ANNO TERTIO & QUARTO

VICTORIÆ REGINÆ.

****

Cap. cxviii.

An Act for farther deepening and improving the River *Clyde*, and enlarging the Harbour of *Glasgow*, and for constructing a Wet Dock in connexion with the said River and Harbour.

[4th *August* 1840.]

WHEREAS an Act was passed in the Thirty-second Year of
the Reign of His Majesty King *George* the Second, intituled *An Act for improving the Navigation of the River* 32 G.2. c.62.
Clyde *to the City of* Glasgow, *and for building a Bridge cross the said River from the said City to the Village of* Gorbells: And whereas another Act was passed in the Tenth Year of the Reign of His Majesty
King *George* the Third, intituled *An Act to explain and amend an* 10 G.3. c.104.
Act made in the Thirty-second Year of the Reign of King George *the Second, for improving the Navigation of the River* Clyde *to the City of* Glasgow, *and for building a Bridge cross the said River from the said City to the Village of* Gorbells: And whereas another Act was passed in the Forty-ninth Year of the Reign of His said Majesty King *George*
the Third, intituled *An Act for explaining and amending Two Acts for* 49 G.3. c.74.
improving the Navigation of the River Clyde *to the City of* Glasgow: And whereas, an Act was passed in the Sixth Year of the Reign of
His Majesty King *George* the Fourth, intituled *An Act for amending* 6 G.4. c.117.
Three Acts, for enlarging the Harbour of Glasgow, *and improving the Navigation of the River* Clyde *to the said City; and for other Purposes therein mentioned:* And whereas it is expedient that farther and more ample Powers should be granted for widening, deepening, scour-

ing, enlarging, and improving the said River and Harbour, and for constructing a Wet Dock, Wharfs, and other Works in connexion therewith, and that several of the Provisions of the before-recited Acts should be amended, altered, and so far repealed; but as these Purposes cannot be attained without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it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 from and after the passing of this Act the Lord Provost of the City of *Glasgow* for the Time being, the Five Baillies of the said City for the Time being (excluding the Baillie of the River *Clyde*), the Dean of Guild of the said City for the Time being, the Deacon Convener of the said City for the Time being, Fifteen Members of the Town Council of the said City to be named annually in manner herein-after directed, the Chairman of the Chamber of Commerce of the said City for the Time being, Three Persons to be named annually by the matriculated Members of the Merchants House of the said City, Two Persons to be named annually by the Members of the Trades House of the said City, Two Persons to be named annually by the Baillies and Birleymen of the Barony of *Gorbals* for the Time being, One Person to be named annually by the Magistrates and Councii of the Burgh of *Calton* for the Time being, and One Person to be named annually by the Magistrates and Council of the Burgh of *Anderston* for the Time being, shall be the sole Trustees for carrying into execution the several Acts before recited and this Act: Provided always, that none of the Ten last-mentioned Persons shall be Members of the Town Council of the City of *Glasgow*.

Appointment of Trustees.

II. And be it enacted, That the Fifteen Members of the Town Council of the said City to be named as aforesaid shall be chosen in manner following; (that is to say,) each Six Councillors representing respectively the Five Municipal Wards or Districts into which the said City is at present divided, shall on the Third *Tuesday* after the passing of this Act, and thereafter annually on the Second *Tuesday* of *November*, meet within the Council Chamber of the said City, and shall then and there, by a Majority of the Votes of each Six of said Councillors respectively present and attending at such Meetings, elect and make choice of Three Councillors of their own Number or Ward to be Trustees under this Act; and the said Councillors shall meet at separate Diets upon printed or written Notice sent to them by the Town Clerks of the said City Three Days at least before such Meetings, and the Councillor present at such Meetings respectively having the greatest Number of Votes at his Election as Councillor by his Ward or District shall be Chairman of such Meetings respectively, and shall in all Cases of Equality have a casting Vote in addition to his first or deliberative Vote: Provided always, that in the event of so great a Number of the said Lord Provost and Five Baillies being Representatives of any particular Ward or District in the Town Council as not to leave Three Representatives in the Town Council for such Ward or District to be named by the Councillors for such Ward or District

How the Fifteen Members of the Town Council to be chosen.

District as Trustees aforesaid, over and besides the said Lord Provost and Magistrates, the Six Councillors of such Ward or District shall be entitled and they are hereby authorized to name such a Number of the Town Council as shall make up the Complement of Trustees of such Ward or District; and in the event at any Time of a double Return of Councillors for any of the said Wards the Day for choosing Trustees for such Ward shall in such Cases be postponed until after such new Election by the Ward as may be necessary in consequence of such double Return.

Election of Trustees by the Members of the Merchants House and Trades House.

III. And be it enacted, That the Members of the Merchants House and Trades House, and the Baillies and Birleymen of *Gorbals*, and the Magistrates and Council of the Burghs of *Calton* and *Anderston*, shall likewise, on the same Day in the present Year as that provided for the other Election of Trustees, and thereafter annually on the Second *Tuesday* of *November* respectively, meet and appoint the Trustees hereby severally authorized to be named by them; and in the Election or Nomination of the said Trustees they shall proceed in the Manner usually observed by them respectively in all Cases of Election or Appointment of Office Bearers or of Trustees or Managers to represent them in any separate Trust or Institution; and the Councillors for the said several Wards or Districts, and the Members of the Merchants and Trades Houses, the Baillies and Birleymen of *Gorbals*, and the Magistrates and Council of *Calton* and *Anderston*, shall respectively in all Cases supply any Vacancies that may from Time to Time, in the Course of the Year, occur among the Persons hereby authorized to be severally nominated by them as Trustees under the present Act: Provided always, that in the event of the said Parties appointing at any Time the same Person or Persons as Trustee or Trustees aforesaid, such Person shall make choice of the Body which he is to represent, and the Body which shall thus be unrepresented shall, as soon as conveniently may be thereafter, meet and choose another Person or Persons to be Trustee aforesaid.

Trustees may appoint Committees.

IV. And be it enacted, That it shall be lawful to and in the Power of the said Trustees from Time to Time to appoint Committees of their Number for carrying into effect any Part of the said recited Acts or this Act, with such Powers, and under such Instructions, Directions, or Limitations, as shall appear to the said Trustees expedient; and Three Members of such Committees shall form a Quorum thereof: Provided always, that at least One Third of each Committee shall consist of Trustees who are not Members of the Town Council of the said City.

First and Annual Meetings of Trustees.

V. And be it enacted, That the First Meeting of the said Trustees shall be held on the Third *Wednesday* after the passing of this Act, at Twelve o'Clock Noon, within the Town Hall of *Glasgow*; and thereafter Meetings of said Trustees shall be held on the First *Tuesday* of every Month, but without Prejudice to intermediate Meetings being held by Adjournment, or to Meetings being called by the Lord Provost, or by the Clerk, at the Desire of any Two Trustees, for any special Purpose, which Purpose shall be set forth in the Notice calling such Meeting, and shall be intimated in Writing

to

to each of the Trustees at least Forty-eight Hours before such Meeting shall be held, and no other Business shall be considered at such Special Meetings excepting that which shall be set forth in such Notice; and Nine shall be a Quorum at all Meetings of Trustees, and the Lord Provost shall be Chairman when present, and, in his Absence, a Trustee for the Year, as Deputy Chairman, to be elected at the First Meeting of Trustees to be held under this Act, and thereafter annually at the First Meeting of the said Trustees after the Second *Tuesday* of *November*, and in the event of the Absence of both these Persons, by a Trustee to be chosen by the Meeting as Chairman; and in case of an Equality of Votes the Chairman shall have a casting Vote, as well as a deliberative one.

Act may be put in force in the meantime.

VI. And be it enacted, That the Trustees acting under the said recited Acts shall have full Power and Authority to carry into effect the Purposes and Provisions of the said recited Acts and this Act, until the Nomination or Appointment of the Trustees under this Act; and the Trustees appointed under this Act shall in future be and are hereby empowered and authorized to execute the whole Purposes and Provisions of the said recited Acts and this Act, and in the event of the Neglect or Failure at any Time to nominate or appoint the said Trustees, or any of them, by the Parties hereby respectively vested with the Right of nominating the said Trustees, the other Trustees shall have all the Powers vested in the said Trustees by this Act.

Secretary or Clerk.

VII. And be it enacted, That the Trustees under this Act shall have Power and they are hereby authorized from Time to Time to appoint a Secretary or Clerk, and to pay to him an adequate and reasonable Salary or Allowance for performing the Duties of Secretary or Clerk, and such professional or Law Business as may be therewith connected: Provided always, that the Trustees be empowered to appoint a Secretary or Clerk distinct from the Town Clerk of *Glasgow*, and provided also, that if the Trustees shall appoint a Secretary or Clerk distinct from the Town Clerks of *Glasgow* they shall be empowered and bound to give such Compensation as shall be legally due to the Town Clerks now acting as Clerk to the Trustees, according to the Principles established by Parliament in case of Removal from similar Offices by or under an Act passed in the Fifth and Sixth Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, and such Compensation shall be paid from the Funds of the Trust of the River *Clyde*; and that upon the Death or Removal of the present Town Clerks acting as Clerk to the existing Trustees, a Clerk or Secretary shall be appointed who shall not act as Clerk to the Town Council; it being farther provided, that if on the Death or Removal of any One or more of such Town Clerks the said Trustees shall appoint a Secretary or Clerk as aforesaid they shall grant such Compensation to such of the said Clerks as may be thereby superseded.

5 & 6 W. 4. c. 76.

Trustees to provide a

VIII. And whereas it is expedient that the Meetings of the said Trustees, and the whole of their Proceedings, should be kept

separate

separate from and unconnected with those of the Town Council of *Glasgow*, or of any other public Body; be it enacted, That the said Trustees shall have Power and they are hereby required forthwith to procure by Lease or by Purchase or to erect a sufficient Office where the Meetings of the said Trustees and their Committees may be held, their Books and Documents duly kept, and the whole Business of the Trust conducted. Place of Meeting.

IX. And be it enacted, That it shall be lawful for the said Trustees to sue and be sued in Name of their Secretary or Clerk for the Time being, or in the Name of any One of the said Trustees; and no Action in which the said Trustees may be Pursuers or Defenders shall fall by the Death, Removal, or Resignation of the said Secretary or of such Trustee; and any Notices, Summonses, or Requisitions required to be served upon or by the said Trustees shall be as good, valid, and effectual, if served upon or by the said Secretary or Clerk, as if the same were served upon or by the whole of the said Trustees. How Trustees are to sue and be sued.

X. And be it enacted, That whenever the several Terms and Expressions following shall occur in this Act the same shall be construed respectively in the Manner herein-after directed; (that is to say,) where any Word shall be used importing the Singular Number only, such Word shall extend to and include several Persons or Things as well as one Person or Thing; and when any Word importing the Plural Number shall be used, the same shall extend to and include one Person or Thing as well as several Persons or Things; and where any Word shall be used importing the Masculine Gender only, such Word shall be construed to include Females as well as Males; the Term "Goods" shall be construed to mean Goods, Wares, Merchandize, or other Commodities or Things; the Terms "Ship" and "Ships" shall be construed to mean and include Ships or Vessels or Boats, and as well those propelled by Steam as otherwise; the Term "Owners" and "Owner" of any Ship shall be construed alike to mean One Owner if there be only One, and any or all of the Owners if there be more than One; that the Terms "Factors" or "Factor," "Consignees" or "Consignee," "Agents" or "Agent," shall be construed to mean One such Factor, Consignee, or Agent, if there be only One, and any or all of the Factors, Consignees, or Agents, if there may be more than One; unless where a different Construction shall be hereby provided, or the Construction be repugnant to the Subject Matter or Context. Construction of Terms in general.

