Cranstonhill* Waterworks; and it was thereby enacted, that it should and might be lawful to and for them to raise and contribute among themselves a Sum of Money for carrying the Purposes of the said Act into execution, not exceeding the Sum of Thirty thousand Pounds, and they were farther authorized to borrow or take in Loan at or below

legal Interest, or by way of Annuity, any Sum or Sums of Money for the Use and Behoof of the said Company not exceeding the Sum of Ten thousand Pounds Sterling in whole on the Security of the said Undertaking: And whereas by an Act passed in the Fifty-second Year of the Reign of His present Majesty, intituled *An Act to enable the Company of Proprietors of* Cranstonhill *Waterworks to raise more Money for the further Supply of the City and Suburbs of* Glasgow, *and Places adjacent, with Water*, the said Company of Proprietors, with such others as should choose to become interested in the said Undertaking, were enabled to raise a farther Sum of Money for the Completion of the Purposes of the said first-recited Act, not exceeding in whole the Sum of Thirty thousand Pounds Sterling, and also to borrow and take up in Loan, at or below legal Interest, or by way of Annuity, any additional Sum or Sums of Money for the Use and Behoof of the said Company, not exceeding in whole the farther Sum of Ten thousand Pounds: And whereas the Population and Manufactures of the said City have since the passing of the said Acts greatly increased and are still increasing, and the said Company have already expended the whole Sums of Stock and Loans authorized to be subscribed and borrowed by the said Two Acts in the making and maintaining their Works, from which the Inhabitants of the City of *Glasgow* and its Suburbs have derived very great Advantage and Benefit, although the Proprietors have not received any Return for the Sums so expended: And whereas, in order to render the Supply of Water more abundant and more regular, the said Company have it in contemplation to erect Works for raising the Water from the River *Clyde* into Reservoirs to be formed on Part of the Lands of *Dalmarnock*, in the Barony Parish of *Glasgow* and County of *Lanark*, situated to the South-East of the said City, which have been purchased by the Committee of Management, pursuant to Power granted by the said first-recited Act for Behoof of the said Company of Proprietors, from *Patrick Playfair* Esquire, of *Dalmarnock*, and conveying the same from thence by Pipes under Ground through and along the Road leading from *Dalmarnock Ford* to *Glasgow* by *Bridgeton* and *Calton*, and through and along any of the Streets of *Glasgow* and the Suburbs thereof, leading towards the present Reservoirs of *Cranstonhill*, and to connect such Pipes with the Pipes at present used by the said Company for distributing Water over the said City and Suburbs; and also to make a Reservoir or Reservoirs upon Grounds purchased by the said Committee of Management pursuant to such Power as aforesaid for Behoof of the said Company at *Garnethill*, and to convey the Water in Pipes thereto, either from their present Reservoirs at *Cranstonhill*, or from the Works to be erected by them on the Grounds situated at *Dalmarnock*, for enabling them to supply the higher Parts of the City and Suburbs; and it is therefore necessary that the said Acts before recited should be amended and extended for the better enabling the said Company to carry the said Purposes into effect: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the said Company of Proprietors, together with such other Person or Persons, and such Bodies Politic and Corporate or Collegiate, as shall at any Time hereafter

Company authorized to raise a further Sum of 140,000*l.*

hereafter choose to become interested in the said Undertaking, and to become Proprietors in the said Waterworks, to raise and contribute among themselves, or by the Sale of Shares in the said Undertaking in the Manner authorized and directed by the said second-recited Act and by this Act, a farther Sum of Money for paying the Price of the Ground at *Dalmarnock*, making, completing, and maintaining the said Reservoirs, erecting Engines, and all other Works and Conveniences belonging or requisite thereto, and for extending, altering, and improving their Works from Time to Time as the Demand for a Supply of Water may require, over and above the Sums of Money already allowed to be raised and contributed by the said before-recited Acts, not exceeding in whole the Sum of One hundred and forty thousand Pounds Sterling, making, together with the Sums allowed to be raised by the said before-recited Acts, a Capital Stock of Two hundred thousand Pounds Sterling; which additional Sum of One hundred and forty thousand Pounds Sterling, or such Part thereof as shall be so raised and contributed, shall be laid out and applied, in the first place, in paying the Charges and Expences of obtaining and passing this Act, and then in paying the Price of the said Ground, making, completing, and maintaining the Reservoirs, Steam Engines, and Appurtenances necessary for raising the said Water, the Pipes for conveying the same, and other requisite Works and Conveniences requisite for altering, extending, and improving the said Works, as the increasing Demand for the Supply of Water may require, and otherwise, and for putting this Act into execution.

