ANNO DECIMO & UNDECIMO

VICTORIÆ REGINÆ.

****

Cap. lxxvii.

An Act for the better supplying the Town of *Dunfermline* and Places adjacent thereto with Water. [2d *July* 1847.]

WHEREAS the Royal Burgh and Town of *Dunfermline* and Suburbs thereof are at present inadequately supplied with pure and wholesome Water, and it would be of great Advantage to the Inhabitants if a plentiful Supply thereof were provided for domestic, manufacturing, and other Purposes: And whereas such Supply may be procured from certain Streams, Springs, and Sources of Water situated in or near to the Lands of *Hillhead* and *Craigluscar* in the Parish of *Dunfermline* and County of *Fife* herein-after mentioned: And whereas an Act was passed in the Fifty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, lighting, cleansing, widening, and other-* 51 G. 3. c. 61.
ways improving the Streets of the Burgh of Dunfermline, *increasing the Supply of Water, extending the Royalty of the said Burgh, and for other Purposes therein mentioned relative thereto*, which Act *inter alia* provided in manner therein and herein-after specified for the Appointment of a Body to be called the Water Committee, who were thereby invested with the sole Charge and Direction of the public Wells and Pipes for conveying Water into the said Burgh, and with

Power to repair, alter, and otherways improve the said Wells and Pipes, and to do every thing requisite and necessary for the better supplying the Inhabitants of the said Burgh and extended Royalty with good Water, with sundry other Powers, Rights, and Privileges therein and herein-after mentioned: And whereas it is expedient to take Powers under this present Act to purchase, lease, or otherwise acquire for the Purposes of this present Act the whole Works, Conveniences, Properties, Rights, Powers, and Privileges included under or authorized and provided by the foresaid Provisions of the said *Dunfermline* Police and Burgh Act before recited, and for the above Purposes to alter and amend, extend or enlarge, the foresaid Powers and Provisions of and in part repeal the said recited *Dunfermline* Police and Burgh Act all in the Manner herein-after provided: And whereas the Persons herein-after named, together with others, are willing at their own Expence to make, acquire, and maintain all the necessary Works and Conveniences for affording the Supply of Water as aforesaid, but the same 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 several Acts of Parliament following, that is to say, the "Companies Clauses Consolidation (*Scotland*) Act, 1845," the "Lands Clauses Consolidation (*Scotland*) Act, 1845," and "the Waterworks Clauses Act, 1847," shall, so far as not otherwise provided by this Act, be incorporated with and form Part of this Act.

8 & 9 Vict. cc. 17. & 19. and 10 & 11 Vict. c. 17. incorporated with this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament and in legal Instruments it shall be sufficient to use the Expression "The *Dunfermline* Waterworks Act, 1847."

Subscribers incorporated.

III. And be it enacted, That *David Birrell*, *James Hunt*, *James Kerr*, *William Kinnis*, *George Birrell*, *Erskine Beveridge*, *William Drummond*, *David Lawrie*, *James Morris*, *Robert Robertson*, *David Dewar*, and *Walter Brown*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purpose of supplying the Royal Burgh and Town of *Dunfermline* and Suburbs thereof with Water, and making and maintaining the Works and Conveniences necessary for that Purpose, as also for the Purpose of compensating Parties who shall or may be deprived of Water by any of the Operations of the said Company according to the Provisions of the said recited Consolidation Acts and this Act, and for other the Purposes herein and in the said recited Consolidation Acts contained; and for the Purposes aforesaid such Company shall be incorporated by the Name of the "*Dunfermline* Water Company," and by that Name shall be a Body Corporate, with perpetual Succession, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said recited Consolidation Acts contained.

IV. And

IV. And be it enacted, That the Capital of the Company shall be Thirteen thousand three hundred and fifty Pounds Sterling. Capital.

V. And be it enacted, That the Number of Shares into which the Capital shall be divided shall be Two thousand six hundred and seventy Shares, and the Amount of each Share shall be Five Pounds. Number and Amount of Shares.

VI. And be it enacted, That One Pound *per* Share shall be the greatest amount of any One Call which the Company may make on the Shareholders, and Three Months at the least shall be the Interval between successive Calls. Calls.

VII. And be it enacted, That it shall be lawful for the Directors until the Undertaking shall be completed to pay Interest at any Rate not exceeding Four Pounds *per Centum per Annum* on all Sums called up in respect of the said Shares from the respective Days on which the same shall be paid, such Interest to accrue and be paid at such Times and Places as the Directors shall appoint for that Purpose: Provided always, that no Interest shall accrue to the Proprietor of any Share upon which any Call shall be in arrear in respect of such Share, or any other Share to be holden by the same Proprietor, during the Period while such Call shall remain unpaid. Interest to be paid on Calls until Works completed.

VIII. And be it enacted, That it shall be lawful for the Company to borrow on Mortgage or Bond any Sums not exceeding in the whole the Sum of Four thousand Pounds; but no Part of such Sum shall be borrowed until the whole of the said Capital or Sum of Thirteen thousand three hundred and fifty Pounds shall have been subscribed for, and One Half thereof shall have actually been paid up. Power to borrow Money on Mortgage.

IX. And be it enacted, That the first Ordinary Meeting of the Company shall be held within Two Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held once in each Year in the Month of *June*, or within Twenty Days from the Expiration of the said Month, and the first of such Ordinary Meetings shall be held in *Dunfermline*; and all Meetings, whether ordinary or extraordinary, shall be held in *Dunfermline*, or at such other Place as the Directors may from Time to Time appoint. Ordinary Meetings to be held yearly.

X. And be it enacted, That the Quorum for every General Meeting of the Company shall be Fifteen Shareholders holding in the aggregate not less than One thousand three hundred and thirty-five Pounds in the Capital of the Company. Quorum for General Meeting.

XI. And be it enacted, That the Scale according to which the Shareholders may vote in respect of their Shares shall be as follows; (that is to say,) for One Share or more but not exceeding Fifteen, One Vote in respect of each Share, and for more than Fifteen Shares, an additional Vote for every Five Shares, but no Shareholder shall have more than Thirty Votes in respect of the whole Shares held by such Shareholder. Votes of Shareholders.

XII. And

Number and Qualification of Directors.

XII. And be it enacted, That the Number of Directors shall be Twelve, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares in the Undertaking.

Power to vary the Number of Directors.

XIII. And be it enacted, That it shall be lawful for the Company at their first Ordinary or any subsequent Extraordinary Meeting to reduce the Number of Directors, provided that the reduced Number be not less than Seven.

First Directors.

XIV. And be it enacted, That *David Birrell*, *James Hunt*, *James Kerr*, *William Kinnis*, *George Birrell*, *Erskine Beveridge*, *William Drummond*, *David Lawrie*, *James Morris*, *Robert Robertson*, *David Dewar*, and *Walter Brown* shall be the first Directors of the Company.

Quorum.

XV. And be it enacted, That the Quorum of a Meeting of Directors shall be Four.

Committees of Directors.

XVI. And be it enacted, That the Number of Directors of which Committees appointed by the Directors shall consist shall be not less than Three nor more than Five; and the Quorum of such Committees shall be a Majority of the Members of which such Committees consist respectively.