XI. And be it enacted, That the Trustees appointed by or under this Act shall be and they are hereby empowered and authorized, by themselves, their Deputies, Agents, Workmen, Servants, and Assigns, not only to execute and continue the several Works authorized by the said recited Acts, but also, under the Provisions and Restrictions herein-after enacted, to make, execute, construct, finish, maintain, and keep in repair the additional Works upon, in, or along the River, and in connexion with the said Harbour, delineated or represented on the Map or Plan herein-after mentioned, and likewise the Wet Dock and other Works and Improvements hereby authorized Works for merly authorized, and new Works to be executed.

rized to be made, and for these Purposes to enter upon, take, occupy, and use the several and respective Lands, Tenements, or other Heritages upon, through, or adjoining to which the same are intended to be made, carried, executed, or constructed, within the Boundaries or Lines of Works delineated on the said Map or Plan, or within the Limits of the after-mentioned Deviation, Indemnification being always made to the Owners, Lessees, and Occupiers of such Lands, Tenements, or other Heritages, in manner herein-after provided; reserving always to the Proprietors of Lands adjacent to the said River all Rights to Soil or Ground reserved to them by the said recited Acts or this Act, or other Rights competent to them at Common Law, except in so far as the same may be affected by the Provisions of this Act: Provided always, that it shall not be lawful to the said Trustees to take, acquire, enter upon, use, or occupy, under the Authority or in virtue of the said recited Acts or this Act, the Whole or any Part or Portion of the Wet Dock on the North Bank of the said River at *Lancefield*, of which *Robert Napier*, Engineer in *Glasgow*, is Lessee and Occupier and eventual Owner, or of the Walls or Wharfs thereof, without the Consent of the said *Robert Napier*, or of his Successors in the said Dock, first had and obtained thereto by Writing under his or their Hands, any thing in the said recited Acts or this Act to the contrary notwithstanding; reserving always the Claims of Compensation of the said *Robert Napier* and his Successors for all Damage caused to the said Dock, Wharfs, and Walls thereof by the Operations of the said Trustees under the Authority of the said recited Acts and this Act.

Plans, Sections, and Book of Reference to remain in Custody of Clerks of the Peace.

XII. And whereas a Map or Plan and Sections, describing the Situation of the proposed Improvements upon and along the said River, or in connexion with the said Harbour, and also of the said Wet Dock and other Works designed by *James Walker* Esquire, Civil Engineer, together with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands, Tenements, and other Heritages intended to be taken and used for these Purposes, have been deposited at the Offices of the principal Sheriff Clerks of the Counties of *Lanark*, *Renfrew*, and *Dumbarton* respectively; be it enacted, That such Map or Plan, Section, and Book of Reference shall remain in the Custody of the said Sheriff Clerks respectively; and all Persons shall at any reasonable Times have Liberty to inspect and peruse the same, and to make Copies thereof, as Occasion shall require, paying to the said Clerks the Sum of One Shilling for every such Examination, or Sixpence for every Seventy-two Words of such Copies; and the said Map or Plan, Section, and Book of Reference, or true Copies thereof, or of so much thereof respectively as shall be copied and certified by the said Sheriff Clerks respectively, shall be and are hereby declared to be good Evidence in all Courts of Law, or elsewhere.

Limiting Deviations from Plan.

XIII. And be it enacted, That the said Trustees, in executing the Works and Improvements hereby authorized, shall not deviate more than Twenty Yards from the Boundaries or Lines of Works delineated or described on the said Map or Plan to the East of the River *Cart*,

and Forty Yards to the West of the said River: Provided always, that it shall not be lawful to the said Trustees to deviate from the Lines delineated on the Map or Plan on the North Side of the River at the Lands or Grounds of *Robert Barclay* of *Stobcross* Slip Docks, or *James Smith* of *Jordan Hill*, nor at the Castle of *Dunglass*, or on the South Side of the River at the Lands belonging to the Burgh of *Renfrew*, or at the Lawn or Policy of *Archibald Campbell* of *Blysthwood*, or *Michael Rowand* of *Linthouse*, nor to take, use, or occupy any Part of the said Lands or Castle to the Northward or Southward respectively of the said Lines at the said Points, for any of the Purposes of the said recited Acts or this Act, except in so far as may be necessary for the Formation of the Footpath along the South Bank of the said River, and the Road to the *Point House*, after mentioned, in lieu and stead of the present Footpath and Road; and the said Trustees shall not in making such Deviation take or use any Ground set apart and used before the passing of this Act as a Garden, Orchard, Policy, or planted Walk, except with Consent of the Owners thereof.

Houses &c. erected before the passing of this Act not to be used or injured without Consent of Owners.

XIV. Provided always, and be it enacted, That nothing herein contained shall authorize and empower the said Trustees, or any Person acting by or under their Authority, to take, use, injure, or damage, for the Purposes of this Act, any House or other Building which was erected or built at or before the passing of this Act, or any Land or Ground which was then set apart and used as and for a Garden, Orchard, Yard, Policy, Park, Paddock, planted Walk, or Avenue to a Mansion House, without the Consent in Writing of the Owners and Occupiers thereof respectively, other than and except those specified in the Schedule hereunto annexed.

Ground to be taken within the Periods limited.

XV. And be it enacted, That the said Trustees shall not be entitled under the Authority of the present Act to take or acquire any Ground or other Heritages belonging to the Owners, Lessees, and Occupiers thereof, named in the foresaid Book of Reference or Schedule hereunto annexed, without their Consent first had and obtained, unless they shall actually and *bonâ fide* proceed to take, acquire, or occupy, in manner herein provided, such Ground or other Heritages, under the Authority hereby granted, in so far as the same is situated at or above the *Glasgow Bridge*, and on both Sides of the said River below the said Bridge to the East of *Barclay*'s Slip on the Lands of *Stobcross*, within Three Years of the passing of this Act, in so far as the same is situated on both Sides of the said River below or to the Westward of the said Boundary on the East of *Barclay*'s Slip within Eight Years of the passing of this Act, and that the said Trustees shall not be entitled to deviate from the Lines laid down on the said Map or Plan, unless they shall exercise the Powers of taking the Lands for the Purposes of the Deviation at the Time of taking the Lands within the said improved Lines.

Lands for Deviation to be taken at same Time.

Misnomers, &c., not to prevent Execution of the Act.

XVI. And be it enacted, That if any of the Houses, Buildings, Lands, Tenements, or Heritages within the Limits described in the said Map or Plan, or mentioned or referred to in the said Book of Reference,

ence, or in the said Schedule, or any Person in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Lessee thereof, or any Person interested therein or in any Part thereof, shall happen to be misnamed, mis-spelled, mis-stated, omitted, or incorrectly described in the said Map or Plan, or Book of Reference, or Schedule, then and in such Case, if it shall appear to any Two Justices of the Peace for the County in which the Premises are situated (after Notice of Ten Days given to the Party interested), and be certified by Writing under their Hands, that such Misnomer, Mis-spelling, Mis-statement, Omission, or incorrect Description proceeded from Mistake, such Misnomer, Mis-spelling, Mis-statement, Omission, or incorrect Description shall not prevent or retard the Execution of this Act, but such Premises and every Part thereof shall and may be purchased, sold, agreed for, valued, and assessed in manner in this Act mentioned, and conveyed, disposed of, and applied for the Purposes of this Act, as fully and effectually as if the same were properly named, spelled, stated, inserted, and described in the said Map or Plan, Book of Reference, and Schedule.

Works and Ground at Springfield to be acquired.

XVII. And whereas it is essential to the Execution of the Works hereby authorized on the South Side of the said Harbour, for enlarging the same, that the said Trustees should acquire and take a Portion of the Works at *Springfield* belonging to the Company of *Charles Todd* and *Higginbotham*, whereby the said Works would be severed and rendered of little Use; be it enacted, That the said Trustees shall be bound and they are hereby required and authorized to purchase the Whole of the said Works belonging to the said Company, with the Ground on which the same stand, and the Ground between the Buildings of the Works, and also the Ground lying between the same and the River belonging to or claimed by the said Company, or by the Representatives of *Charles Todd* as an Individual, and within Six Months after the Date of this Act (unless the said Parties shall consent by a Writing under their Hands to prolong the said Period) to ascertain or cause to be ascertained in the Manner provided by this Act the Value of the said Works and Grounds, and the Amount of Compensation to be paid to the said *Charles Todd* and *Higginbotham*, or Representatives of *Charles Todd*, on account of the same being required and taken from them for the Purposes of this Act, and to pay such Value and Amount of Compensation, with Interest thereon at the Rate of Four Pounds *per Centum per Annum* from the Expiration of Six Months after the Date hereof till paid to the said Parties respectively or their Assignees, in Four equal Instalments at the Expiration of Twelve, Eighteen, Twenty-four, and Thirty Months respectively after the Date hereof: Provided always, that if it should be necessary to ascertain such Value and Amount of Compensation by Jury Trial, the Jury or Juries to be impannelled for that Purpose shall consist of Persons qualified as Commissioners of Supply in the Counties of *Lanark* or *Renfrew*, or one or other of them: Provided also, that the said respective Parties shall be entitled to the Occupation and Use of the said Works and Grounds, as Tenants of the said Trustees, for such Period as they may require the same, not exceeding Two Years and Six Months from the Date hereof, at a yearly Rent of

of Four Pounds *per Centum* of the Value and Amount of Compensation ascertained as aforesaid to be due to them respectively.

Action at the Instance of Charles Todd reserved.

XVIII. And whereas the Right of Ownership in a Portion of the Waterside Ground or Bank of the River at and adjoining to the said Works is at present the Subject of Litigation in an Action of Declarator raised by the said *Charles Todd* against the said Trustees; be it enacted, That nothing herein contained shall affect the said Action, or the Pleas maintained therein, or the Rights of any Party in or in relation to the Ground in dispute, all which are hereby saved and reserved entire: Provided always, that if it should be necessary to ascertain the Value of the said Works and Ground thereto attached and the Amount of Compensation for the same, by Jury Trial, before the final Determination of the said Action, the Verdict of such Jury shall set forth the Value of the Waterside Ground which is in dispute in the said Action separately and distinctly from the Value of the said Works and other Ground, and the Compensation to be paid for the same, in order that the Value of such disputed Ground may be consigned in manner herein provided in Cases of taking Ground generally under the present Act, until the Ownership of such disputed Ground be ascertained and determined.

Provision with regard to Land belonging to certain Land Owners.