Division of Shares.

II. And be it further enacted, That each of the Shares of the original Stock of the said Company shall be and the same are hereby divided into Two Shares of Twenty-five Pounds Sterling each, and the said Sum of One hundred and forty thousand Pounds Sterling hereby authorized to be raised and contributed in addition to the said former Stock, or so much thereof as shall be so raised and contributed, shall be divided into similar Shares of Twenty-five Pounds Sterling each, and shall be vested in the Persons so raising and contributing the same or purchasing Shares sold as aforesaid in the same Manner; and the Proprietors thereof shall be entitled to the same Privileges and Benefits, and be subject to the same Conditions and Obligations, as were provided by the Acts before recited in respect to the said former Stock of the said Company of Proprietors.

Limiting the Number of Votes in respect of Shares.

III. And be it enacted, That every Proprietor of Shares of the said Undertaking shall at all General Assemblies held in virtue of the said before-recited Acts be entitled to One Vote for each Share held by him, but not exceeding in whole Twenty Votes although possessed of more than Twenty Shares, and that either by himself or by Proxy in manner pointed out in the said Acts before recited.

Authority to borrow a Sum not exceeding 50,000*l.*

IV. And be it further enacted, That it shall and may be lawful to and in the Power of the said Company of Proprietors, or of their Committee of Management mentioned in the said first before-recited Act, by and with the Advice and Direction of any General Assembly of the said Company of Proprietors, to borrow and take up in Loan, at such lawful Interest as may be agreed on, in addition to the Sums authorized to be borrowed or taken up in the said before-recited Acts, any Sum or Sums of Money for the

the Use and Behoof of the said Company, not exceeding in the whole the farther Sum of Fifty thousand Pounds Sterling; and it shall be lawful, if deemed necessary, to assign the said Undertaking, and the whole Estate, Funds, and Profits thereof, in security of such Sum or Sums of Money, and the Charges thereof; and the Securities for these Ends may be in the Form and Words following, or others to the same Effect:

Form of Bond for Loans.

'WE, the Committee of Management of the Company of Proprietors of the *Cranstonhill* Waterworks, acknowledge to have received, for and upon Account of the said Company, from *A. B.* the Sum of therefore we oblige the said Company to repay to him and to his Heirs, (or to his Executors, if the Debt shall be intended as Personal Estate,) and to his Indorsees, on the Term of the said Sum, with Interest at the Rate of *per Centum per Annum*, from this Date during the Nonpayment, together with One Fifth Part farther for each Term's Failure in punctual Payment; and for the more sure and certain Payment of the said Sums we do hereby alienate and assign to the said *A. B.* and his foresaids all and singular the Undertaking and Works of the said Company, and whole Property and Funds, Rents and Estate thereof, of whatever Description, with Power to possess, uplift, assign, or convey the same or any Part thereof, in case of Nonpayment of the said Sums or any Part thereof, consenting to the Registration hereof in all competent Court Books for Preservation and Execution as effeirs, and thereto constituting Procurators. In witness whereof a Quorum of the said Committee of Management have subscribed these Presents,' *et cetera*.

And a Memorial or Minute of all such Bonds and Securities shall be entered in the Books of the said Company, and shall be effectual and sufficient to the Holders thereof to all Intents and Purposes, and shall all rank *pari passu* to the Extent of the whole Sum of Fifty thousand Pounds, or so much thereof as shall be borrowed, and correspondent Interest, and shall be transferable and validly pass at all Times by Indorsation or Signature of the Creditors Names thereon, but which Indorsation shall not infer recourse against the Indorser.

Shares may be sold.