Suspension of Secretary and Treasurer.

XVII. And be it enacted, That it shall be lawful for the Company by the Vote of any General Meeting to suspend or remove from his Office any Secretary, Treasurer, or other Officer of the Company.

Newspapers for Insertion of Advertisements.

XVIII. And be it enacted, That the Newspaper in which Advertisements relating to the Affairs of the Company are to be inserted shall be any Newspaper published in *Edinburgh* or *Dunfermline*.

Property not to be taken unless specified in Schedule.

XIX. And be it enacted, That the Company shall not take or injure any Property of the following Kinds, except such as shall be specified in the Schedule to this Act, without the Consent in Writing of the Owners and Occupiers thereof, unless the Omission in such Schedule be certified according to the Provisions contained in the said recited "Waterworks Clauses Act, 1847," to have proceeded from Mistake; (that is to say,) any House or Building erected on or before the Thirtieth Day of *November* One thousand eight hundred and forty-six, or any Ground on or before that Day inclosed or set apart and used as a Garden, Orchard, Nursery Ground, Yard, Paddock, Plantation, planted Walk, or Avenue to a House.

Power to purchase additional Lands.

XX. And be it enacted, That it shall be lawful for the Company, in addition to the Lands to be compulsorily taken by them under the Powers of this Act, to contract with any Party willing to sell the same for the Purchase of any Land adjoining or near to the Works of the Company, or upon or near to any of the Streams of Water herein authorized to be purchased, not exceeding in the whole Fifteen Acres.

XXI. And

Power to purchase Lands limited.

XXI. And be it enacted, That the Powers of the said Company for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the passing hereof.

Power to take Water from Hillhead Loch, &c.

XXII. And be it enacted, That, subject to the Provisions and Restrictions in this and the said recited Consolidation Acts contained, it shall be lawful for the Company from Time to Time to divert or alter the Course of, and to take the Water flowing from or into, the following Lochs, Springs, and Streams, *videlicet*, *Hillhead Loch* otherwise called the *Black Loch*, the Brook or Stream having no Name flowing out of the said Loch in a Westerly Direction towards *Craigluscar*, the Springs and Streams situated on the South Sides of *Craigluscar Hills*, and of the Western Hill of *Craigluscar* otherwise called *Glassiebarns Hill*, the Stream arising out of and flowing Westward from the Hill last mentioned called the *Cowstrand Burn*, *Blair Burn*, or *Dean Burn*, and the Stream or Brook without a Name flowing from the South Boundary of the Lands of *Craigluscar* at or near the *Quarry Park*, through the Field or Inclosure on the Estate of *Clune* called *Easter Knockhill* by *Luscar* to *Bambo Bridge*, all lying and situated in the Parishes of *Dunfermline* and *Carnock* and County of *Fife*, including their various Tributaries and Affluents, together with the whole Springs and Drainage Water to be collected from all or any of the other adjacent Lands by means of Catch Drains, Aqueducts, or otherwise, or other Sources of Water in the District delineated on the said Plans and mentioned in the said Book of Reference.

Company to construct a Reservoir for supplying Parties who may be deprived of Water by Operation of this Act.

XXIII. And be it enacted, That it shall be lawful for the Company, subject to the Provisions and Restrictions of this and the said recited Consolidation Acts, to make, construct, and maintain such Drains, Reservoirs, Compensation Ponds, Conduits, Aqueducts, Embankments, and Pipes, Sluices, and other Works and Conveniences, which shall be necessary for compensating Parties who shall or may be deprived of Water by any of the Operations of the Company, and also for the better and more regular Supply of Mills, Manufactories, and other Works situated upon the several Brooks and Streams by this Act authorized to be taken or diverted.

Compensation Reservoir to be made at or near to Easter Knockhill.

XXIV. And be it enacted, That the Company shall be bound to make, construct, and maintain a Compensation Pond or Reservoir at or near the Field or Inclosure called *Easter Knockhill* before mentioned, and upon Lands partly situated in the Parish of *Dunfermline*, and partly in the Parish of *Carnock* and County of *Fife*, capable of containing not less than Five Millions of Cubic Feet of Water, and to take and use for supplying and filling the same not only the said Brooks and Streams flowing through the said Lands of *Easter Knockhill* as aforesaid, and the Affluents thereof, except in so far as the same shall or may be required for storing and using for the Supply of the said Burgh, Town, and Suburbs as aforesaid, but also the Flood Waters of the before-mentioned Stream called *Cowstrand Burn*, *Blair Burn*, or *Dean Burn*: Provided always, that the Water accumulated in the said Compensation Pond or Reservoir shall be used and applied solely for maintaining a regular Supply of Water for the Use of the several

several Mills and Works situated on the said Stream or Brook called *Carnock Burn*, *Comrie-Dean Burn*, *Shires Mill Water*, and *Valley-field Burn*.

Mode of gauging and ascertaining average Discharge of Water by Carnock Burn, and by Blair or Cowstrand Burn.

XXV. And to secure such Compensation for any Injury that may arise to the Owners and Occupiers of the said Mills, Manufactories, and other Property on the said Streams by the Construction of the Reservoirs and Works by this Act authorized to be made, and by the storing and Diversion therein of the Waters of the said Streams and Springs, and of the Feeders thereof, be it enacted, That an Engineer or Engineers, to be named by the Sheriff of the County of *Fife*, on the Application of the Company, or of any Party having Interest, after such Notice of such Application, as the said Sheriff shall direct, shall once during each Week at regular Intervals during the Months of *September* and *October* One thousand eight hundred and forty-seven, *March*, *April*, *May*, *June*, *July*, *August*, *September*, and *October* Eighteen hundred and forty-eight, and *March*, *April*, *May*, *June*, *July*, and *August* Eighteen hundred and forty-nine, measure, gauge, estimate, and ascertain in such Manner as to him or them shall seem proper the average ordinary Flow or Discharge in Cubic Feet of Water *per* Minute of the *Carnock Burn*, exclusive of Flood Waters, at a Point within Fifty Yards below the Base of the Embankment of the proposed Compensation Reservoir, and also of the *Blair* or *Cowstrand Burn*, immediately below the Point where the Western Limit of Deviation of the proposed Aqueduct crosses the Burn, at or near the Field No. 111, *Dunfermline* Parish, on the Parliamentary Plan, and along with such Gaugings shall also observe and measure the Fall of Rain by One or more Rain Gauges to be suitably placed within the District of *Craigluscar* to be drained by the proposed Works.

Average Discharge of Water by Carnock Burn and Blair Burn to be determined by the Sheriff of Fifeshire.