XIX. And to avoid Disputes as to the Right of Property in the Shores and Banks of the said River, in so far as belonging to the Parties herein-after named, be it enacted, That from and after the passing of this Act the Lines embracing the proposed Improvements on the Course of the River, and defining the intended Waterway or Channel of the same, laid down and coloured Black with a Red Shade on the foresaid Map or Plan deposited at the Offices respectively of the principal Sheriff Clerks of *Lanarkshire*, *Renfrewshire*, and *Dumbartonshire*, shall, subject to such Alteration as may arise from the Exercise of the Powers of Deviation, and the Right of acquiring Land for the said Harbour and Quays, as herein provided, form the Boundary Lines between the River and the adjoining Land Owners after named; *videlicet*, *Gavin Hardie* of *Lancefield*, *Alexander Johnston* of *Shield Hall*, *Agnes Ronald* or *Johnston* his Wife, *Robert Barclay* of *Stobcross* Slip Docks, the Representatives of *John Phillips* of *Stobcross*, *William Hozier* of *Newlands*, *James Smith* of *Jordanhill*, Miss *Elizabeth Oswald* of *Scotstown*, *James Hamilton* of *Barns*, the Trustees of the deceased *Robert Walkinshaw*, the Trustees of the deceased *John M'Intyre*, *William Hamilton* of *Mavisbank*, the Representatives of the deceased *M'Callum*, the Trustees of the deceased Doctor *John White*, *George Rowand* of *Holmfauldhead*, *Michael Rowand* of *Linthouse*, *William M'Lean* of *Plantation*, *Alexander Johnston* and *Alexander Spiers* of *Elderslie*; and the Solum or Soil outside of such Lines, after the Dykes shall be formed and the Waterway thereby defined shall be the Property of the Owners of the said Lands adjacent thereto respectively: Provided always, that the said Trustees shall have Liberty, so far as regards the North Side of the said River, and with Consent of the Land Owners, so far as regards the South Side of the said River, to fill up to a Level with the adjoining Lands any Shores that may remain outside of the said improved Lines, with

Sand, Soil, Gravel, or other Stuff, obtained by dredging or otherwise in improving the said River, and that, until the Trustees shall from Time to Time carry into effect the said Improvements for widening the said River, the adjoining Proprietors shall respectively enjoy the same Uses of the Ground or Soil within the said improved Lines, so long as not occupied by such Improvements, as they are at present entitled to or have hitherto enjoyed; and the Shores or Banks of the said River shall outside the said improved Lines, after the Construction of the said Works, continue subject and liable to such Uses and Servitudes as the Banks of a public navigable River are at Common Law subject and liable to, and in like Manner such adjoining Land Owners, and also all other adjoining Land Owners, shall possess and enjoy all the Rights and Privileges which belong at Common Law to the Proprietors of Lands on the Banks of such public navigable River: Provided further, that the said Trustees shall be empowered and they are hereby authorized to alter the Course of the Road leading from the said Harbour to the *Point House* along the North Bank of the said River, in manner represented on the said Map or Plan, and likewise on the South Side of the said River to lay out, form, and construct a Footpath leading from the West Termination of the said improved Harbour along the improved Lines on the South Bank of the said River to the Ferry of *Renfrew*, in lieu and stead of and of the same Dimensions as the present Footpath along the present South Bank of the said River, Satisfaction being always made in manner herein provided to the Owners and Occupiers of the Lands or other Heritages to be taken for or injured by such Operations: Provided always, that nothing herein contained shall hinder or prevent the said Trustees from laying down Materials and other Things on the Lands adjoining the said River for or in connexion with and during the Execution of the Works hereby authorized, or from making such Surveys or Examinations of the Banks as may be necessary in relation to the said Works or the Improvement of the Navigation, Compensation being always made by the said Trustees for any Loss or Damage that may be thereby occasioned to the said Lands, in manner herein-after provided: Provided further, that it shall not be lawful for the said Trustees or any Person or Persons to make or use a Tracking or Towing Path along the Lands on the South Bank of the said River, after the same shall have been widened and improved as aforesaid; reserving always to the said Trustees any Claims of Deduction that may be due to them from the Price or Value of the Grounds to be taken for the Purposes of this Act, on the South Side of the said River, in respect of the Towing or Tracking Path now existing along the Lands of the said Proprietors, and to the said Proprietors their Objections to any such Claims, as accords; reserving always the Rights of *Alexander Spiers* Esquire of *Elderslie*, or his Successors, under and by virtue of certain Judgments and Decrees of the Sheriff Court of *Renfrewshire* and of the Court of Session relating to the said Tracking or Towing Path.

Trustees may lay down Materials, and make Surveys.

No Tracking Path on South Bank.

How Value or Price is to be ascertained.

XX. And be it enacted, That for the Purpose of ascertaining the Price to be paid by the said Trustees for the Space required to be occupied in widening the said River opposite or adjacent to such Grounds

Grounds as belong to the said Land Owners, *videlicet*, the said *Gavin Hardie*, *Alexander Johnston*, *Agnes Ronald* or *Johnston*, *Robert Barclay*, the Representatives of *John Phillips*, *William Hozier*, Miss *Elizabeth Oswald*, *James Hamilton*, the Trustees of the deceased *Robert Walkinshaw*, the Trustees of the deceased *John M'Intyre*, *William Hamilton*, the Representatives of the deceased *M'Callum*, the Trustees of the deceased Doctor *John White*, *George Rowand*, *Michael Rowand*, *William M'Lean*, *Alexander Johnston*, and *Alexander Spiers*, the whole Solum or Soil lying between the foresaid improved boundary Lines and the present general Line or Mark of High Water in the said River at ordinary Tides, as ascertained by the Top Line of the existing Dykes or River Walls along the Lands of the said Parties, shall be valued in manner herein provided, as the Property of the Owners of the adjoining Land; and wherever any Portion of the Ground or Soil so valued shall appear from a Plan of the said River, which was made out in the Year One thousand eight hundred by the deceased *William Kyle*, Land Surveyor in *Glasgow*, (and is signed by the Chairman of the Committee on the Bill as relative hereto,) to have been at the said Date Part of the said River, One Half of the Value put on such Portion of the said Ground or Soil so appearing to have been Part of the said River at the said Date shall be deducted from the gross Value thereof, and the Balance of such gross Value after such Deduction shall be paid by the said Trustees, and shall be accepted of by the said Owners of the adjacent Lands, as the full Price of the Ground or Soil so required to be taken for widening the said River; reserving always to such adjacent Land Owners respectively their Claims of Compensation for any Damage that may be sustained by them by, through, or in consequence of the Operations of the said Trustees, over and above the Value or Price of the Ground or Soil taken for the Purpose of widening and improving the said River and Harbour.

Right of Land Owners to use and occupy the Ground to cease.

XXI. Provided always, and be it enacted, That as soon as the said Trustees shall from Time to Time carry into effect the proposed Improvements, the Right of the said Land Owners severally to use and occupy the Ground or Soil within the said improved Lines shall respectively cease and determine as regards the Ground or Soil occupied by such Improvements; and it shall not at any Time be lawful to the said Trustees to interpose any Grounds, Works, or other Erections between the Properties respectively of the said Land Owners and the Waterway or Channel of the River, excepting parallel Dykes or Water-walls for confining or regulating the Channel of the said River, and such Beacons, Perches, or other such Works upon the said Dykes as may be necessary for the Guidance or Information of Parties navigating the said River.

Ground outside the Lines of Deviation to be valued on the same Principle as that within the Line.

XXII. Provided also, and be it enacted, That if the Trustees should require to take and occupy any of the Ground or Soil lying outside of the said improved Lines, and belonging to the Land Owners before named, in virtue of the Powers of Deviation herein contained, the Price or Value to be paid by them for the same shall be ascertained and paid on the same Principles, and to the same Extent, and in like Manner, as the Price or Value of the Ground or Soil lying within

within the said improved Lines is hereby directed to be ascertained and paid: Provided always, that in the event of such Deviation such Lines of Improvement as may be executed under the Powers to deviate hereby granted shall in all Time thereafter form the boundary Lines between the said adjacent Land Owners and the River.

Boundaries of Harbour how to be defined.

XXIII. Provided always, and be it enacted, That nothing herein contained shall hinder or prevent the said Trustees under the Authority hereby granted from, *inter alia*, acquiring the Grounds and other Heritages belonging to any of the Land Owners before named, for the Construction of the Wharfs, Quays, and other Works, for the Enlargement of the said Harbour, delineated on the said Map or Plan; and that after the Acquisition of such Ground the boundary Lines between the said Harbour, Wharfs, Quays, and other Works, and the Properties of the said adjacent Land Owners, shall (excepting when any public or servitude Road or Passage Way may still exist) be the dotted Lines marked with the Letter "a" on the said Map or Plan, which dotted Lines represent the exterior Boundaries of the Ground or other Heritages to be included in the said Harbour, Wharfs, and other Works, or shall be such boundary Lines as may be described in the Contracts of Sale, Dispositions, or other Deeds by which such Ground shall be acquired, or contained or referred to in the Verdict of the Jury fixing the Price of such Ground, if ascertained by Jury Valuation; and the Price or Value of the Ground or Soil so to be acquired for the Enlargement of the said Harbour, Quays, Wharfs, and other Works connected therewith, within the whole of the said boundary Lines, shall be ascertained and paid on the same Principles, and to the same Extent, and in like Manner, as the Price or Value of the Ground or Soil lying within the foresaid improved Lines of the said River is hereby directed to be ascertained and paid.

As to Question relative to Ground within former Waterway of River, &c.

XXIV. And whereas Questions have also been and may be raised in relation to the Rights of individual Proprietors of Lands along the Banks of the said River (other than the Proprietors specially before named) to Compensation for Ground or other Heritages partly comprehended within the Lines of Operations delineated on the said Map or Plan, and situated within the former Waterway or Alveus or Channel of the said River *Clyde;* be it therefore enacted, That nothing herein contained shall be held to affect such Rights to Compensation as may legally belong to such Proprietors: Provided always, that in the event of the said Trustees finding it necessary, in the meantime, for the Public Advantage, or for the Accommodation of the Shipping resorting to the said River and Harbour, to take possession of any Part or Portion of such Ground or other Heritages under this Act, before the Settlement of the said Questions or of such legal Processes as may be instituted in relation thereto, the said Trustees may apply by Petition to the Sheriff of the County in which such Grounds or Heritages are situated, setting forth this Act and the Existence or Dependence of such Questions, and craving the said Sheriff to grant Warrant for summoning the Parties interested to appear, upon reasonable Induciæ; and the Parties being so called, the said Sheriff shall proceed to fix and determine, by competent

Evidence before a Jury to be impannelled in manner herein-after provided, the relative Boundaries of the particular and respective Portions of such Ground or other Heritages formerly within the Waterway or Alveus or Channel of the said River, distinguishing the Ground or Embankments so situated from the Lands lying beyond or not within the said former Waterway, Alveus, or Channel; and the respective Grounds before mentioned having been so ascertained, and accurately defined and laid down on a Map or Plan thereof, the said Sheriff and Jury shall forthwith inquire into, assess, and fix, by the Verdict of a Majority of the Number of the said Jury, the true and just Value of the Portion in question of the said Grounds or Shores comprehended within the Lines delineated on the said Map or Plan, and situated within the former Waterway, Alveus, or Channel of the said River, which Verdict shall be subscribed by the Foreman of the said Jury and by the said Sheriff, and shall be final and binding on all Parties as to the Value of such Grounds, Shores, or Embankments; and in the event of the Applications or Petitions to the Sheriff before mentioned embracing any Part of the Land or Heritages belonging to the said Proprietors not within the former Waterway, Alveus, or Channel of the said River, the Verdict of the said Jury shall distinguish the Portion of the Lands or Heritages so situated, and the Price or Value thereof, from the Ground or Shores now or formerly within the said Waterway, Channel, or Alveus, in order that the Price or Value of the said Lands or Heritages may be paid over to the Proprietor thereof, or otherwise disposed of in manner herein-after enacted in Cases of taking Property generally under the present Act.

Upon Consignment in Bank of the Price or Value of the Grounds, the Trustees may take possession.

XXV. And be it enacted, That upon the said Trustees consigning or paying into any of the Banks in *Scotland* established by Act of Parliament or Royal Charter the Sum or Sums of Money that may be so assessed and fixed by the Verdict of such Jury as the true and just Value of such Grounds or Embankments situated within the foresaid Waterway, Alveus, or Channel, in order to abide the final Issue and Determination of the Questions before mentioned, or such legal Proceedings as may be adopted in relation thereto, the said Trustees shall be entitled immediately thereafter to take, occupy, and use such Grounds or Embankments for the Purposes of this Act.

Parties interested may apply to the Court of Session to have their Claims decided.