V. And be it further enacted, That it shall and may be lawful to and in the Power of the said Company of Proprietors or their Committee of Management to sell or agree for the Sale of the Shares of the Stock authorized to be raised by this present Act by private Sale or Bargain at a Price not less than Twenty-five Pounds Sterling *per* Share, or to expose to sale and sell the same to the highest Bidder at such Price as the same will bring, in which Event the said Company of Proprietors shall conform to and observe the whole Rules and Regulations respecting the Place and Time of Sale and Mode of Advertisement enacted by the said last above-recited Act in regard to the Stock thereby allowed to be raised.

Sale of Shares to be to a limited Amount.

VI. Provided always, and it is provided and enacted, That it shall not be lawful to nor in the Power of the said Company of Proprietors or their Committee of Management to sell and dispose, either by public or private Sale, of a greater Proportion of the said Stock, or of the Shares thereof, at

at a Price less than Twenty-five Pounds *per* Share, than will yield and produce the nett Sum of Ten thousand Pounds Sterling, after deducting all Expences attending the procuring of this present Act, and the Charges and Expences of advertising and selling the said Shares, without having previously obtained and received the special Appointment and Authority, either of the Annual General Assembly of the said Company of Proprietors, or of a Special General Assembly of the said Company of Proprietors to be called by Advertisement in the Manner pointed out by the said last before-recited Act.

Sum set apart by former Acts may be divided.

VII. And whereas by the before-recited Acts the said Company were required to set and keep apart out of the Profits of the Concern a Sum not less than Three thousand Pounds, to answer Contingencies: And whereas it would now be more for the Advantage of the said Company of Proprietors, that the said Enactment, so far as relates to the same, should be repealed; therefore it is hereby enacted, That the said Company shall not be bound to set apart and accumulate the said Sum, but that it shall be competent to the said Company of Proprietors to divide the whole Profits arising from the said Undertaking, without regard to the said Enactment, which is hereby expressly rescinded and repealed.

Books may be balanced at any Time.

VIII. And be it enacted, That it shall and may be lawful to and for the said Company to cause the Books of the Company to be brought to an Annual Balance upon such Day throughout the Year as to the Company from Time to Time shall seem proper.

Power to raise Water.

IX. And be it enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby empowered, to raise and convey Water from the said River *Clyde*, at any Part or Parts thereof most convenient, opposite to the Grounds purchased as aforesaid from the said *Patrick Playfair*, and for that Purpose to open the Ground on the Banks of the said River *Clyde* at that Place, and to lay down a Pipe or Pipes, and to make a Drain or Drains into or from the said River *Clyde*, for the Purpose of conveying from thence the said Water for supplying the said City and Suburbs and Places adjacent; and also for the Supply of any Steam Engine or Engines which the said Company of Proprietors may erect or use, and which they are hereby authorized and empowered to erect; and to make or erect a Coffer or other Dam or Dams for protecting the said Pipe or Pipes, Drain or Drains, during the Time that the same are making or laying down; and to do and perform every other Matter and Thing necessary for raising such Water, and to convey the same to the said City of *Glasgow*, Suburbs, and Places adjacent, through the Streets, Roads, and Lanes of the said City, Suburbs, and Places adjacent, as specified in and authorized by the said Two Acts before recited; and by Pipes of such Diameters as may be best suited for the Purpose of supplying the said City and Suburbs and Places adjacent with Water.

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

X. Provided always, and be it enacted, That the Whole of the Pipe or Pipes in which the Water shall in the first Place be conveyed from the said River *Clyde* shall be sunk in the Sides and Embankments, or in the Bed or Channel of the said River, and shall not be raised above the Surface of the Sides and Embankments, or in the Bed or Channel of the said River,

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, further than Twenty Feet from the Bank or Embankment 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, if it shall hereafter be made navigable at the Place where the said Pipes shall be laid, or to the Vessels, Owners, Masters, or Mariners thereof that shall navigate the same.

To convey Water to Reservoirs.