XXVI. And be it enacted, That the said Engineer or Engineers shall, immediately after the Expiration of the before-mentioned Periods of gauging in the Year 1849, certify and report to the said Sheriff, by a Certificate or Certificates under his or their Hands, to be lodged with the Sheriff Clerk of the County of *Fife* (of which lodging Notice shall be given to the Company within Ten Days thereafter), the true Amount of such average Quantity of Water, exclusive of Flood Water, so ascertained by him or them to flow in or be discharged by the said *Carnock Burn* and *Blair Burn* respectively *per* Minute; and the said Sheriff shall thereafter proceed to pronounce Judgment as hereinafter directed, unless an Application shall, within One Month from the Date of lodging such Certificate or Certificates, be made to the said Sheriff by the Company, or by any other Party interested, similar Notice being given of such Application as of the original Application, praying for further Inquiry, in which Event it shall be lawful for the said Sheriff to order the Engineer or Engineers to make further Gaugings in the Months of *March*, *April*, *May*, *June*, *July*, *August*, *September*, and *October* then following during a Period not exceeding Twelve Months from the Date of such Order, and to lodge such further Certificates as to him or them shall seem fit, and to report thereon of new; and upon considering such Certificates the said Sheriff shall pronounce a Judgment fixing and declaring the Quantity of

of Water ascertained and reported in such Certificate or Certificates, or additional Certificate or Certificates, to be the average Quantity of Water flowing in and discharged by the said *Carnock Burn* and *Blair Burn* respectively *per* Minute, exclusive of Flood Water, and such Judgment shall be final and conclusive in all Time thereafter.

Amount of Water to be provided or delivered by the Company into Carnock Burn in compensation, &c.

XXVII. And be it enacted, That the Company shall be bound when they shall for the first Time divert, take, and retain in the said Reservoirs, or shall commence using the foresaid Springs and Streams for the Supply of the Town of *Dunfermline*, and for ever after so long as they shall continue so to do, to discharge out of the said Compensation Reservoir and deliver into the *Carnock Burn* such a Quantity of Water as will amount to the Discharge *per* Minute so fixed and declared as aforesaid by the said Sheriff; and the Company shall also be bound not to take and use any Portion of the Water flowing in the said Stream called *Blair* or *Cowstrand Burn* at any Time except when the Quantity of Water flowing therein shall exceed the Amount of the Discharge *per* Minute so fixed and declared by the said Sheriff as the average Quantity of Water flowing in the said *Blair Burn*, nor shall they take and use any Water flowing in the said Stream, save and except the Excess or Surplus above such average Quantity of Water, so that at all Times when the Company shall take any Portion of the Water flowing in the said Burn the Water left flowing therein shall amount to such average Quantity; and in order to ensure such a Delivery of the said Quantity of Water into the said *Carnock Burn*, and in order to ascertain that the Company do not take or use any Portion of the Water of the *Blair Burn*, except as herein provided, the Company shall place and maintain on the said Burns at the Points aforesaid proper Water Gauges which shall readily show and determine the Amount of Water so sent down the said Burns respectively; and if any Question shall arise between the Company and any Party interested as to the Position, Construction, and Dimensions, or as to the Sufficiency and Repair, of the said Gauges, the same shall be determined by the Sheriff of the County of *Fife* upon a summary Application to be made to him by any Party interested; and the said Owners and Occupiers of Lands, Mills, and other Property on the said Burns respectively, and all Parties interested, shall have Access to the said Gauges, and the Decision of the Sheriff in the Matters aforesaid shall be final and conclusive; and in the event of the Company failing so to deliver the said Quantity of Water into the said *Carnock Burn*, or taking and using the Water of the *Blair Burn*, except as before provided, they shall be liable in either Case to a Penalty not exceeding Five Pounds *per Diem* for every Day in which they shall neglect or refuse so to discharge the aforesaid Quantity of Water *per* Minute into the Channel of the said *Carnock Burn*, or shall take and use the Water of the *Blair Burn*, except as before provided: Provided always, that the said Owners and Occupiers of Lands, Mills, and Works on the said *Carnock Burn* shall be entitled to sue the Company for Damages sustained by them in their said Mills or Works by the aforesaid Quantity of Water not having been discharged into the Channel of the said *Carnock Burn* at such Times as it shall be in the Power of the Company to do so from their said Works, and they shall wilfully neglect to do the same.

Quantity of Water which may be taken by the Company from Blair Burn.

XXVIII. And

In case Engineer shall die, or neglect his Duty, Sheriff may appoint another.

XXVIII. And be it enacted, That if any Engineer to be appointed by the said Sheriff shall die before he has fully executed the Purposes of his Appointment, or shall delay performing the Duties imposed upon him for such a Length of Time as the said Sheriff shall think unreasonable, then it shall be lawful for the said Sheriff and he is hereby required, on the Application of the Company, or of any Party interested, to appoint another Engineer in the Room of the Engineer so dying or delaying, and the Engineer appointed in the Place of any such Engineer shall have the same Powers to perform and execute all the Purposes remaining unexecuted as the Engineer so dying or delaying as aforesaid would have had.

Limiting Period for Completion of the Works.

XXIX. And be it enacted, That the Reservoirs, Conduits, and other Works necessary for bringing in the Water to the distributing Reservoir at *Broomhead*, and the Mains leading from the said distributing Reservoir to *Grantsbank*, shall be executed, laid down, and completed within the Period of Three Years after the passing of this Act.

Power to lay down Mains to continue for Five Years.

XXX. And whereas it cannot be ascertained except by actual Experiment to what Extent the Main Pipes will require to be laid down in order to provide a sufficient Supply of Water for the said Burgh and Suburbs, and the Result cannot be satisfactorily known within any shorter Period than Five Years; be it therefore enacted, That the Powers of the Company to place and lay down Mains throughout the Town and Suburbs shall extend and subsist over and during the Period of Five Years from and after the passing of this Act, after which Period all the Powers and Authorities given by this Act shall cease, save only as to so much of such Works aforesaid as shall have been completed within the said respective Periods: Provided always, that the Company shall be at liberty to extend their Main Pipes to any new Streets, Places, Factories, or Works which may at any future Period be made or erected within the said Burgh and Suburbs, notwithstanding that the foresaid Period of Five Years may have expired.

Bore of Service Pipes.

XXXI. And be it enacted, That the Bore of any Service Pipe introduced into any Dwelling House shall not exceed Three Fourths of an Inch, except with the Consent of the Company.

Rates at which the Company are to supply Water.

XXXII. And be it enacted, That upon the Owner or Occupier of any private Dwelling House or Part of a Dwelling House laying down at his own Expence the necessary Service Pipe to join the nearest Main of the Company, the Company shall be bound to furnish to the Occupier of such private Dwelling House or Part of a Dwelling House a sufficient Supply of Water for the domestic Uses of every such Occupier at a Rate *per Centum per Annum* not exceeding Seven and One Half *per Centum* of the yearly Rent or yearly Value of such Dwelling House or Part of a Dwelling House supplied with Water by the Company: Provided always, that when the yearly Rent or Value shall be Five Pounds or under, the Supply of Water shall be furnished at a yearly Rate of Six and a Quarter *per Centum* on such yearly

Rent or Value, and that in no Case the Company shall be obliged to furnish such Supply under Two Shillings and Sixpence to any such Owner or Occupier; provided also, that a Supply of Water for domestic Purposes shall not include a Supply of Water for Horses or Cattle, or for washing Carriages, or for any Trade or Business whatsoever.

Water for other than domestic Purposes to be supplied by Agreement.