XXVI. Provided always, and be it enacted, That in so far as the respective Claims of the said Trustees and of other Parties to the said Monies shall not be judicially determined under such Questions as may be raised in relation thereto prior to the Consignation of such Monies, it shall be competent and lawful to the said Trustees and to the said Parties respectively to apply by Petition to the Court of Session in either of the Divisions thereof, praying the said Court to fix and determine to whom such Monies belong; and the said Court shall, after hearing Parties, and receiving such Evidence as they shall consider competent and necessary, find and declare to whom such Monies in whole or in part legally appertain, and decern and adjudge accordingly.

Trustees specially authorized to construct a Wet Dock.

XXVII. And whereas the Trustees acting under the before-recited Acts have lately acquired the Lands of *Windmillcroft*, on the South Side of the said River, delineated on the said Map or Plan, and bounded on the North by the Harbour of the *Broomielaw*, on the South by the *Paisley* Road, on the West by the Road leading along the East Side of the Lands of *Springfield* to the Ferry Stairs, on the East by the East Face of the Brick Wall now enclosing the said Lands on the East; be it enacted, That the Trustees appointed by or under this Act shall be, and they are hereby authorized and empowered to take, occupy, and use the said Lands, and thereupon to design, lay out, excavate, build, erect, make, complete, repair, and maintain the Wet Dock delineated on the said Map or Plan as intended to be constructed on the said Lands, together with all and every Quay or Quays, Wharf or Wharfs, Locks, Cuts, Entrances, Cranes, Sheds, Engines, Bridges, Buildings, Lamp Posts, Works, and other Matters and Things necessary to or connected with such Dock.

For protecting the Company of Proprietors of the Glasgow Waterworks.

XXVIII. And be it enacted, That for the Protection of the Company of Proprietors of the *Glasgow* Waterworks the said Trustees shall be bound and obliged and they are hereby required and authorized to support and maintain at its present Height the Dam or Wear across the said River above the Harbours of *Bromielaw* and below *Glasgow Bridge*, until the said Trustees shall have strengthened the Wear or the Bed or Channel of the said River at the old or *Stockwell Street Bridge*, in such Manner as shall be sufficient to maintain the Top-water or Head-level of the said River at Low Water at the Height at which it is at present maintained above the said old or *Stockwell Street Bridge*, or until such other Works shall be constructed below the Waterworks of the said Company of Proprietors as shall be sufficient to maintain the said Top-water or Head-level at the Height at Low Water at which it is at present maintained above the Place where such other Works may be constructed; which Operations for strengthening the Wear or Bed or Channel of the River at the said old or *Stockwell Street Bridge*, or such other Works as aforesaid, shall be executed and maintained by the said Trustees at the Sight of Two Engineers, One of whom shall be nominated by the said Trustees, and the other by the said Company of Proprietors; and the said Two Engineers shall have Power, in case of any Difference of Opinion, to appoint a Third Engineer to determine the Point or Points in dispute between them: Provided always, that nothing herein contained shall be held or construed to interfere with or prejudice the Rights of any Parties which are now the Subject of Litigation in any Suit or Suits at present depending before any Court of Law, as such Rights shall be ascertained and determined in such pending Suits.

For indemnifying Company of Proprietors of Glasgow Water-works.

XXIX. Provided also, and be it enacted, That if any Loss or Damage shall rise to the said Company of Proprietors of the *Glasgow* Waterworks by, through, or in consequence of the Failure of the said Trustees to fulfil the Provisions herein contained for the Protection of the said Company of Proprietors, or by, through, or in consequence of the Insufficiency of the Operations or Works to be executed by

the said Trustees for that Purpose, or by, through, or in consequence of any Operations executed under Authority of this Act, then, and as often as such Loss or Damage shall arise, the said Trustees shall be bound and obliged, and they are hereby required and authorized, to compensate the said Company of Proprietors for such Loss or Damage out of the Funds and Revenues of the said Trust: Provided always, that the said Trustees shall not be liable for any Loss or Damage which may arise by, through, or in consequence of the Exercise of any Rights of any Parties which are now the Subject of Litigation in any Suit or Suits at present depending in any Court of Law, as such Rights shall be ascertained and determined in such Suit or Suits.

For indemnifying Messrs. Monteith, and Co., and Messrs. Bartholomew and Co.

XXX. And be it enacted, for the Protection of Messieurs *Henry Monteith* and Company, and of Messieurs *John Bartholomew* and Company, as Owners of certain Dyeing and Printing Works situate on the Banks of the said River of *Clyde* at *Barrowfield* and *Dalmarnock*, and their Successors in the said Works, That if any Loss or Damage should arise to the said *Henry Monteith* and Company, or to the said *John Bartholomew* and Company, or theirs aforesaid, by, through, or in consequence of the Removal or lowering the said Dam or Wear above the Harbour of *Broomielaw* and below *Glasgow Bridge*, or the Execution of any Work or Operation hereby authorized, or in case the said Trustees shall not effectually prevent such Loss or Damage by the Execution of Works for that Purpose, then, and as often as any such Loss or Damage shall arise the said Trustees shall be bound and obliged, and they are hereby required and authorized, to compensate the Party or Parties sustaining such Loss or Damage, for such Loss or Damage, out of the Funds and Revenues of the said Trust: Provided always, that the said Trustees shall not be liable for any Loss or Damage which may arise by, through, or in consequence of the Exercise of any Rights of any Parties which are now the Subject of Litigation in any Suit or Suits at present depending in any Court of Law, as such Rights shall be ascertained and determined in such Suit or Suits.

Limitation of Works to the West and East of the River Leven.

XXXI. And be it enacted, That it shall not be lawful for the said Trustees to form Jetties or connecting Dykes, or to execute other Works, on either Side of the River or Firth of *Clyde* to the West of a Line drawn from *Dumbarton Castle* on the North to the West Ferry on the South, except deepening by dredging, and placing Beacons, Perches, or other Direction Posts in the Firth of *Clyde* for the Guidance and greater Safety of Vessels navigating the said River, nor, without the Consent of the Magistrates and Town Council of *Dumbarton*, to form, construct, execute, erect, or maintain any Jetties, Dykes or other Works, excepting deepening by dredging, and placing Beacons, Perches, or other Direction Posts, whether delineated or not on the said Map or Plan, which will interfere with or render less commodious the Access to the Harbour of *Dumbarton*, or which will intersect or interrupt the Course heretofore usually taken at High Water by Steam Boats going to and from the Harbour of *Dumbarton* and the River *Clyde* above the Castle of *Dumbarton;* reserving always the Claims of all Parties for any

any Loss or Damage that may arise to them by, through, or in consequence of any Operations of the said Trustees as herein provided.

Properties not included in Plan not to be taken.

XXXII. And be it enacted, That it shall not be lawful to nor in the Power of the said Trustees to take, acquire, occupy, or use, either permanently or temporarily, for any of the Purposes of this Act, any Part of the Land or other Heritages belonging to the Representatives of the deceased *Charles Todd*, so far as such Lands and Heritages are situate to the South of the Works belonging to the Company of *Charles Todd* and *Higginbotham*, except in so far as the same may be situated within the Lines of Works delineated on the said Map or Plan and are included in the said Body of Reference deposited in the Office of the Sheriff Clerk of *Lanarkshire* at *Glasgow*, nor any Part or Portion of the Grounds or other Heritages at present belonging to *William Dixon* of *Govan Colliery*, nor any Part or Portion of the Land or Ground belonging to or legally forming any Part of the *Polloc* and *Govan* Railway, without the express Consent in Writing of the said Representatives of *Charles Todd*, of the said *William Dixon*, or of the *Polloc* and *Govan* Railway Company respectively, as the Case may be.

Trustees empowered to appoint Harbour and Dock Masters.

XXXIII. And be it enacted, That it shall be lawful for the said Trustees, from Time to Time, as Occasion shall require, to appoint proper Persons to be Harbour and Dock Masters, and from Time to Time to remove, suspend, or dismiss them; and such Harbour and Dock Masters respectively shall have full Power and Authority to direct and control the mooring, unmooring, moving, or removing of all Ships coming into, going out of, lying, or being in the said Harbour, Dock, Locks, Cuts, or other Works, either as to the Time and Manner of their Entrance into, lying in, or going out of the same, and their Position, loading, and discharging therein, and the Time of opening or shutting the Gates thereof; and in case the Owner Master, Pilot, or other Person having the Care of any Ship shall refuse or neglect to obey any such Order or Direction, after Notice to him or them given, or if any Ship shall be left without any Person or Persons on board, it shall be lawful for such Harbour and Dock Masters, and their Assistants respectively, to moor, unmoor, move, or remove such Ship; and the Charges and Expences thereof respectively shall be repaid, together with a Penalty not exceeding the Sum of Five Pounds for each Offence, by the Master or Owner of such Ship, and may be recovered from the Owner or Master of such Ship, in case of Nonpayment thereof on Demand, by such Ways and Means as Penalties are by this Act authorized to be recovered: Provided always, that nothing herein contained shall in any Degree withdraw or affect the Power vested in the Commissioners of Customs of appointing Places for the mooring and unloading of Ships importing Tobacco, and where such Ships only shall be moored or unladen, under an Act passed in the Third and Fourth Years of His late Majesty's Reign, intituled *An Act for the general Regulation of the Customs.*

3 & 4 W. 4. c. 52.

Penalty for obstructing

XXXIV. And be it enacted, That in case any Master, Mate, Pilot, or other Person having the Command of any Ship, or the Owner or Agent

Agent thereof, or any other Person or Persons whomsoever, shall obstruct or hinder the mooring, unmooring, moving, or removing of any Ship, such Persons respectively shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, besides Expences.

the mooring, &c. of Ships.

XXXV. And be it enacted, That every such Harbour or Dock Master shall have full Power and Authority to order all Ships entering the said Harbour or Dock, Locks, Cuts, and Basins, or any of them, to be dismantled, in such Manner as he may think necessary and safe for the Ships entering the said Harbour or Dock, and for the Prevention of Accident or Mischief to other Ships, or to the said Harbour or Dock, and other Works, and during the Time of every Ship's Delivery, or when discharged of her Cargo, to have such Quantity of Ballast on board, or dead Weight in her Hold, as he may judge requisite for such Ship; and no Ship shall be allowed to enter the said Harbour or Dock unless she shall be so dismantled, nor to be unladen so far as to render her insecure through the Want of Weight in her Hold, or of such Quantity of Ballast on board as the Harbour or Dock Master may think expedient and order; and every such Harbour and Dock Master shall also have full Power and Authority to give Directions for topping, bracing, or striking Yards and Masts, taking in running Bowsprits, and for having substantial Hawsers and Tow-lines and Fasts to the Dolphin, Mooring Craft, Buoys, or Mooring Posts, and also to regulate the Equipment, rigging, and lading of all Ships in the said Harbour or Dock, as he shall think necessary; and in case he shall judge any Act or Proceeding in the rigging, lading, or Equipment of any Ship injurious to the Safety of such Ship, or to other Ships, in or entering or departing from the said Harbour or Dock, to give Notice to the Master of such Ship to discontinue and alter the same; and in case such Master shall not according to such Direction suspend or alter such Act or Proceeding immediately after Notice given to him, or to some Person on board such Ship, for that Purpose, or if any Ship shall be left in the said Harbour or Dock without any Person on board, every such Master of such Ship, or the Owner thereof, shall for every such Offence, or other Disobedience of the Orders or Directions of the Harbour or Dock Masters respectively, as aforesaid, forfeit and pay any Sum not exceeding Five Pounds; and the Owner of such Ship shall also be answerable for all the Injury that may be sustained by any other Ships, or by the said Trustees, through any such Offence, Disobedience, or Neglect.

Harbour and Dock Masters to direct dismantling, &c. of Ships in Dock.