XI. And be it enacted, That it shall and may be lawful for the said Company of Proprietors, and they are hereby authorized, to pump or raise Water from their Works at *Cranstonhill*, or those to be erected by them at *Dalmarnock* as aforesaid, and to convey the same in Pipes to the Reservoir or Reservoirs to be erected by them on the said Grounds situated on *Garnethill*, and from thence to distribute the same through the City and Suburbs, so as to afford a Supply to those Parts thereof which are situated above the Level of the present Reservoirs of the Company; and also to convey Water from the River *Clyde* at *Dalmarnock* into their present Reservoirs, or any of them, if the said Company of Proprietors shall think fit so to do: Provided always, that the Power and Authority hereby granted to the said Company of Proprietors shall not prevent any other Person or Persons having or acquiring Power for that Purpose from raising and conveying Water from the aforesaid River at any Place or Places within the aforesaid Limits, not being the private Property of the said Company, or from laying Pipes in the foresaid Lines or Directions, in so far as not previously occupied by the said Company of Proprietors; and that either for his or their own Use, or for any other Purpose to which such Person or Persons may have Right to apply the same; and with Power, nevertheless, to the said Company of Proprietors to purchase all Grounds, Privileges, or Servitudes necessary for making any Reservoir or Reservoirs, and for erecting Steam Engines, laying Pipes, and making and constructing such other Works, Buildings, and Erections, and other Conveniences, and for doing every other Matter and Thing necessary for the Purposes of this Act, and to make and construct such Reservoir or Reservoirs, and to erect Steam Engines, and to lay Pipes, and make and construct such other Works, Buildings, and Erections, and other Conveniences, and to do every other Matter and Thing necessary for the conveying Water from the said River *Clyde* at the Place or Places aforesaid, into the said City and Suburbs of *Glasgow*, and Places adjacent, or necessary for supplying the Inhabitants of the said City and Suburbs, and Places adjacent, therewith.

Provision as to the Restriction in former Title Deeds.

XII. Provided always, and be it enacted, That nothing herein contained shall alter or be construed to alter, or recal in whole or in part, or in any way to do away or impair any Prohibition or Restriction contained in any Deed or Deeds conveying to the said Company the Lands of *Cranstonhill*, or any Part thereof, against erecting Steam Engines of any Sort, or erecting or carrying on any other Works or Manufactures which may be deemed a Nuisance to the Proprietor or Proprietors of the Ground

of *Cranstonhill*, or the Grounds adjoining in the Neighbourhood thereof, belonging or which belonged to *Walter Logan*, *James Hill*, and *William Aitchison*, or to *John M'Ilquham*; or any Restriction against any other Nuisance contained in such Deed or Deeds in relation to such Ground, any thing in this Act contained to the contrary notwithstanding.

Plan of Reservoirs.

XIII. And whereas a Map or Plan, describing the Place from whence Water is to be taken from the said River *Clyde*, and the Places where the said Reservoirs are situated, and showing the Line of the Pipes through which the Water will flow to those Parts of the City and Suburbs of *Glasgow* where the said Company have already laid Pipes in virtue of the Powers conferred on them by the Acts before recited, has been deposited with the Clerk of the Peace of the County of *Lanark* at *Glasgow*; be it enacted, That such Map or Plan shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy; and all Persons interested therein shall at all reasonable Times have Liberty to inspect or peruse the same, and take a Copy thereof, or any Part thereof, paying the Sum of One Shilling to the Clerk of the Peace or his Deputy for every such Inspection; and that the said Company in making the said Reservoirs, or in laying the said Pipes for the Conveyance of the said Water from the said River *Clyde*, so far as without the Royalty of the said City, and so far as the said Pipes and Reservoirs shall not be situated upon the Property of the said Company, shall not deviate more than Twenty Yards of Three Feet each from the Scite of the said Reservoirs on the Line and Course of the said Pipes described in the said Map or Plan; and that the said Company shall within the said Royalty of the City lay their Pipes in manner herein mentioned, and shall not have Power, after the Main Pipes and Collateral or Branch Pipes are once laid within the Royalty of the City of *Glasgow*, to deviate from or alter the Course of the said Pipes, unless by the Consent of the Magistrates and Council of the said City.

Prescribing how Pipes are to be laid.