XXXIII. And be it enacted, That it shall be lawful for the Company to supply any Person with Water for other than domestic Purposes at any Rate not exceeding Two Shillings and Four-pence for every Thousand Cubic Feet of Water supplied, or at such other Rates and upon such other Terms and Conditions as shall be agreed upon between the Company and the Person desirous of having such Supply of Water: Provided always, that the Water to be supplied to public Institutions, and for Police and sanitary Purposes, shall be supplied at a Rate not exceeding One Half of the Rate which may be charged for Water supplied for other than domestic Purposes as aforesaid.

Surveyors to be appointed.

XXXIV. And be it enacted, That the Company shall annually make choice of and appoint One or more indifferent Persons to be Surveyors under this Act, and such Surveyors shall be sworn to administer their Office faithfully according to their Judgment and Knowledge, and such Surveyors shall have Power, the Term of *Whitsunday* being first come, to survey and report upon the Rents or yearly Value of such Premises in respect of which any Person is liable in any Water Rate, or, as the Company may direct, to call on the Occupiers of all such Premises to make Returns of the yearly Rents or yearly Value thereof according to such Schedule or other Mode as the Company shall prescribe, and in default of such Returns being made to survey and report upon the yearly Rents or yearly Value of all such Premises as aforesaid, from which Returns to be made to the Surveyors, and Reports to be made by such Surveyors, the Company shall cause such Surveyors, or the Collectors under this Act, or some other proper Person, to make up a Roll of the yearly Rents or Values of such Premises, with the Names of the Persons liable in such Water Rates: Provided always, that the Company may levy the Rates and Duties by this Act authorized according to the Rentals made up for the Purpose of assessing the Police and Poor Rates within the said Town and Suburbs, should it be found more convenient to adopt the Use of such Rentals: Provided always, that any Person who shall feel himself aggrieved by the Decision of such Surveyor shall, within Twenty-one Days after receiving Notice of such Decision, have Power to appeal to the Judgment of the Sheriff, whose Decision thereon shall be final.

Power for the Company to purchase from the Town Council of Dunfermline, &c. the existing Waterworks

XXXV. And whereas by the foresaid *Dunfermline* Police and Burgh Act (*inter alia*), upon the Narrative that the Magistrates and Town Council of *Dunfermline* and the Incorporation of Guildry in the said Burgh had at their own Expence laid down Pipes for supplying the said Town with Water, it was provided that it should be lawful to the said Magistrates and Town Council and the Fraternity of the Guildry in the said Burgh to nominate and appoint in the Mode

used for supplying the Town with Water.

used and practised by the said Magistrates and Town Council and Guildry, and they were thereby authorized to nominate and appoint accordingly, a Committee consisting of Seven Members of the Town Council (including Two nominated by the Convener Court) and Five Members of the Fraternity of the Guildry, which conjoined Committees of Twelve Persons should be called the Water Committee (of whom in all Cases Three should form a Quorum), and were thereby invested with the sole Charge and Direction of the public Wells and Pipes for conveying Water into the said Burgh, and with Power to repair, alter, and otherways improve the said Wells and Pipes, and to do every thing requisite and necessary for the better supplying the Inhabitants of the said Burgh and extended Royalty with good Water; and further, that it should and might be lawful to the said Water Committee, in conjunction with the Commissioners appointed under the said *Dunfermline* Police and Burgh Act, to levy an Assessment on the Inhabitants of the said Burgh and extended Royalty when it should be found expedient by the said Commissioners and Water Committee to lay new Pipes for conveying Water into the said Burgh and extended Royalty, or for obtaining an additional Supply of Water, and that such Assessment should be in proportion to the Sum that might be found necessary to carry on and complete the said Improvement, and should be laid on by the said Commissioners and Water Committee in such Mode as to them should appear the most equitable and just; provided always, that the Inhabitants of the ancient and extended Royalty who derived no Benefit from the said Pipes or Wells should not in any Case be liable to pay such Assessment until the Benefit of the Water thould be extended to them; and the said Water Committee were thereby authorized to grant Permission to the Proprietors or Occupiers of Houses to convey Water by Leaden Pipes from the Main Pipes next adjoining to their respective Properties into their said Houses at their own Expence; and that it should be lawful to the said Water Committee to levy annual Rents for such private Pipes from the Proprietors or Occupiers of Houses, common Brewers, and Manufacturers in proportion to their Consumption of Water, all which annual Rents or Compositions should be applied to the Purposes and in support of the Water Scheme; and that it should be lawful to the said Commissioners and Water Committee to erect and build new Wells in any or such of the Streets, Lanes, and Passages of the said Burgh and extended Royalty as they should deem expedient and most advantageous for supplying the Inhabitants with Water: Provided always, that the Expence of the said Operations should be defrayed from the Assessment imposed and levied as above directed, together with the annual Rents and Compositions arising from private Pipes; and that the said Commissioners and Water Committee should appoint a Collector and Treasurer (or One Person who should act as Collector and Treasurer), who should collect the said annual Rents, Compositions, or particular Assessment imposed by virtue of the said *Dunfermline* Police and Burgh Act, and who should apply the Monies he should so collect as the said Commissioners and Committee should direct; and the said Collector and Treasurer should, if required, find Security to the said Commissioners and Water Committee for his or their Intromissions to such an

an Amount as they should judge proper; and that it should be lawful to the said Water Committee to impose Fines on any Person or Persons who might be convicted of injuring or destroying the said Pipes, Wells, Cisterns, Springs, or Watercourses thereof in any Sum not exceeding Ten Pounds Ten Shillings Sterling for each Offence, and the Magistrates, or any One of them, were thereby authorized, on the Report of the Preses of the said Water Committee, to grant Decree for the Amount of Fines so imposed, and also for the Amount of Damages thereby sustained: And whereas it is expedient, necessary, and for the public Advantage that the before-recited Provisions of the said *Dunfermline* Police and Burgh Act be repealed, and that Powers be taken in this present Act for purchasing or otherways acquiring the whole Works, Conveniences, and Subjects included under or authorized by the before-recited Provisions, and also for acquiring Right to the whole Powers, Rights, and Privileges thereby conferred, so far as not otherways provided for by or not inconsistent with the special Provisions of this present Act; be it therefore enacted, That the said Company shall have Power to contract with, agree for, purchase, and acquire from the said Magistrates and Town Council of the Burgh of *Dunfermline*, the Incorporation of Guildry and Convener Court of said Burgh, or from the Water Committee appointed by them, and acting under the Provisions of the said recited *Dunfermline* Police and Burgh Act, or other Party, Body, or Incorporation having Right to the existing Waterworks after mentioned, the whole Reservoirs, Filters, Pipes, Mains, Cisterns, Service Pipes, and other Works now used for supplying the Town of *Dunfermline* with Water, and the whole Property, Rights of Servitude, Rights of taking, storing, and conveying Water from the several Sources from which such Supply of Water is now obtained or may be taken, and all other Rights and Privileges; and that the said Water Committee appointed and acting under the Provisions of the above-recited *Dunfermline* Police and Burgh Act shall have Power, and they are hereby empowered and authorized, to contract with, sell, convey, transfer, and dispose of to the said Company the whole of the said Reservoirs, Filters, Pipes, Mains, Cisterns, Service Pipes, and other Works now used in supplying the Town of *Dunfermline* with Water, and which Property, Rights, Privileges, and others aforesaid.