XXXVI. And be it enacted, That the Master or Mate of every Ship which shall load or unload in the said Dock or Harbour, or some Person appointed by the Master or by the Owner of such Ship for that Purpose, shall, during all the Time employed in loading, unloading, or discharging such Ship, actually remain on board, and superintend such loading, unloading, or discharging; and every Master or Mate, or Person so appointed as aforesaid, who shall neglect or refuse to superintend the loading, unloading, and discharging of the same as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Master or Mate, or other authorized Person, to be on board during unloading.

No Ship to enter or navigate the Harbour and Dock under sail.

XXXVII. And for the Security and Preservation of the said Works, be it enacted, That before any Ship shall enter or pass into or out of the said Harbour or Dock, such Ship shall have her Sails lowered or furled, so that she may not enter into or go out of or navigate in the said Harbour or Dock under Sail, under a Penalty not exceeding Ten Pounds for each Offence.

Ships to unload within the Harbour or Dock as soon as may be; then to be removed, &c.

XXXVIII. And be it enacted, That every Ship having a Cargo on board thereof, which shall go into the said Harbour, Dock, or any of the Basins belonging thereto, shall be unloaded and discharged of such Cargo as soon as conveniently may be after entering therein; and should there be any Delay in the unloading, or after the Delivery of such Cargo, such Ship shall then, without Loss of Time, be removed into such Part of the said Harbour, Dock, or other Works as shall be set apart for light or unemployed Ships, and the Harbour or Dock Master is hereby authorized to order and cause to be removed all light Ships accordingly; and in case any Master or Owner of any light Ship shall refuse or neglect to remove such Ship to such Part of the said Harbour, Dock, and other Works as shall be set apart for light Ships, after Notice shall have been given to such Master or Owner respectively, or other Person in charge of such Ship, by such Harbour or Dock Master, then and in every such Case he shall forfeit and pay any Sum not exceeding Five Pounds; and the Harbour or Dock Master, or his Assistants, may thereupon remove or cause to be removed such Ship out of the said Harbour or Dock and Basin, or any of them; and the Costs, Charges, and Expences of removing such Ship shall be paid to such Harbour or Dock Master, or Assistants, by the Owner or Master of such Ship; and in case of Nonpayment thereof, on Demand, such Costs, Charges, and Expences shall be ascertained and recovered in like Manner as any Penalty under this Act.

For removing Combustibles.

XXXIX. And be it enacted, That if the Owner of, or the Person in or to whose Custody or Charge any Gunpowder, Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy or other spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or any other combustible Matter or Thing whatsoever, shall be intrusted, shall unduly permit and suffer the same, or any of them, or any Part thereof respectively, to be and remain on the Quays and Wharfs, or upon the Deck of any Ship in the Harbour, Basins, Dock, Cuts, or other Works, or any of them, then and in every such Case every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in every Case the Owner of, or other Person in or to whose Custody or Charge any Gunpowder, Tar, Pitch, Rosin, Hemp, Flax, Faggots, Furze, Brandy or other spirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Grease, Shavings of Wood, or other combustible Matter or Thing, shall be, or be intrusted, if the same respectively shall be or be lying on the said Quays or Wharfs, or on the Deck of any Ship in the said Harbour or Dock, or any of them, or the Master of the Ship on the Deck of which the same shall respectively be, shall at his own Costs and Charges respectively maintain a sufficient Number of careful Persons, to be in that Behalf appointed by the said Har-

bour or Dock Masters respectively, to guard and watch over such several Articles or other combustible Matters or Things as aforesaid, until the same respectively shall be removed; and in case any such Owner, Master, or other Person as aforesaid shall refuse or neglect to pay such Costs and Charges, on Demand, then and in such Case such Costs and Charges shall and may be recovered in like Manner as any Penalty is recoverable by this Act; the Court having Power to give such Relief as the said Parties may be entitled to, as among themselves, respectively.

No Pitch, Tar, &c. to be boiled on board of any Ship, &c.

XL. And be it enacted, That no Pitch, Tar, Rosin, Turpentine, Oil, or other combustible Matter shall at any Time hereafter be boiled or heated by any Device or Means whatsoever on board any Ship lying in the said Dock, Harbour, Basins, Cuts, or other Works, or any of them, nor in any Place within the said Dock, Harbour, Quays, Basins, Cuts, Works, or Premises, except in such Place or Places and in such Manner as shall be specially appointed by the said Trustees for that Purpose, nor shall any loaded Gun whatever be brought into the said Harbour or Dock, or be suffered to remain on board any Ship, upon pain that every Master or Owner of every Ship or other Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds.

For preventing Accidents by Fire, and providing Lights in River, &c

XLI. And for more effectually preventing Accidents by Fire in the said Dock and Dock Premises and Harbour, be it enacted, That if any Person shall have or keep, or cause or permit to be had or kept, any Fire, Candle, or Lamp lighted within the said Dock, or within or upon the said Harbour, Quays, Basins, or other Works which shall belong thereto, or on board any Ship in such Dock, Harbour, or Basins respectively, at any Time whatsoever, save and except such and at such Times as shall be permitted by the special Orders and Regulations of the said Trustees or their Officers, given in Writing in that Behalf, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided that Steam Vessels arriving at or departing from the said Harbour shall be entitled to have such Fire or Lights on board as may be necessary for the Navigation of such Vessels; and provided also, that all Vessels, of whatever Description, moored or lying at Anchor, or sailing or plying in the said River and Frith, above or to the East of the Clough, shall have at all Times a Light placed in a conspicuous Situation, and raised at least Twelve Feet above the Deck of the Vessel, so as to be seen in all Directions, from Sunset to Sunrise, under a Penalty not exceeding Five Pounds, beside Damages and Expences.

Ballast, Earth, Dust, Ashes, &c. not to be thrown into Harbour, Dock, &c.

XLII. And be it enacted, That if any Person shall throw, cast, or put away, or allow to be washed or carried from the Decks or Paddle Boxes of any Ship, or otherwise, any Ballast, Earth, Dust, Ashes, Stones, or other Thing, into the said River, Harbour, Dock, Basins, or Entrances, or into or upon any of the Works to be made in pursuance of the said recited Acts or this Act, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XLIII. And

Persons cutting Ropes or Fastenings to be subjected in Penalties.

XLIII. And be it enacted, That if any Person shall wilfully cut, break, or in any Manner destroy any Rope or other Thing by which any Ship lying in the said River, Harbour, Dock, or Basin shall be moored or fastened, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, besides Damages: Provided always, that nothing herein contained shall hinder or restrain the Harbour or Dock Masters to be appointed in pursuance of this Act, or any of them, or their Assistants, from exercising any of the Powers or Authorities hereby vested in him or them respectively.

Works to be carried on until Seventeen Feet of Depth be attained.

XLIV. And be it enacted, That it shall be lawful to the said Trustees, and they are hereby empowered, to construct and carry on the several Works for deepening, widening, and improving the Navigation of the said River and Harbour mentioned in or authorized by the said recited Acts, or delineated or described on the said Map or Plan, and Sections, and authorized by this Act, until the said River and Harbour throughout every Part thereof shall have attained, at least, the Depth of Seventeen Feet at Neap Tides, for the safe and easy Navigation of Ships to and from the *Broomielaw* or Harbour of *Glasgow*, and the Wet Dock and other Works hereby authorized to be constructed.

Provision as to Works opposite to Erskine.

XLV. And whereas some of the Provisions of the before-recited Acts, relative to the Works to be carried on in the Channel, or upon the Banks of the said River, opposite to or along the Lands and Estate of *Erskine*, are or may be held inconsistent with or restrictive of the Powers and Authorities hereby granted, it is expedient that the same should be repealed, and other Provisions substituted in lieu thereof; therefore be it enacted, That the said Provisions are hereby repealed; and it is hereby provided, that, in executing the Works delineated on the said Map or Plan, along or opposite to the Property of *Charles* Lord *Blantyre*, on the South Side of the said River, from *Erskine Ferry* Westward to a cross Dyke opposite *Frisky Hall*, no Embankment or Dyke shall, without Leave in Writing first had and obtained for such Purpose from the said Lord *Blantyre*, or the Proprietor of the said Estate for the Time being, be made of a greater Height than the Surface of the Sand or Swashway at the Time of the Formation or Construction of such Dyke or Slope Lining to the South Side of the River Channel, within the above-mentioned Limits, or so as to appear above the Surface of the same at any Part thereof; and if at any Time after the Construction of such Embankment or Dyke, or after the Construction of the same or any Part thereof has been commenced, the said Sand or Swashway should be reduced in Height so as to cause the Stones or Slope Lining of such Embankment or Dyke to appear above the Surface of the Sand or Swashway, then the said Trustees shall be bound forthwith to cause the Stones or other Materials forming such Embankment or Slope Lining to be removed down to the Level or Surface of the Sand or Swashway, and to continue to do so from Time to Time as often as such Operations shall become necessary, in the event of the progressive Reduction of the Level or Height of the Sand or Swashway, or the Embankment or Dyke appearing above the same, as before mentioned:

And

And provided also, that if the said Trustees shall refuse or neglect to reduce the Height of the said Embankment or Slope Lining, on the same becoming necessary in any Part thereof, as before mentioned, after being required so to do by the said Lord *Blantyre*, his Heirs or Successors, and for the Space of Fourteen Days after being so required, then it shall be lawful for and in the Power of the said Lord *Blantyre*, his Heirs and Successors, to employ Workmen to do the same, at the Expence of the said Trustees, who shall be bound to repay to him or them whatever Expence may be thereby occasioned: And provided also, that it shall not be lawful for nor in the Power of the said Trustees, under the Powers conferred by the said recited Acts or this Act, to make or construct any Jetties, connecting Dykes, Cuts, Canals, Roads, Towing Paths, Footpaths, Lighthouses, Quays, Wharfs, Palls, Land-fasts, or other Works, except as herein mentioned; and if any Beacons, Perches, or Sailing Marks shall be considered necessary, within the Limits of the Space on the South Side of the Channel of the River before specified, the same, if fixed, shall be of a Form which shall be to the Satisfaction of the said Lord *Blantyre* or his foresaids, or otherwise the same shall be Floating Buoys: And provided also, that it shall not be lawful for nor in the Power of the said Trustees, in executing the said Works hereby authorized, within the Limits aforesaid, to make any Deviation in the Situation of the Sides of the said proposed Channel to the Southward of the Lines laid down upon the Map or Plan of the said River, showing the said Works, without the previous Consent in Writing of the said Lord *Blantyre* or his foresaids: And provided also, that it shall not be lawful for nor in the Power of the said Trustees to deposit any Earth, Spoil, or other Matter, raised, excavated, or dredged from the Bed or Channel of the said River, upon any Land beyond or out of the Channel, as hereby authorized to be formed, within the Space where Lord *Blantyre*'s Property adjoins the River, without Leave in Writing to that Effect first had and obtained for such Purposes from the said Lord *Blantyre* or his foresaids; nor shall it be lawful for or in the Power of the said Trustees to deposit any Earth, Spoil, or other Matter upon any Land beyond or out of the Channel as hereby authorized to be formed within the Space where the Properties of *John Kerr* of *Frisky Hall*, *James Paterson* of *Corsedelf*, *Andrew Buchanan* of *Auchentorlie*, and Colonel *Andrew Geils* of *Dumbuch*, respectively adjoin the said River, without Leave in Writing to that Effect first had and obtained for such Purposes from the said *John Kerr*, *James Paterson*, *Andrew Buchanan*, and Colonel *Andrew Giels*, or their respective Successors in the said Lands: Provided always, that it shall be lawful for the said Trustees to deepen the said River, by dredging the Bed or Channel thereof, within the said Limits by Machines worked by the Power of Steam or other Machinery, to the Extent hereby authorized.