XIV. Provided always, and be it enacted, That the said Company shall not have Power to lay more than One main Pipe with One collateral Pipe, or in place thereof Two collateral Pipes, in the Streets, Squares, or Lanes of the said City, except in *Argyle Street*, *Trongate Street*, and that Part of the *Gallowgate* to the Westward of *Saint Andrew's Lane*, in each of which Streets the said Company shall have Power to lay Two Main Pipes, with Two collateral Pipes: Provided that the said Pipes in *Argyle Street*, *Trongate Street*, and Part of the *Gallowgate* aforesaid be introduced from the East by *Great Hamilton Street* and *Saint Andrew's Lane*, so as to avoid the *Gallowgate Bridge*; and that none of the said Pipes within the Royalty of the City of *Glasgow* shall be laid deeper in the said Streets than Three Feet Six Inches from the Surface of the Causeway to the under Part of the Pipe, except where any Obstruction shall occur or be found, in which Event the said Pipes shall not be laid deeper than is necessary for avoiding such Obstruction; and provided also, that the said Company shall not lay any of the said main or collateral Pipes within Five Feet from the Centre of the Causeway of the said Streets, leaving a free Space of Ten Feet in Breadth in the Centre of each of the said Streets, nor within Three Feet of the Curb Stone of the Foot Pavement on the Sides of the said Streets; and that the said Company shall conform to the same

Rules

Rules and Regulations, and shall have and enjoy the same Privileges, as are or shall be fixed and allowed by the Magistrates and Council of *Glasgow*, with regard to the Pipes laid or to be laid by the *Glasgow* Water Works Company in the Streets of the said City.

**Provision as to opening and relaying Streets.**

XV. And be it further 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, for the Purpose of laying or repairing any of the Cocks, or laying or repairing any of the Pipes in the said Streets, till they have given Notice in Writing to the Superintendant of Streets, intimating that it is their Intention to open a particular Part of the Street, specifying the Number of the House or Shop in the said Street opposite to which the said Opening is to be made, and the Time when such Opening is to commence, so that the said Superintendant may have it in his Power to be present thereat; and in every such Case the Servants of the said Company shall make and re-causeway the said Openings in a reasonable Time and in a sufficient Manner, and 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 said Superintendant to demand and receive from the said Company immediately after the re-causewaying of such Openings are finished, such a Sum as will enable 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 said Causeway Work, 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 Superintendant aforesaid 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 for the Purpose aforesaid.

**Provision as to Streets and Road leading to Rutherglen.**

XVI. And be it also enacted, That in respect the Trustees acting in the Execution of an Act made in the Thirty-eighth Year of the Reign of His present Majesty, intituled *An Act for continuing for Twenty-one Years, and from thence to the End of the then next Session of Parliament, the Term, and altering the Powers of Two Acts, passed in the Twenty-ninth and Thirty-first Years of His present Majesty's Reign, for making and repairing the Road from the City of* Glasgow, *by* Muirkirk, *to the Confines of the County of* Ayr, *and other Roads communicating therewith, and the Road from the Village of* Gorbals *and New Bridge of* Glasgow, *by the Chapel of* Cambuslang, *till it joins the Road from* Hamilton *by* Burnbank *towards* Eagleshame, *in the County of* Renfrew, *and for building a Bridge over the River* Clyde *at* Dalmarnock *or* Farme Ford, are obliged, and in use of maintaining and causewaying the Streets or Road from the East End of *Great Hamilton Street* of *Glasgow*, by *Rutherglen Bridge*, to *Rutherglen*, and the Branch Road from *Barrowfield Bridge*, near *Glasgow*, to *Dalmarnock Ford*; if the said Water Company shall have Occasion to take up any Part thereof, or lay Pipes under any Part of the said Roads or Streets, an Intimation thereof in Writing shall be given in and left for the Clerk or Surveyor to the said Trustees,

Trustees, at either of their Offices in *Glasgow;* and failing either of them having a Place of Business in *Glasgow*, the same shall be left for any One of them in Writing at the Toll Bar on the said Road nearest to *Glasgow;* and the said Trustees shall in all respects be entitled to the same Privileges and to the Benefit of the same Provisions and Regulations, with respect to such Part of the said Streets or Roads under their Charge as may be taken up by the said Company, as is herein provided in regard to the Streets within the said City of *Glasgow.*

In making additional Works, the Company to be subject to the Provisions of former Acts.