Upon Sale being completed the Waterworks, &c. to vest in the Company.

XXXVI. Provided always, and be it enacted, That upon such Sale or other Arrangement being completed for the acquiring of the said existing Waterworks by the Company, the whole of the said existing Waterworks and Property of, and Rights and Privileges aforesaid now competent to be exercised by, the said Water Committee, or the said Magistrates and Town Council and Incorporation of Guildry, shall belong to and vest in the Company hereby incorporated; and the before-recited Provisions of the said *Dunfermline* Police and Burgh Act shall be repealed, and are hereby repealed.

Surplus of Price received for existing Waterworks to be invested in

XXXVII. And be it enacted, That the said Water Committee, acting under the Provisions of the before-recited Police and Burgh Act, shall be bound to invest the Surplus of the Price to be paid by the Company for the said existing Waterworks, after Payment of all Debts

the Stock of the Company.

Debts and Obligations in the Stock of the Company, in the Names of the Magistrates and Town Council of the Burgh of *Dunfermline* in trust for behoof of the Community of the said Burgh, Town, and Suburbs; and that the Dividends and Profits accruing upon such Stock shall be applied towards the Reduction of Water Rates, or to some other Purpose tending to improve the Supply of Water to such Community as to the said Magistrates and Town Council shall appear most expedient.

Company to erect and maintain Eight public Standcocks or Fountains.

XXXVIII. And be it enacted, That upon the Company acquiring Possession of the said existing Waterworks and other Rights and Privileges foresaid under the Agreement as aforesaid they shall be bound to erect, make, and maintain Eight public Standcocks or Fountains on the Site of the Eight public Fountains now situated within the said Burgh and Suburbs, and thereby afford an ample Supply of Water to the Poor from the Company's Works.

Power to Company to sell and convey their Works, &c. to the Magistrates, &c. of Dunfermline.

XXXIX. Provided always, and be it enacted, That it shall be lawful to the Company and they shall be bound when required so to do to sell and convey to the Magistrates and Town Council of the said Burgh of *Dunfermline* in trust for behoof of the Community of the said Burgh, Town, and Suburbs the whole Lands, Rights, and Privileges to be acquired, and the whole Works and Conveniences to be constructed under the Provisions of this Act, together with the Rates or Rents payable to the Company by virtue hereof, at a Price not exceeding the original Expenditure of the said Company in obtaining this Act, and in the Acquirements of Lands and other Rights, and the Construction of Works under the same, with the legal Interest thereon, should the same not be paid and liquidated out of the Profits of the Company, or to lease the same to the said Magistrates and Town Council in trust as aforesaid upon Payment to the Company of a yearly Rent not exceeding Five *per Cent.* on the Amount of the said Expenditure, and upon Payment also of such Sum or Sums of Money as may be necessary to make up to the said Company, along with the Profits of the Undertaking, a yearly Return or Dividend of Five *per Cent.* upon the paid-up Capital of the Company from the Time when the same shall have been expended to the Commencement of such Lease.

Power to the Magistrates, &c. to purchase Company's Works, and to borrow Money for the Purpose.

XL. And be it enacted, That the said Magistrates and Town Council of *Dunfermline* shall have Power to enter into and contract with the said Company for the Purchase or Lease of said Works, and other Property and Privileges foresaid, and also borrow and take up at Interest such Sum or Sums of Money as may be required by them in paying to the said Company the Price thereof, to be determined as aforesaid; and upon the Magistrates and Town Council so acquiring the said Works they shall be entitled to exercise and enjoy all the Powers, Rights, and Privileges hereby conferred on the said Company.

Water may be taken to

XLI. And be it enacted, That it shall be lawful for all Persons at all Times to take and use the Water of the Company in extinguish-

ing

ing any Fire which may happen within the said Royal Burgh, Town, and Suburbs, without making Compensation for such Water. extinguish Fires.

XLII. And be it enacted, That if the Company shall neglect or refuse to furnish to the said Town Council or Commissioners, or to any Owner or Occupier entitled to receive a Supply, a sufficient Supply of Water during any Portion of the Period for which the Rates for such Supply shall have been paid or tendered, they shall forfeit to the Persons having so paid or tendered the Rate the Sum of Twenty Shillings for every Day during which such Refusal or Neglect shall continue after Notice in Writing shall have been given to the Company of the Want of Supply; but no Penalty shall be payable by the Company if the Want of such Supply shall arise from Frost or other unavoidable Cause or Accident. Penalty for Refusal or occasional Failure of Supply.

XLIII. And be it enacted, That nothing herein contained shall be deemed to exempt the said Company from the Provisions, Regulations, and Conditions which may be contained in any general Act for improving the Condition of Towns and populous Districts which may be passed in this or any future Session of Parliament. Company not exempted from the Provisions of any general Act.

XLIV. And be it enacted, That the Profits of the Undertaking to be divided amongst the Proprietors of the Company shall not exceed Seven Pounds *per Centum per Annum* in any One Year on the Amount paid in respect of such Share in the said Undertaking. Limitation of Profits.

XLV. And be it enacted, That in any Question that may arise between the Company and the Inhabitants in regard to the Supply of Water, where the Company is the Pursuer, there shall be no Appeal from the Judgment of the said Sheriff. In any Question where Company is Pursuer, Judgment of Sheriff to be final.

XLVI. And be it enacted, That the Costs, Charges, and Expences of obtaining and passing this Act, and of making the Survey and Plans and Estimates, and all other Costs and Charges in any way incident thereto, shall be paid and defrayed by the Company out of the Money already raised and received, or out of the first Money to be raised and received by them, in preference to any other Payment whatsoever. Expences of Act.

XLVII. And be it enacted, That in the Construction of this Act the Words "Royal Burgh and Town of *Dunfermline* and Suburbs," "Burgh and Suburbs," and "Town and Suburbs," shall severally mean and comprehend and be co-extensive with the Limits of the Parliamentary Burgh as described in Schedule (M.) of an Act passed in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People of* Scotland;" and further, that the Words "*Dunfermline* Police and Burgh Act" shall mean and import an Act passed in the Fifty-first Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving, lighting, cleansing, widening, and otherwise improving the Streets of the Burgh of* Dunfermline, *increasing the Supply of Water, extending the Royalty of the said Burgh, and for other Purposes therein mentioned relative thereto.* Construction of Terms. 2 & 3 W. 4. c. 65. 51 G. 3. c. 61.

Saving Rights of Police Commissioners of Dunfermline.

XLVIII. And be it enacted, That nothing herein contained shall extend or be construed to extend to diminish, alter, or affect any Powers, Rights, Dues, Duties, Privileges, Authorities, or Jurisdictions of the Magistrates and Town Council of *Dunfermline*, or of the Police Commissioners of *Dunfermline*, all which Powers, Rights, Dues, Duties, Privileges, Authorities, and Jurisdictions are hereby reserved entire, except in so far as may be altered or varied by this Act.

Saving Rights of the Crown.