Provision as to depositing Soil on certain Lands.

XLVI. Provided always, and be it enacted, That where by the Formation of any Works under or by virtue of the said recited Acts or of this Act the Access to the River previously enjoyed by the Owners and Occupiers of the Land adjacent thereto is or shall be impeded or obstructed, the said Trustees shall leave or form such Openings in the said Works, and also shall form such Roads,

Where former Access to River is impeded, Trustees to form Openings and Roads for

Owners and Occupiers, &c.

Roads, Accesses, and Sewers, at convenient Distances, for such Owners and Occupiers, as may afford them suitable and convenient Means of Communication at all Times with the River, which Openings and Roads, Accesses and Sewers, shall be kept clear and in good and sufficient Repair by the said Trustees, at their Expence, in all Time coming, without Prejudice to any Claim for Damages sustained by such Owners or Occupiers of Lands in consequence of the Construction of any of such Works.

As to exercise of Common Law Rights of Proprietors.

XLVII. And be it enacted, That whenever it shall be necessary to the Exercise and Enjoyment of any of the Rights and Privileges belonging at Common Law to the Proprietors of Lands on the Banks of the said River, to intersect any of the Dykes, Water-walls, or other Works of the said Trustees, it shall be lawful to such Land Owners, at their own Expence, to execute such Operations, provided that the Water-way or Channel of the said River shall not be obstructed, nor any of the other Objects of this Act obstructed thereby, and that all such Operations shall be carried into execution at the Sight and to the Satisfaction of the Engineer of the said Trustees: Provided also, that before commencing any such Operation Three Months Notice thereof in Writing shall be given to the said Trustees, and that the Party exercising such Right or Privilege shall be bound, at his own Expence, to repair all Damage thereby occasioned to the Dykes, Water-walls, or other Works of the said Trustees, and, if required by the Trustees, shall find Security, to the Satisfaction of the Sheriff of the County in which such Works shall be situated, for the Performance of the foresaid Conditions and the Payment of such Damages.

Provision as to Water Pipes communicating with River.

XLVIII. And be it enacted, That if the Operations of farther deepening the said River hereby authorized shall have the Effect of stopping or lessening the Supply of Water by means of Pipes communicating with the River now belonging to or enjoyed by the manufacturing Works or Establishments adjacent thereto, between the *Stockwell Street Bridge* on the East and the Ferry of *Govan* on the West, the said Trustees shall be bound, where necessary, to lower such Supply Pipes belonging to such Establishments all along from the said River to the said Works, and to form or construct such relative Wells or Repositories for the Reception of such Water in connexion with the said Pipes as may be necessary in consequence of the said deepening Operations.

Provision as to Accesses opposite to Erskine.

XLIX. And be it enacted, That in making the said Embankments or Dykes opposite the Property of the said Lord *Blantyre*, upon the South Side of the River, Spaces or Openings shall be left therein at *Saint Patrick's Stone* on the East, and near the End of the present long Dyke opposite *Bowling* on the West, and also opposite *Donald's Quay*, for the free Entrance of the Water into and through the back or interior Channel of the River on the South Side thereof, and also to afford a convenient Passage for Boats for Communication between the Properties of the said Lord *Blantyre* on both Sides of the River, unless with the Consent in Writing of the said Lord *Blantyre*, or his Heirs or Successors, to the contrary; and, without such Consent,

nothing shall be done by the said Trustees to enclose the open Spaces now existing on each Side of *Donald's Quay*, and this without Prejudice to all Claims of the said Lord *Blantyre*, his Heirs and Successors, for other Accesses and Communications under the Provisions of this Act.

Protection to certain existing Ferries.

L. And be it enacted, That nothing contained in this Act or in any of the said recited Acts shall affect or be construed to affect in any Degree the established Ferries of *Govan*, *Renfrew*, *Erskine* West Ferry, and the Ferry between *Cardross*, and *Port Glasgow*, on the said River, but the same shall be used and enjoyed in as ample and beneficial a Manner as in Times past, without being subject to the Payment of any of the Tolls, Rates, or Duties granted by any of the said recited Acts or this Act, and without being subject to any other Jurisdiction than that to which they were subject previously to the passing of the said recited Acts and this Act; and also that a reasonable and sufficient Space, unenclosed by Walls, Dykes, Jetties, or other Works, shall be left on each Side of the Quays of the said Ferries, for the free and convenient landing at all Times of Passengers, Cattle, Goods, and other Things, and in front of the Quay of *Dunglass* and *Donald's Quay*, belonging to *Andrew Buchanan* of *Auchentorlie*, and *James* and *Henry Gordon*, and the said several Quays shall, at the Expence of the said Trustees, (but with the Approbation and Consent of the Proprietors of the said Ferries and Quay of *Dunglass* and *Donald's Quay* respectively first had and obtained,) be repaired, lengthened, altered, or reconstructed, according to the Advice and Report of Civil Engineers of Eminence, where such Repair, lengthening, Alteration, or Reconstruction shall be rendered necessary by the Works carried on by the said Trustees for deepening the River, under and by virtue of the said recited Acts or this Act, and so as the said Ferries and Quays shall be made as convenient and the working thereof as easy as before, or as nearly so as may be: Provided always, that in the event of any Dispute between the said Trustees and the Burgh of *Renfrew* in relation to the Accesses or Approaches to the Ferry of *Renfrew*, or of the Inclinations to the same, or in relation to the Ferry House thereat, so far as the said Accesses or Approaches, Inclinations, or Ferry House shall be affected by the Works hereby authorized to be made, the said Trustees shall be bound, at the Sight of Two Engineers, one to be named by the said Burgh, and the other by the said Trustees, to alter, reconstruct, form, and execute the whole of the Works at and in connexion with the said Ferry and Ferry House to the entire Satisfaction of the said Engineers, and in the event of their differing in Opinion, of an Umpire to be named by them; reserving always to the said Burgh of *Renfrew* all Claims of Compensation for any Damages which may be sustained by, through, or in consequence of the Operations of the said Trustees on the said Ferry and Ferry House, Accesses, and Inclinations.

Further Protection to the Erskine Ferries.

LI. And be it enacted, That at the East Ferry of *Erskine* it shall not be lawful for the said Trustees to erect any Embankment or Dyke within One hundred and fifty Yards on either Side of either of the Ferry Piers or Quays, and that whenever the said Trustees shall

cut

cut off any Part of the North Pier or Quay of the said Ferry, they shall alter and reconstruct such North Pier or Quay, so as to make it most convenient for and in a Line with the Pier and Quay on the South Side, and whenever the said Trustees shall cut off any Part of the projecting Point of the Shore above the said North Pier or Quay by which an Eddy upwards is formed by the ebbing Tide, greatly facilitating the Passage of the Ferry Boats, the said Trustees shall so cut in upon the Shore between the said Point and the new North Peir or Quay as to form a Bay similar to that which now exists, and thereby preserve, as far as may be practicable, the same Eddy Tide above the North Pier or Quay; and at the West Ferry of *Erskine* it shall not be lawful for the said Trustees to extend the Embankments or Dyke so as to interfere with the free and convenient Passage of the said Ferry.

Ferries not to be obstructed.

LII. And be it enacted, That the said Trustees, as soon as they commence their Works upon any of the said Ferries, or upon the Quays or Approaches connected therewith, shall carry on the same without Delay so as to impede or obstruct as little as may be the free Passage and Traffic of the said Ferries; and shall, moreover, afford such good and sufficient temporary Accommodation at the said Quays and Approaches thereto as may enable the Boatmen and others employed at or resorting to the said Ferries to carry on their Business as conveniently as before, or as nearly so as may be, during the Continuance of the said Works: And provided always, that the said Trustees shall be liable in Damages to the Proprietor and Lessees of the said Ferries for any Injury done to the same, or for any Loss that may be sustained by them in consequence of the said Works, or during the Execution thereof.

For the Protection of Nushott Island.

LIII. And whereas in the Progress of the Operations of the said Trustees on the said River *Clyde* herein-before authorized a Portion of a certain Island called *New Shott*, or *Nushott*, situated in the said River, and belonging in Property to *Archibald Campbell* Esquire, of *Blythswood*, is proposed to be taken for the Purposes of this Act, and in consequence thereof, and of the other Operations of the said Trustees, the Portion of the said Island which will remain may be exposed to the Action of the Tide, whereby the Ground, if not duly protected, may be wasted and reduced, and it is reasonable that the same be adequately protected; be it enacted, That the said Trustees shall and they are hereby required, at their own Expence, simultaneously with the Operation of cutting off a Portion of the said Island as hereby authorized, to make and form a Slope or Facing of Stone or Dyke along the said Island, of a sufficient Strength and of a Height of One Foot and a Half above the Level of the Tide at High Water of Spring Tides from East to West, on the Northern Side or Boundary of the said Island, as far as the Operation before referred to of the said Trustees shall extend to or shall affect the same, and to maintain the same in all Time thereafter at the aforesaid Height.

Extending to Operations authorized by this Act

LIV. And whereas it was provided by the said last-recited Act of the Sixth Year of the Reign of His late Majesty King *George* the Fourth, that it should not be lawful for the said Trustees to carry on

on any Operations on the said River whereby the Communication between the *Forth* and *Clyde* Canal and the Sea should or might be obstructed, or whereby the Sea Lock of the said Canal at *Bowling Bay*, or the Dykes or other Works erected by and belonging to the Company of Proprietors of the *Forth* and *Clyde* Navigation on the North Side of the said River, should or might be damaged or injured, and in case any Obstruction should be occasioned to the said Communication between the Canal and the Sea, or any Damage or Injury done to the said Sea Lock, Dykes, or Works, by the Operations of the said Trustees, such Obstruction should be removed and such Damage should be repaired at the Expence of the said Trustees: And whereas it is expedient that the said Provisions should be extended to the Works, which the said Trustees are hereby empowered to execute at or near *Bowling Bay* aforesaid; be it therefore enacted, That the said recited Provisions of the said last-recited Act shall extend and be applicable, not only to the Works authorized by the said recited Acts, but also to the Works and Operations authorized to be made and effected under and by virtue of this Act, for widening the Channel of the said River, or deepening the same on the South Side thereof at or near *Bowling Bay* aforesaid, or otherwise for improving the Navigation of the said River.

the Provisions as to Works at Bowling Bay, contained in Act 6 Geo. 4. cap. 117.