XVII. And be it enacted, That in making the said Reservoirs, and laying the said Pipes, and making the whole aforesaid Operations, and in keeping the same in repair, the said Company of Proprietors shall be entitled to the whole Powers and Privileges respecting entering upon public or private Property conferred, and shall be subjected to the whole Orders, Rules, and Regulations imposed upon them by the Act first above recited, except in so far as the same are hereby altered, enlarged, or repealed; all which shall be held to apply to the Operations hereby authorized, in the same Manner, and as fully and completely in all respects, as if the same had been herein particularly recited, or as if the Operations hereby authorized had made Part of the Operations authorized by the said Act first above recited.

Provision as to the Supply of Water to the Inhabitants.

XVIII. Provided always, and be it enacted, That the said Company of Proprietors shall be obliged, in the Manner directed by the said recited Act, to furnish a sufficient Supply of Water to every Inhabitant occupying a Dwelling House in any Square, Street, Close, or Lane of the said City of *Glasgow*, for the Use of his or her Family, at a Rate *per Annum* not exceeding Seven Pounds Ten Shillings *per Centum per Annum* upon the Amount of the Rent of the House occupied by such Inhabitant where the same shall be under One hundred Pounds *per Annum*, and not exceeding Five Pounds *per Centum per Annum* upon such Rent where such Rent shall amount to One hundred Pounds or upwards; and every such Rate shall be payable according to the actual Amount of the Rent where the same can be ascertained, or, where the same cannot be ascertained, according to such Rent as such Inhabitant shall be assessed for the House Tax: Provided nevertheless, that the said Company shall not be entitled to receive from any such Inhabitant more than the Sum of Ten Pounds in any One Year for such Supply, nor shall such Company be obliged to furnish such Supply to any Inhabitant for less than Ten Shillings in any One Year, unless they shall think fit so to do; and provided further, that in the Case of Manufacturers, Vintners, or other Persons requiring a Supply of Water for other Purposes than those of Family Consumption, or Persons requiring a Supply of Water for Baths, Cows, or Horses, such Supply shall be furnished by the said Company of Proprietors in such Cases at such Rate as shall be settled by and between the Committee of Management and such Persons respectively.

Complaint allowed as to Supply of Water.

XIX. Provided always, and be it enacted, That if any Person desiring a Supply for Family Consumption shall not be supplied with Water in the Manner directed by this Act, or receiving a Supply shall be dissatisfied with the Sufficiency thereof, every such Person may complain, in due

Form of Law, to the Magistrates of the City of *Glasgow*, giving Fourteen Days Notice in Writing of such Intention to complain, and the Matter of Complaint, to the said Company; and the Determination of the said Magistrates upon such Complaint shall be final and conclusive, without being subject to Advocation, Suspension, or Reduction, or Review in any Way whatsoever: Provided always, that no such Complaint shall be allowed to be prosecuted by any Person who shall not have previously paid or tendered the Water Rate due by him or her at the Time; and in all Cases where such Complaint shall be found groundless the Person or Persons making the same shall be liable to pay to the said Company double Costs of Suit.

Rates may be leased.

XX. And be it further enacted, That it shall and may be lawful for the Committee of Management for the Time being to let the Rates of the said Company in Whole or by Parcels, from Time to Time, in the Way and Manner that shall be directed by the said Company of Proprietors at any General Meeting called for that Purpose, subject to the Performance of such Covenants as they shall think fit to prescribe, for the best Rent that can be got for the same, to such Person or Persons as shall give sufficient Security for the Performance of such Covenants and for Payment of such Rent, to be approved of by the said Committee of Management: Provided that no Lease of such Rates be made for a longer Time than Three Years at any one Time, unless specially authorized by a General Meeting of the said Company of Proprietors to let the same for Five Years at one Time, and no longer.

Mode of recovering Rents in arrear.