XLIX. And be it enacted, That nothing contained in this Act, or in the Acts herein recited or referred to, shall extend to authorize the Company to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, Works, and Buildings, or any Two of them, first had and obtained for that Purpose, and which such Commissioners or any Two of them are hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Public Act.

L. And be it further enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

SCHE-

SCHEDULE belonging to the foregoing Act.

COUNTY OF FIFE.

Parish of Dunfermline.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
1	Garden Ground -	William Marshall -	- - -	Agnes Simpson or Adamson.
½	Mill Lead - -	James Hunt -	- - -	James Hunt.
2	Dwelling House -	William Marshall -	- - -	David Speedie, Agnes Simpson or Adamson.
½	Garden - -	Do. - -	- - -	David Speedie.
3	Turnpike Road -	The Trustees of the Outh and Nivingstone Turnpike,—John Macdonald, Clerk.	- - -	The Public.
4	Arable Field -	The Trustees of the late Matthew Moncrieff, viz. Mrs. Isabella Campbell or Moncrieff, Robert Hope Moncrieff, Alexander Moncrieff, George Moncrieff, Alexander Campbell, Mungo Ponton, Andrew Brown, Robert Scott Moncrieff; Alexander Moncrieff and his Curators, viz. James Wyld, Mark Sprott, Andrew Turnbull, George Bell.	John Campbell -	John Campbell.
5	Stripe of Planting -	Do. - -	- - -	The Trustees of the late Matthew Moncrieff before named; Alexander Moncrieff and his Curators before named.
6	Arable Field -	Do. - -	Do. -	John Campbell.
7	Piece of Waste Ground.	Eliza Isabella M'Neill or Winstanley, John Winstanley, Andrew Moffat Wellwood.	- - -	Eliza Isabella M'Neill or Winstanley, John Winstanley, Andrew Moffat Wellwood; the Public.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
8	Stripe of Planting -	The Trustees of the late Matthew Moncrieff before named; Alexander Moncrieff and his Curators before named.	- - -	The Trustees of the late Matthew Moncrieff before named; Alexander Moncrieff and his Curators before named; the Public.
9	Stream from Engine House.	Eliza Isabella M'Neill or Winstanley, John Winstanley, Andrew Moffat Welwood.	The Trustees of the late James Spowart, viz. John Graham, Walter Brown, Robert Douglas, George Birrell, John Gedees.	The Trustees of the late James Spowart before named.
10	Stream - -	Do. - -	Do. -	Do.
11	Arable Field -	Do. - -	Do. and Walter Brown.	Walter Brown.
12	Stream - -	Do. - -	The Trustees of the late James Spowart before named.	Walter Brown.
13	Arable Field -	Do. - -	David Drysdale	David Drysdale.
14	Do. - -	Do. - -	William Simpson, Charles Simpson.	William Simpson, Charles Simpson
15	Stream - -	Do. - -	David Drysdale	David Drysdale.
16	Arable Field -	Do. - -	Do. -	Do.
17	Do. - -	Do. - -	William Simpson, Charles Simpson.	William Simpson, Charles Simpson.
18	Do. - -	Do. - -	Do. -	Do.
19	Road or Footpath -	Do. - -	- - -	Do.; the Public.
20	Arable Field -	The Trustees of the late Thomas Earl of Elgin, viz. James Earl of Elgin and Kincardine, Charles Dashwood Bruce, James Auchinleck Cheyne, Colonel Robert Oswald, Charles Lennox Cumming Bruce, the Honourable Thomas Charles Bruce.	James M'Lean -	James M'Lean.
21	Do. - -	Do. - -	Do. -	Do.
22	Do. - -	Do. - -	Do. -	Do.
22/1	Do. - -	Do. - -	Do. -	Do.
23	Plantation - -	Dame Mary Turner Hog, or Buchan Hepburn.	Thomas Barron	Thomas Barron.
24	Occupation Road -	The Trustees of the late Thomas Earl of Elgin before named.	James M'Lean -	James M'Lean.
24/1	Do. - -	Do. - -	Do. -	Do.
25	Coal Pit and Gin -	Do. - -	- - -	The Trustees of the late Thomas Earl of Elgin before named.
26	Stream - -	Do. - -	James M'Lean -	James M'Lean.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
27	Occupation Road -	Dame Mary Turner Hog, or Buchan Hepburn.	Thomas Barron	Thomas Barron.
28	Arable Field -	Do. - -	Do. -	Do.
29	Do. - -	Do. - -	Do. -	Do.
30	Stripe of Planting -	Do. - -	Do. -	Do.
31	Occupation Road -	Do. - -	Do. -	Do.
32	Arable Field -	Do. - -	Do. -	Do.
33	Do. - -	Do. - -	Do. -	Do.
34	Quarry - -	Do. - -	Do. -	Do.
35	Stream - -	Do. - -	Do. -	Do.
36	Road - -	The Trustees for the Statute Labour Roads in the Western District of Fife, —Robert Douglas, Clerk.	- - -	The Public.
37	Plantation - -	The Trustees of the late Dr. Charles Durie; viz. Malcolm Nugent Ross, Robert Henderson Robertson, Henry Black, Archibald Finnie Allan, John Macdonald, James Smith Ronaldson.	- - -	The Trustees of the late Dr. Charles Durie before named; Thomas Colville.
38	Road - -	Do. - -	Thomas Colville	Thomas Colville; the Public.
39	Arable Field -	Do. - -	Thomas Barron	The Trustees of the late Dr. Charles Durie before named; Thomas Barron.
40	Stream - -	Do. - -	- - -	Thomas Barron.
41	Planting - -	Do. - -	Do. -	The Proprietors before named.
42	Old Road - -	Do. - -	Thomas Colville	Thomas Colville; the Public.
43	Arable Field -	Do. - -	Do. -	Thomas Colville.
44	Stream - -	Do. - -	Do. -	Do.
45	Arable Field -	Do. - -	Do. -	Do.
46	Do. and Meadow Ground.	Do. - -	Do. -	Do.
47	Arable Field -	Do. - -	Do. -	Do.
48	Old Road - -	Do. - -	Do. -	Do.
49	Stream - -	Do. - -	Do. -	Do.
50	Old Building and Ruins.	Do. - -	Do -	Do.
51	Meadow Land -	Do. - -	Do. -	Do.
52	Plantation - -	Do. - -	Do. -	Do.
53	Arable Field and Meadow.	Do. - -	Do. -	Do.
54	Meadow Ground -	Do. - -	Do. -	Do.
55	Arable Field and Meadow.	Do. - -	Do. -	Do.
55 1/2	Meadow - -	Do. - -	Do. -	Do.
56	Arable Field -	Dame Mary Turner Hog, or Buchan Hepburn.	Thomas Barron	Thomas Barron.
57	Arable Field -	Christian Stenhouse or Douglas.	James Tulloch -	James Tulloch.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
58	Arable Field -	The Trustees of the late Dr. Charles Durie before named.	Thomas Colville	Thomas Colville.
58/1	Stream - -	Christian Stenhouse or Douglas.	James Tulloch -	James Tulloch.
58/2	Arable Field -	Do. - -	Do. -	Do.
59	Do. - -	George Robertson Barclay.	George Stewart	George Stewart.
60	Hill and Pasture -	Do. - -	Do. -	Do.
61	Do. - -	Do. - -	Do. -	Do.
62	Loch - -	Do. - -	Do. -	Do.
63	Stream from do. -	Do. - -	Do. -	Do.
64	Well - -	Do. - -	Do. -	Do.
64/1	Stream - -	The Trustees of the late Dr. Charles Durie before named.	Thomas Colville	Thomas Colville.
65	Footpath - -	George Robertson Barclay.	George Stewart	George Stewart; the Public.
66	Hill and Pasture Ground.	The Trustees of the late Dr. Charles Durie before named.	Thomas Colville	Thomas Colville.
67	Arable Field -	Do. - -	Do. -	Do.
68	Occupation Road -	Do. - -	Do. -	Do.
69	Road - -	Do. - -	Do. -	Do.; the Public.
70	Hill, Pasture Ground, and Plantation.	Do. - -	Do. -	Thomas Colville.
71	Mill-dam - -	Do. - -	Do. -	Do.
72	Stackyard - -	Do. - -	Do. -	Do.
73	Do. - -	Do. - -	Do. -	Do.
74	Farm-steading and Offices.	Do. - -	Do. -	Do.
75	Farmhouse - -	Do. - -	Do. -	Do.
76	Dovecot and Office House.	Do. - -	Do. -	Do.
77	Garden - -	Do. - -	Do. -	Do.
78	Small do. - -	Do. - -	Do. -	Do.
79	Well - -	Do. - -	Do. -	Do.
80	Old Sawpit and waste Ground.	Do. - -	Do. -	Do.
81	Tail-race from Mill -	Do. - -	Do. -	Do.
82	Horse Pond -	Do. - -	Do. -	Do.
83	Stream - -	Do. - -	Do. -	Do.
84, 84	Waste Ground -	Do. - -	Do. -	Do.
85	Drain - -	Do. - -	Do. -	Do.
86	Hill and Pasture Ground.	Do. - -	Do. -	Do.
87	Arable Field with Meadow.	Do. - -	Do. -	Do.
88	Quarry with Spring -	Do. - -	Do. -	Do.
89	Stream - -	Do. - -	Do. -	Do.
90	Road - -	Do. - -	Do. -	Do.; the Public.
91	Do. - -	Do. - -	Do. -	Do.
92	Arable Field -	Do. - -	Do. -	Do.
93	Plantation - -	Do. - -	Do. -	Do.
94	Marsh with Springs -	Do - -	Do. -	Do.
95	Stream - -	Do. - -	Do. -	Do.
96	Marshy Ground -	Do. - -	Do. -	Do.
97	Arable Ground -	Do. - -	Do. -	Do.
98	Marshy Ground -	Do. - -	Do. -	Do.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
99	Arable Field -	The Trustees of the late Dr. Charles Durie before named.	Thomas Colville	Thomas Colville; the Public.