LV. Whereas by an Act passed in the Tenth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for rebuilding the Bridge over the River* Clyde *opposite* Jamaica Street *in the City of* Glasgow, after reciting, amongst other things, that, as Part of the Arrangement and Bargain mentioned in and confirmed by the said therein and herein before recited Act of the Sixth Year of the Reign of His then present Majesty, and made between the Trustees thereby appointed and the Company of Proprietors of the *Forth* and *Clyde* Navigation, it was provided by the said therein and herein before recited Act that a Duty of One Farthing *per* Ton only should be levied on Coals, and that on the Expiration of Nine Years from and after the passing of the said Act the Duty of Two-pence *per* Ton, thereby continued, should be reduced to One Penny *per* Ton on Goods, Wares, Merchandize, and other Articles which should pass or be carried or conveyed from the *Forth* and *Clyde* Canal into the said River, or from the River into the Canal, either at *Bowling Bay* or at any other Place or Places to the West of *Dalmuir Burn*, or which after being unloaded from the Canal should be shipped on the River, or after being unloaded from the River should be shipped on the Canal, at any Place or Places to the West of *Dalmuir Burn;* and that it was further provided by the said therein and herein before recited Act, that it should be lawful to and in the Power of the said Trustees and the said Company of Proprietors, in case they should think proper, at any Time after the Expiration of the said Nine Years, to enter into an Arrangement whereby, on Payment by the said Company of Proprietors to the said Trustees, for the Use of the River, of such a Sum of Money as the said Trustees should consider a satisfactory Equivalent for the aforesaid reduced Duty on Goods, Wares, Merchandize, and other Articles, and for the said Duty of One Farthing *per* Ton on Coals which should pass, or be carried or conveyed, or unloaded and shipped,

Saving Exemption of Duties on the lowermost Stage of the River on Articles passing into and out of the Forth and Clyde Canal, provided by Act 10 Geo. 4. cap. 46.

shipped, as aforesaid, such Goods, Wares, Merchandize, Coals, and other Articles should be free and exempted from the said Duties in all Time thereafter; and that, pursuant to the Power or Authority contained in the said therein and herein before recited Act, the said Trustees and the said Company of Proprietors had agreed for the Sale and Purchase or Redemption of the said Duty of One Farthing *per* Ton on Coals, and of the said reduced Duty of One Penny *per* Ton on Goods, Wares, Merchandize, and other Articles passing, carried or conveyed, or unloaded and shipped, as aforesaid, from and after the Expiration of the said Nine Years, on the Terms therein-after mentioned, whereby the Navigation of the lowermost Stage of the River should afterwards be free to Ships, Boats, and other Vessels with Coals, Goods, Wares, Merchandize, and other Articles so passing, carried or conveyed, or unloaded or shipped, as aforesaid; it was enacted, that the said Duty of One Farthing *per* Ton on Coals, and the said reduced Duty of One Penny *per* Ton on Goods, Wares, Merchandize, and other Articles so passing, carried or conveyed, or unloaded and shipped, as aforesaid, should and the same were thereby declared to be redeemed from and after the Tenth Day of *June* in the Year One thousand eight hundred and thirty-four, by Payment by the said Company of Proprietors of the *Forth* and *Clyde* Navigation to the said Trustees of Ten Years Purchase of the average Produce or Amount of the said Duty of One Farthing *per* Ton on Coals, and of a Moiety or Half Part of the said Duty of Two-pence *per* Ton on Goods, Wares, Merchandize, and other Articles passing, carried or conveyed, or unloaded and shipped, as aforesaid, for the Five Years preceding the said Tenth Day of *June* One thousand eight hundred and thirty-four, by Three annual Instalments, as follows, *videlicet*, One Third Part thereof on the First Day of *July* One thousand eight hundred and thirty-four, One other Third Part thereof on the First Day of *July* One thousand eight hundred and thirty-five, and the remaining Third Part thereof on the First Day of *July* One thousand eight hundred and thirty-six, and that such Average should be ascertained in manner therein mentioned; and it was thereby further enacted, that all Coals, Goods, Wares, Merchandize, and other Articles passing, carried, or conveyed from the said Canal into the said River, or from the River into the Canal at *Bowling Bay*, or at any other Place or Places to the West of *Dalmuir Burn*, or which after being unloaded from the Canal should be shipped on the River, or after being unloaded from the River should be shipped on the Canal at any Place or Places to the West of *Dalmuir Burn*, should, from and after the said Tenth Day of *June* One thousand eight hundred and thirty-four, be free and exempted, not only from all and every of the said Duties, but also from all River Rates, Tolls, and Duties whatsoever, in all Time coming, saving and excepting all such Coals, Goods, Wares, Merchandize, and other Articles passing, carried, or conveyed to or from the Town of *Dumbarton*, out of or into the said Canal, and being the Property of Burgesses resident Inhabitants of *Dumbarton*, in the Case therein mentioned: And whereas the said Company of Proprietors of the *Forth* and *Clyde* Navigation have paid to the said Trustees the said Consideration or Purchase Money, amounting to the Sum of Two thousand

thousand and sixty-one Pounds Three Shillings and Nine-pence, by Three annual Instalments of Six hundred and eighty-seven Pounds One Shilling and Three-pence, at the Times herein-before mentioned, and according to the said Provisions of the said recited Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth: Be it therefore enacted, That nothing herein contained shall affect or prejudice, or be construed to affect or prejudice, the said Redemption and Purchase of the said Duty of One Farthing *per* Ton on Coals, and the said reduced Duty of One Penny *per* Ton on Goods, Wares, Merchandize, and other Articles, passing, carried, or conveyed, or unloaded and shipped, as aforesaid, from and after the said Tenth Day of *June* One thousand eight hundred and thirty-four, declared and made by and in pursuance of the said recited Act of the Tenth Year of the Reign of His late Majesty King *George* the Fourth in manner aforesaid, or the said Freedom and Exemption of such Coals, Goods, Wares, Merchandize, and other Articles, so passing, carried or conveyed, or unloaded and shipped, as aforesaid, after the said Tenth Day of *June* One thousand eight hundred and thirty-four, not only from all and every of the said Duties, but also from all River Rates, Tolls, and Duties whatsoever in all Time coming, thereby granted as aforesaid, (save and except as therein mentioned,) or repeal or alter the above-recited Provisions of the said Act, or any Part thereof, any thing in this Act contained to the contrary thereof in anywise notwithstanding.

Rates and Duties.

LVI. And be it enacted, That the Powers and Authorities granted by the said recited Acts to the Trustees under the same, to exact and levy the Rates and Duties therein mentioned, in respect of Goods and Ships carried or conveyed on the said River, and arriving at the Harbour of the *Broomielaw* or Port of *Glasgow*, shall be and the same are hereby repealed; and instead of the said Rates and Duties the Trustees under the present Act shall be and they are hereby authorized and empowered (excepting as herein-after provided), by themselves, their Agents, Collectors, Lessees, or Assigns, to demand, take, levy, receive, and recover the several River or Tonnage Duties, and the Quay or Harbour and Dock Duties following; *viz.*:—

On Goods:

First.—On all Goods carried or conveyed on the River *Clyde* within the Limits and at the Stages of the River herein-after mentioned, the Sum not exceeding One Shilling and Four-pence *per* Ton Weight, in Name of River or Tonnage Duties; provided always, that the River or Tonnage Rates and Duties on Corn, Beans, Peas, Meal, Flour, and Potatoes shall not exceed the Sum of One Shilling *per* Ton; that the River or Tonnage Rates and Duties on Pig Iron, and Bar, Bolt, Rod, Hoop, Plate, and Sheet Iron, including Railway Bars and Tram Plates, shall not exceed the Sum of Seven-pence *per* Ton; that the River or Tonnage Rates and Duties on Coal, Bricks, Pantiles, Freestone, Whinstone, Ironstone, Iron Ore, Limestone, Lime, and charred Wood shall not exceed the Sum of Two-pence *per* Ton; and that the River or Tonnage Rates and Duties on Dung, Marle, and other Manure, Bricks, Kelp, Sand, Soaper's Waste, or broken Glass, which shall be carried or conveyed on the said River

River, for the Use of any Glass or Bottle Work erected in or about the City of *Glasgow*, and all Sand, Clay, or Wood which shall be carried in any Boat or Vessel belonging to or hired for the Use of any Delph Manufactory erected or to be erected in or about the said City shall not exceed the Sum of Two-pence *per* Ton:

On Ships: Second.—On all Ships which shall arrive at or be brought to the foresaid Harbour of *Glasgow* called the *Broomielaw*, or the Wharfs or Quays connected therewith, or constructed under the said recited Acts or this Act, or within the Bounds and Limits of such Parts of the River *Clyde* as the former Rates and Duties of the said *Broomielaw Quay* were in use to be collected, levied, and received by or on account of the Magistrates and Council of the said City, under and by virtue of special Grants or immemorial Possession of the same, the Sum of Two-pence per Ton on the registered Admeasurement of such Ships, in Name of Quay or Harbour Duty; and the said Trustees shall, over and above the said Quay or Harbour Duty of Two-pence *per* Ton, be entitled to exact and levy on all Ships an additional Harbour or Quay Duty, at a Rate not exceeding One Penny *per* Ton *per* Week upon such Ships remaining in the said Harbour for any Period exceeding Twenty-four lawful Days: Provided always, that Ships fitted up with Steam Engines and propelled by the Power of Steam, and making a direct Voyage to or from Ports or Places only in the Frith of *Clyde* or adjacent Locks, and situated any where between and within *Glasgow* and a Line drawn from East to West across the Channel at the *Cumray* Lighthouse including all such Ships passing through the *Crinan* Canal, shall only pay One Half of the said Quay or Harbour Duty of Two-pence *per* Ton.

Dock Duty. Thirdly.—On all Ships entering into or using the Wet Dock hereby authorized to be constructed, a Dock Duty not exceeding Six-pence *per* Ton on the registered Admeasurement of such Ships, at each Time they shall so enter or use the said Wet Dock; and all Ships remaining in the said Wet Dock for any Period exceeding Twenty-four lawful Days shall pay an additional Dock Duty, at a Rate not exceeding Two-pence *per* Ton *per* Week, for any further Time such Ships shall remain in the said Wet Dock over and above the first Twenty-four lawful Days.

Ships removing from the Dock before Expiry of 24 Days.

Compensation for Use of Dock by Ships laid up, &c.

LVII. Provided always, and be it enacted, That should any Ship remove from the said Harbour or Wet Dock to any Dry Dock, Slip, or other Place, for Repairs, before the Expiry of the foresaid Twenty-four lawful Days, such Ship shall receive Credit for such unexpired Days, previous to the Commencement of the additional Harbour and Dock Rates respectively hereby authorized to be levied on such Ship; and the said Trustees shall be entitled to exact and levy a reasonable Compensation or Remuneration for the Use of the said Wet Dock, *per* Day or Week, from Ships desiring and permitted to enter the same as a Place of Safety or Security, or for any other Object, when not in active Employment or otherwise; but the said Trustees shall not be entitled, over and above the stated Dock Duties payable upon Ships entering into or using the said Wet

Dock, to exact and levy, in respect of the same Ships, at the same Time, the foresaid Quay or Harbour Duties.

Trustees may provide Boats in the Harbour for Convenience of Passengers.

LVIII. And be it further enacted, That the said Trustees shall be entitled, within the Limits of the said Harbour, to provide and place or establish One or more Boats for the Convenience of Persons passing from one Side of the Harbour to another, and to exact such reasonable Remuneration, in Name of Harbour Duty, for the Use of such Boats, and the Tear and Wear of the Quays, as they shall consider reasonable, not exceeding One Halfpenny for each Passenger: Provided always, that any Officer of the Customs, when in the Execution of his Duty, may pass in such Boats across the said Harbour, or from the one Quay to the other, and that the public Revenue and the said Officers shall be by the said Trustees saved from all Charge or Expences on account of such Passage.

Power to levy Shed, Weighing, and Crane Duties.

LIX. And be it enacted, That the Powers and Authorities granted by the said recited Acts to the Trustees under the same, to exact and levy the Shed, Crane, and Weighing Duties therein mentioned, with the Clauses and Provisions contained in the said Acts in relation thereto, shall be and the same are hereby repealed; and the Trustees under the present Act shall be and they are hereby authorized and empowered, from and after the passing of this Act, to demand, exact, and recover from all and every Person or Persons importing or exporting Goods at the said Quays or wet Dock, for the Sheds, Cranes, and Weighing Machines constructed or to be constructed at the said Harbour or Dock, the Rates and Duties specified in Schedules A. B. and C. hereto annexed: Provided always, that the said Trustees shall not be entitled to exact or levy any Part of the said Shed, Crane, or Weighing Duties in respect of Goods not actually using the same.

Power reserved to Her Majesty and Lords of the Treasury to reduce Duties on Foreign Ships and Goods.