XXI. And whereas the Rents payable to the said Company are in general small Sums, and when not regularly paid it is attended with great Expence to those in arrear to recover the same in the Manner authorized by Law for the Recovery of Rents due by Lease in *Scotland*, as directed by the said first-recited Act; be it therefore hereby enacted, That if any Person or Persons shall refuse or delay to pay the Rents respectively due by them to the said Company for the Space of Fourteen Days after the same shall have become due and payable, and shall have been demanded from him, her, or them personally, or by leaving a written or printed Requisition, signed by the Collector or Secretary of the said Company, at the House or Premises for which the said Rent shall be due, it shall be lawful for the said Collector or Secretary to apply to the Magistrates of *Glasgow*, or to the Sheriff of *Lanarkshire*, for a Warrant to the Officers of such Judges, which the said Magistrates or Sheriff are hereby authorized and directed to grant upon a Certificate or Roll, under the Signature of such Collector or Secretary, of the Names of the Debtors, and of the Sums respectively in arrear, to enter into the Premises of such Person or Persons, and seize and take Possession of his, her, or their Goods and Effects; and if the Sums respectively due, together with the necessary Expences of such Seizure, shall not be paid within Three Days thereafter, then it shall be lawful to the said Collector or Secretary forthwith to sell and dispose of the same, or such Part thereof as may be necessary, by public Roup, at the Cross of *Glasgow*, or such other Place as may appear proper, and to apply the Price in Payment of the Rates respectively owing, with the Expences of Procedure, and to return the Overplus, if any be, to the Owner, such Costs and

Charges being always ascertained by the Magistrate or Judge who shall issue the Warrant; and all such Rents shall be and remain a real Lien and Burden on the Property in the Premises for which they are respectively due until Payment or Satisfaction thereof, but postponed always to the Hypothec of the Landlord's Rent, as by Law established: Provided always, that it shall and may be lawful to any Person or Persons against whom any such Warrant shall have been issued to complain thereof to the Magistrates or Judge who shall have granted the same, in the Manner competent by the Law of *Scotland* in the Case of any Poinding directed by such Magistrates or Judge; and the Determination of such Magistrates or Judge shall be final and conclusive, without being subject to any Review, or any Stay of Execution whatever; and provided also, that before such Warrant shall be issued the Parties shall be duly summoned before the said Magistrates or Sheriff, and be entitled to be heard in their Defence.

Rents payable in advance.

XXII. And be it further enacted, That the Rents payable to the said Company may and shall be payable at the Company's Office, and become due in advance, and immediately upon the Commencement of the Twelve Months or other Period for which the Persons using the said Water may contract with the said Company.

Penalty for using false Keys.

XXIII. And whereas the Houses in the City and Suburbs of *Glasgow* are generally inhabited in Flatts or Floors, so that many Families frequently occupy the same Tenement, and it has been found most convenient for the supplying those Families with Water to erect Wells or Fountains upon the Streets, and in Closes, and at the Bottom of the Stairs of different Tenements, and in such other Places as appeared to be most convenient for all Parties, and to furnish each Family with a Key to such Wells or Fountains, in order that they might supply themselves with Water when requisite; be it therefore further enacted, That whoever is found using false Keys, or any improper Instrument, for the Purpose of opening the Wells or Fountains already erected, or which may hereafter be erected, whereby the said Wells or Fountains may be damaged or destroyed, or whoever is found taking the Water without having first agreed with the Company to pay for the same, shall forfeit and pay to the Company any Sum not exceeding Five Pounds for every such Offence, to be recovered on the Conviction of the Offender, on the Testimony of One or more credible Witnesses, before any Magistrate or Justice of the Peace, in the same Way that any Penalty may be recovered pursuant to the said first-recited Act.

Penalty for injuring the Works.

XXIV. And be it further enacted, That if any Person or Persons shall injure the Works hereby authorized to be constructed, or shall interrupt the Company, or those in their Employment, while engaged in carrying the Powers hereby granted into execution, or shall make any improper Use of the Water hereby authorized to be raised, such Person or Persons shall be subjected and liable to the whole Penalties and Forfeitures imposed by the said first-recited Act upon those who should be guilty of similar Offences with regard to the Works thereby authorized to be constructed.

Penalty for removing Pipes.