100	House - -	Do. - -	Do. -	James Inglis.
101	Garden Ground -	Do. - -	Do. -	Do.
102	Pond and Springs -	Do. - -	Do. -	Thomas Colville.
103	Do. - -	Do. - -	Do. -	Do.
104	Hill and Pasture Ground.	Do. - -	Do. -	Do.
105	Arable Field -	Do - -	Do. -	Do.
106	Hill and Pasture Ground.	Do. - -	Do. -	Do.
107	Spring - -	Do. - -	Do. -	Do.
108	Do. - -	Do. - -	Do. -	Do.
109	Do. - -	Do. - -	Do. -	Do.
110	Marshy Ground and Springs.	Do. - -	Do. -	Do.
111	Arable Field -	Do. - -	John Drysdale, Thomas Colville.	John Drysdale.
112	Road - -	Do. - -	Do. - -	Do.; the Public.
113	Arable Field -	Do. - -	Do. - -	John Drysdale.
114	Pasture Field -	Do. - -	Thomas Colville	Thomas Colville.
115	Do. - -	Do. - -	Do. - -	Do.
116	Hill and Pasture Ground.	Do. - -	Do. - -	Do.
117	Marshy Ground -	Do. - -	Do. - -	Do.
118	Stream - -	Do. - -	Do. - -	Do.
119	Do. - -	Do. - -	Do. - -	Do.
3 to 19 inclusive.	Properties before described.	Andrew Moffat Wellwood; Owners before named.	The Trustees of the late James Spowart before named, and Lessees before named.	The Trustees of the late James Spowart before named, and Occupiers before named.
20 to 36 inclusive, & 56, 57, $\frac{58}{1}$	Do. - -	The Trustees of the late Thomas Earl of Elgin before named, and Owners before named.	Lessees before named.	The Trustees of the late Thomas Earl of Elgin before named, and Occupiers before named.
37 to 55 inclusive, 58, $\frac{64}{1}$, 66 to 119 inclusive.	Do. - -	Owners before named	Henry Beveridge and Lessees before named.	Henry Beveridge and Occupiers before named.
57 and $\frac{58}{1}$	Do. - -	Owners before named, and Sir John Halkett.	The Trustees of the late Earl of Elgin before named, and Lessees before named.	The Trustees of the late Earl of Elgin before named; Occupiers before named.
1 to 119 inclusive.	Proprietors before described.	Owners before named; the Crown; the Honourable the Commissioners of Woods and Forests.	Lessees before named.	Occupiers before named.
23 and 27 to 36 inclusive.	Do. - -	John Stewart -	Do. - -	Do.
$\frac{1}{1}$ to $\frac{2}{1}$ inclusive.	Do. - -	The Trustees of the late James Spowart before named; Owners before named.	Do. - -	Do.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
		County of Fife.—Parish of Carnock.		
1	Arable Field - -	Dame Mary Turner Hog, or Buchan Hepburn.	Thomas Barron -	Thomas Barron.
2	Plantation - -	Do. - -	Do. - -	Do.; Owner before named.
3	Occupation Road -	Do. - -	Do. - -	Do.
4	Arable Field - -	Do. - -	Do. - -	Do.
5	Do. - -	Do. - -	Do. - -	Do.
6	Parish Road - -	The Trustees for the Statute Labour Roads for the Western District of Fife, —Robert Douglas, Clerk.	- - -	The Public.
7	Arable Field - -	Dame Mary Turner Hog, or Buchan Hepburn.	Thomas Barron -	Thomas Barron.
8	Garden - -	Euphemia Brown -	- - -	Euphemia Brown.
9	House - -	Do. - -	- - -	Do.
10	Stripe of Planting -	Dame Mary Turner Hog, or Buchan Hepburn.	Elizabeth Kirk or Swan.	Elizabeth Kirk or Swan.
11	Arable Field - -	Do. -	Do. - -	Do.
12	Do. - -	Do. - -	Thomas Barron -	Thomas Barron.
13	Stream - -	Do. - -	Elizabeth Kirk or Swan.	Elizabeth Kirk or Swan.
14	Parish Road - -	The Trustees for the Statute Labour Roads in the Western District of Fife, —Robert Douglas, Clerk.	- - -	The Public.
15	Plantation - -	Dame Mary Turner Hog, or Buchan Hepburn.	Thomas Barron -	Thomas Barron.
16	Arable Field -	Do. - -	Do. - -	Do.
17	Stream - -	Do. - -	Do. - -	Do.
18	Stripe of Planting -	Do. - -	Do. - -	Do.
19	Arable Field -	Do. - -	Do. - -	Do.
20	Stream - -	Do. - -	Do. - -	Do.
21	Stripe of Planting -	Do. -	Do. - -	Do.
22	Arable Field -	Adam Rolland -	- - -	Adam Rolland.
23	Do. - -	Do. - -	- - -	Do.
24	Do. - -	The Trustees of the late Dr. Charles Durie before named.	Thomas Colville	Thomas Colville.
25	Do. - -	Do. - -	Do. - -	Do.
26	Road - -	Do.; Adam Rolland	- - -	Do.; Public; Robert Thomson.
27	Plantation - -	Adam Rolland -	- - -	Adam Rolland.
28	Arable Field -	Do. - -	Robert Thomson.	Robert Thomson.
28 T	Plantation - -	Do. - -	Do. - -	Do.; Adam Rolland.
29	Arable Field -	Do. - -	Do. - -	Robert Thomson.
30	Do. - -	Do. - -	Do. - -	Do.
31	Do. - -	Do. - -	Do. - -	Do.
32	Stream - -	Do. - -	Do. - -	Do.
33	Do. - -	Do. - -	Do. - -	Do.
34	Arable Field -	Do. - -	Do. - -	Do.
35	Plantation - -	Do. - -	Do. - -	Do.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
36, 36, 36	Stream - -	Dame Mary Turner Hog, or Buchan Hepburn.	Elizabeth Kirk or Swan.	Elizabeth Kirk or Swan.
		Adam Rolland -	- - -	Adam Rolland.
		John Stuart - -	James Henderson, David Deas, John Campbell, John Drysdale.	James Henderson, David Deas, John Campbell, John Drysdale.
		Ann Oliphant Purvis	Robert Fotheringham.	Robert Fotheringham.
		Thomas Graham -	- - -	Thomas Graham.
		John Reid - -	- - -	John Reid, Angus Lamont.
		Daniel Syme -	- -	William Syme, James Pye.
		Alexander Cant -	- - -	Alexander Cant.
		William Anderson -	- - -	John Nivan.
		James Mathie -	- - -	James Mathie, John Mathie.
		John Campbell -	- - -	John Campbell.
		Christian Tod or Hodges, William Anderson.	- - -	Christian Tod or Hodges.
		Alexander M. Ferguson.	- - -	Alexander M. Ferguson.
		Adam Black Douglas	- - -	Adam Black Douglas.
		Adam Drummond -	- - -	Adam Drummond.
		John Black - -	- - -	John Black.
		Elizabeth Hutton -	- - -	Elizabeth Hutton.
		Helen Meiklejohn or Moodie.	- - -	Helen Meiklejohn or Moodie, Alexander M'Laren, William Lyall.
		The Forth Iron Company.	James Craigie -	James Craigie.
		John Sligo, Alexander Alison, Andrew Buchanan.	- - -	The Forth Iron Company and other Owners before named.
37, 37, 37	Stream - -	John Stuart - -	Robert Bardner	Robert Bardner, John Stewart.
		The Forth Iron Company.	James Craigie -	The Forth Iron Company and other Owners before named.
		John Sligo, Alexander Alison, Andrew Buchanan.	- - -	James Craigie.
1 to 21 inclusive.	Properties before described.	The Trustees of the late Thomas Earl of Elgin, viz. James Earl of Elgin and Kincardine, Charles Dashwood Bruce, James Auchinleck Cheyne, Colonel Robert	Lessees before named.	The Trustees of the late Thomas Earl of Elgin before named, and Owners before named.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
		Oswald, Charles Lenox Cumming Bruce, the Honourable Thomas Charles Bruce; and Owners before named.		
24 and 25	Properties before described.	Owners before named	Henry Beveridge and Lessee before named.	Henry Beveridge and Occupier before named.
1 to 36	Properties before described.	The Crown, — the Honourable the Commissioners of Woods and Forests, John Stewart, Owners before named.	Lessees before named.	Occupiers before named.
8 and 9	Do. - -	Dame Mary Turner Hog or Buchan Hepburn, Owner before named.	Do. - -	Do.
		Parish of Saline.		
$\frac{1}{C}$ $\frac{1}{C}$	Stream - -	Robert M'Intosh, Roger Aytoun (Superior).	- - -	Robert M'Intosh.
		Patrick Oliphant -	Robert Bardner, Richard Finlayson.	Robert Bardner, Richard Finlayson.
		Andrew Kemp, Andrew Harley, Robert Anderson, Robert M'Culloch, Robert Walls.	- - -	Andrew Kemp, Andrew Harley, Robert Anderson, Robert M'Culloch, Robert Walls.
		Parish of Torryburn.		
$\frac{1}{A}$ $\frac{1}{B}$	Stream - -	Captain James Erskine Wemyss, Dame Anne Campbell Baird Preston.	- - -	Captain James Erskine Wemyss, Dame Anne Campbell Baird Preston, Alexander Dunn.
		Alexander Paton -	- - -	Alexander Paton.
		Elizabeth Paton -	William Lamb -	William Lamb.
		The Trustees of the late Sir Robert Preston; viz., Viscount Melville, John James Hope Johnstone, Sir Adam Hay.	Richard Adie -	Richard Adie.
		The Forth Iron Company,—John Sligo, Alexander Alison, and Andrew Buchanan, individual Partners.	- - -	The Forth Iron Company before named.
		James Mustard -	- - -	James Mustard.
		William Reid -	- - -	William Reid.