XXV. And be it also enacted, That all and every Person and Persons who shall take out or remove or intermeddle with any Pipe or Fountain, or other

other Part of the Property of the said Company, upon or under any Pretext whatever, without making previous Notice and Requisition to that Effect in Writing by at least Twenty-four Hours to the Secretary of the Company, shall be liable to and pay a Penalty not exceeding Five Pounds, besides all the Damage and Expences that may be incurred, upon Conviction before any Magistrate of the Bounds where the Offence shall happen to be committed, to be recovered in the same Manner that any Penalty may be recovered by the said first-recited Act.

**How Notices shall be served on the Company.**

XXVI. And be it further enacted, That in all Cases where it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Citation or Summons, or other legal Proceedings, the Service upon any Member of the Committee of Management of the said Company, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or at the Office of the said Clerk, or left at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any Agent or other Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the Company.

**Clerk restrained from acting as Treasurer, and vice versa.**

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

**When Act to be put in force.**

XXVIII. And whereas the probable Expence of making and completing the Works at present intended, in order to afford an additional Supply of Water to the Inhabitants of the said City of *Glasgow* and Places adjacent, will, according to an Estimate made thereof, amount to the Sum of Thirty-one thousand nine hundred and fifty Pounds One Shilling, and the Sum of Thirty thousand six hundred Pounds has been already subscribed for defraying such Expences, under a Contract binding the Subscribers, their Heirs, Executors, and Administrators, for Payment of the several Sums of Money so subscribed by them respectively; be it enacted, That the whole of the said Sum of Thirty-one thousand nine hundred and fifty Pounds One Shilling shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

XXIX. And

Works to be completed in Three Years

XXIX. And whereas the whole of the said Works may be completed, if not prevented by inevitable Accident, within the Space of Three Years from the passing of this Act, according to an Estimate of the probable Time within which the same may be completed; be it therefore enacted, That if the said Works shall not have been completed, so as to answer the Objects of this Act, within the Space of Three Years from and after the passing of this Act, all the Powers given by this Act shall from thenceforth cease and become void; save only as to so much of the said Works as shall have been completed within the said Space of Three Years.

Compelling Payment of Subscription Money.

XXX. And be it further enacted, That all and every Person and Persons who have or hath already subscribed or who shall hereafter subscribe any Money for and towards the making and completing the said Work, shall and they are hereby required to pay the Sum or Sums of Money by him, her, or them respectively subscribed or to be subscribed, or such Part or Parts thereof as shall from Time to Time be called for by the Committee of the said Company, by virtue of the Powers and pursuant to the Directions of the said Two recited Acts and of this Act, at such Time and Times and Place and Places as shall be appointed for that Purpose by the said Committee; and in case any Person or Persons shall neglect or refuse to pay the Sum or Sums so to be called for from him, her, or them, at the Time or Times, Place or Places, and in the Manner to be appointed for that Purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

Future Number of the Committee of Management.

XXXI. And be it further enacted, That from and after the Third *Thursday* in the Month of *June* which will be in the Year One thousand eight hundred and twenty the Number of the Committee of Management of the said Company shall consist of Ten Persons in place of Seven as directed by the said herein first-recited Act; which Ten Persons then and thenceforth to be elected shall be qualified to be Members of the Committee of Management, and shall be elected and continue in Office, and be liable to be removed, as the Seven Persons who are directed by the said recited Act to be elected Members of the Committee of Management, or any of them, are thereby directed to be elected to continue in Office, or may be removed.

Former Acts to remain in force.

XXXII. And be it further enacted, That the said Acts before recited, and all the Powers, Provisions, Authorities, Matters, and Things therein contained, except in so far as the same are hereby altered, or are inconsistent with or repugnant to this present Act, shall, for the Purpose of enabling the said Company of Proprietors to afford the Supply of Water thereby intended, be in full Force, and have full Effect and Operation, in the same Manner as if this Act had made Part of the said recited Acts; and that the said Powers, Provisions, Authorities, Matters, and Things, excepting as aforesaid, shall be held and deemed to be Part of this present Act, in the same Manner as if the same were herein repeated, and the same shall be applied and enforced with the present Act, and the Powers, Provisions, and Authorities hereby granted, in carrying the same into execution.

Public Act. XXXIII. And be it 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.

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