Note.—Part of the Parish of Torryburn, through which the Stream $\frac{11}{B\,B}$ flows, is claimed as being in the Parish of Saline, quoad civilia.

Number on Plan.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
		COUNTY OF PERTH.		
		Parish of Culross.		
1 A 1 A 1 A	Stream - -	The Trustees of the late Sir Robert Preston; viz. Viscount Melville, John James Hope Johnstone, Sir Adam Hay.	Richard Adie, Andrew Laurence, David Wilson, Robert Carmichael.	Richard Adie, Andrew Laurence, David Wilson, Robert Carmichael.
		Andrew Clark -	Andrew Drysdale, James Morrison.	Andrew Drysdale, James Morrison.
		The Trustees of the late James Ker; viz., Captain James Ker, William Wemyss Ker (abroad).	David Harrower, William Chalmers, David Wilson.	David Harrower, William Chalmers, David Wilson.
		James Mustard -	- - -	James Mustard.
		William Reid -	- - -	William Reid.
		Dame Anne Campbell Baird Preston.	Alexander Dunn	Alexander Dunn.
2 A	Do. - -	David Blelloch -	David Blelloch, John Blelloch.	David Blelloch, John Blelloch, D. & J. Blelloch.
		The Forth Iron Company, and individual Partners thereof before named.	- - -	The Forth Iron Company, and individual Partners thereof before named.
		Andrew Clark -	Andrew Drysdale	Andrew Drysdale.

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