LX. Provided always, and be it enacted, That it shall and may be lawful to and for Her Majesty in and by an Order in Council, or to and for the Lords Commissioners of Her Majesty's Treasury, or any Three or more of them, from Time to Time and at all Times when She and they shall deem fit so to do, in and by Her or their Order in Writing, to reduce the Duties hereby made payable on all or on so many of the Foreign Ships, and on all or so many of the Goods imported or exported therein, as She or they in their Judgment shall deem expedient, to the same and the like Duties as are hereby made payable in respect of *British* Ships, or the Goods imported or exported in or by the same.

Materials for Repairs, &c. exempt from Duties.

LXI. And be it enacted, That none of the Rates or Duties granted by the said recited Acts or this Act shall be leviable upon Ships, Stones, Lime, or other Materials or Implements to be used for the Construction or Repairs of the said Harbour, Dock, Wharf, Quays, or other Works.

Reserving the Privileges and Exemptions of the Bur-

LXII. Provided further, and be it enacted That nothing in this Act contained shall take away, prejudice, limit, abridge, or impair any of the Privileges or Exemptions secured by the said recited Act passed in

gesses of Dumbarton.

in the Sixth Year of the Reign of His Majesty King *George* the Fourth from Payment of Rates and Duties in respect of Ships, Vessels, Barges, Lighters, Boats, Cargoes, and Goods *bonâ fide* the Property of Burgesses resident Inhabitants of *Dumbarton*, all which are hereby reserved under the Provisions and Regulations relative thereto contained in the said recited Acts; provided always, that the said Privileges and Exemptions shall not be held or construed to extend to the Use of the said Wet Dock on the Lands of *Windmillcroft*, or to the Rates or Duties hereby authorized to be levied for the Use of the said Wet Dock.

Exempting from Dues the Trade of the Harbour of Dumbarton to the West of Dumbarton Castle.

LXIII. Provided further, and be it enacted, That it shall not be lawful to the said Trustees to take or levy any Rates or Dues to the West of the Castle of *Dumbarton*, for or in respect of Steam Boats, Ships, Boats, Barges, or other Vessels of any Description, passing to or from the Harbour of *Dumbarton*, or for or in respect of any Article whatever conveyed therein, provided the Vessels and Articles therein do not proceed to or from the upper Part of the said River to the East of the said Castle.

Trustees authorized to contract for Supply of Water to Shipping.

LXIV. And be it enacted, That it shall be lawful for the said Trustees and they are hereby authorized and empowered to contract and agree with the Companies or Commissioners established or to be established in *Glasgow* for supplying the Inhabitants of the said City and Suburbs with Water, for the Supply by the said Companies or Commissioners of the Ships resorting to the said Harbour, Dock, Quays, and other Works with Water, and for the special Appropriation for the Use of Ships lying in the said Harbour, Dock, Quays, or other Works, and for the Extinction of Fires on board of such Ships, of Pipes, Fireplugs, and other Utensils and Apparatus necessary for that Purpose: Provided always, that the said Trustees shall be entitled and they are hereby authorized to exact such Remuneration from the Masters or Owners of such Ships as may defray the Expence of providing and furnishing such Supply, and affording Protection to the Ships against the Risk of Fire while lying in the said Harbour or Dock, not exceeding the Sum of Ten Shillings in respect of each such Vessel.

Vessels only using Water to pay.

LXV. And be it enacted, That it shall not be lawful to the said Trustees to exact any Remuneration for supplying Water from the Masters or Owners of any Ship or Vessel, unless such Supply shall be required by such Master or Owner, and actually furnished to such Ship or Vessel.

Trustees and Commissioners herein authorized to be appointed may reduce the Rates, &c.

LXVI. And be it enacted, That the said Trustees and the following Persons shall be Commissioners to the Effect and for the Purposes herein-after mentioned, instead of the Commissioners authorized to be appointed by or under the said recited Acts; *viz.* the Provost of each of the Burghs of *Rutherglen*, *Renfrew*, *Paisley*, *Dumbarton*, *Port Glasgow*, and *Greenock*, Six Merchants, Inhabitants of *Glasgow*, to be nominated yearly by the Magistrates and Council of the said City, and Ten other Merchants, Inhabitants of the said City, to be nominated annually by the matriculated Members of the Merchants House of the said City, at the annual

Meeting held by them for the Election of the Dean of Guild of the said City; and the said Commissioners shall be and they are hereby empowered, from Time to Time, to lessen, reduce, abate, alter, graduate, classify, re-apportion, re-adjust, or discontinue the aforesaid River or Tonnage Duties, and the Quay or Harbour Duties, and the Dock, Shed, Crane, Weighing, and other Duties granted by the said recited Acts or by this Act, or any Part thereof, as they shall judge reasonable and expedient, and as the Liabilities of the said Trustees, and the State of the said Rates and Duties and other Revenues, will permit, and also to advance, alter, or revive the same again in such Proportions and in such Manner as to them shall from Time to Time seem expedient, so as the Rates or Duties, when so advanced, altered, proportioned, or revived, do not exceed the Rates or Duties thereby or hereby granted; and the same shall at all Times be exigible equally from all the Parties liable to pay such Rates or Duties respectively; and the said Commissioners shall for the said Purposes be convened to all General Meetings by the Lord Provost of *Glasgow* by Advertisement in at least Three of the *Glasgow* Newspapers Three Weeks before such Meeting, upon a Requisition signed by any Ten of their Number, or when Occasion shall require; and a Majority of the said Commissioners shall be a Quorum: Provided always, that before making any Reduction of the said Rates and Duties, the said Commissioners shall call a Meeting of the Creditors of the said Trustees, by a Circular transmitted through the Post Office, addressed to each known Creditor, and also by public Advertisement for at least Three Weeks before such Meeting, inserted in Three of the *Glasgow* Newspapers, and shall obtain the Consent of at least Two Thirds in Value of the said Creditors present at such Meeting, or of Persons present holding Mandates from Creditors, to any such Reduction, before actually making or sanctioning the same; provided, that no Alteration shall be made in the Proportionment of any of the said Rates and Duties exigible or leviable upon or at the several and respective Stages of the River herein-after mentioned.

Two Thirds of Creditors to consent to Reduction.

LXVII. And be it enacted, That the Commissioners under this Act shall examine, audit, and adjust the Accounts of the said Trustees at annual Meetings to be assembled for that Purpose, a Majority of the Commissioners present at such Meetings duly called being a Quorum.

Commissioners to audit Accounts, &c.

LXVIII. And be it enacted, That the said Trustees shall once in each Year cause to be prepared an Account in abstract of the total Receipts and Expenditure of all Funds levied by virtue of this Act for the Year preceding, under the several Heads of Receipts and Expenditure, with a Statment of the Balance of the said Account, duly audited and certified by the said Commissioners, and shall cause a Copy of such annual Account or Abstract to be transmitted free of Charge to the Clerk of the City or Burgh of *Glasgow* on or before the First Day of *January* in each Year, under a Penalty not exceeding Ten Pounds in case of default, to be sued for at the Instance of any Party alleging Wrong or Damage, and to be levied in the same Manner as Penalties may be sued for and recovered under this Act; and

Abstract of Accounts to be prepared and a Copy transmitted annually to the Clerk of the Burgh of Glasgow.

and such Account or Abstract shall also be published annually in at least Three of the *Glasgow* Newspapers; and the said Account, and also the Books and Vouchers from which such Account was made up, shall be open at all seasonable Hours to the Inspection of the Public, upon Payment of One Shilling for such Inspection of the said Account and Books, and of Twenty Shillings for the Inspection of said Vouchers, or if written Extracts or Copies are required therefrom, at the Rate of Three-pence for each Folio of Seventy-two Words of such Extracts or Copies.

The River Clyde to be divided into Three Stages.

LXIX. And be it enacted, That for the more equitable Payment of the River Duties before granted, leviable below the *Stockwell Bridge*, formerly called the old *Glasgow Bridge*, that Part of the said River *Clyde* shall be divided into Three Stages; *videlicet*, the First Stage comprehending that Part of the River lying above the old Ferry of *Renfrew*, being about Six hundred and sixty Yards to the East of the present Ferry; the Second Stage extending from the said old Ferry of *Renfrew* to the Mouth of *Dalmuir Burn*; and the Third Stage extending from the Mouth of the said *Dalmuir Burn* to the Castle of *Newark*; and all Ships and Goods whatsoever, passing in or upon the said River *Clyde* or any Part thereof within the Limits aforesaid shall pay the aforesaid Rates and Duties in manner and in the Proportions following, and at such Stations on the said River as the said Trustees shall appoint; that is to say, in passing upon or going down the River on any Part of the First Stage as aforesaid, Two Third Parts of the aforesaid Rates and Duties; on any Part of the Second Stage as aforesaid, One Sixth Part of the aforesaid Rates and Duties; and on any Part of the Third Stage as aforesaid, One Sixth Part of the aforesaid Rates and Duties; and shall pay the same Proportion of the Rates and Duties aforesaid on passing upon or coming up the said River *Clyde*.

Duties not to extend to Ships of War, &c.

LXX. And be it enacted, That nothing in this Act contained shall extend to any of Her Majesty's Ships of War, or any other Ship, Transport, or Packet of Her Majesty, Her Heirs and Successors, or any Ship employed in Her Majesty's Revenues of Customs or Excise, or in the Service or Employ of the Board of Ordnance, or to any Ship, Transport, or Packet exclusively or principally employed in carrying the Mails of Letters and Expresses under the Authority of Her Majesty's Postmaster-General, or to any Ship employed in or upon Her Majesty's Service; and if any Person or Persons shall claim and take the Benefit of any Exemption hereby granted, without being entitled thereto, every such Person shall for every such Offence forfeit and pay a Sum not exceeding Twenty Pounds.

Register of Vessel to be deemed sufficient for ascertaining Duties.

LXXI. And be it enacted, That in all Cases wherein it shall be necessary to ascertain the Tonnage of any Ship belonging to any Port of Her Majesty's Dominions duly registered for the Purposes of this Act, the Production of the Certificate of Registry of such Ship shall be deemed sufficient for that Purpose, without an actual Admeasurement of such Ship; and the Master or Owner thereof is hereby required to

to produce and show such Certificate of Registry accordingly, under a Penalty not exceeding, in case of Refusal, Ten Pounds.

Rules of Admeasurement.

LXXII. And be it enacted, That all unregistered *British* Ships built before the First Day of *January* One thousand eight hundred and thirty-six shall, in the Option of the Owner or Master, pay the Quay or Harbour Duties upon Tonnage hereby granted as aforesaid, according to the Rules of Admeasurement established, either by an Act passed in the Third and Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for the registering of* British *Vessels*, or by an Act passed in the Fifth and Sixth Years of the Reign of His said late Majesty, intituled *An Act to regulate the Admeasurement of the Tonnage and Burden of the Merchant Shipping of the United Kingdom*; but that all *British* Ships built subsequent to the said Date, as well as Foreign Ships, shall pay the said Duties on Tonnage according to the Rules of Admeasurement established by the Act last mentioned, or any Act in force for the Time being regulating the Mode of admeasuring Ships.

3 & 4 W. 4. c. 55. s. 16. & 17. 5 & 6 W. 4. c. 56.

Ships without Registers to be admeasured.

LXXIII. And be it enacted, That the said Trustees shall be and are hereby authorized to appoint proper Persons for the Purpose of ascertaining the Tonnage of any unregistered or Foreign Ships which shall enter the said Harbour, Dock, or Basin, in order to a due Collection of the Duties payable by such Ships, and such Persons are hereby empowered and required to admeasure the same accordingly, in manner herein-before provided.

Persons obstructing Collection of Duties, &c. liable in Penalty.

LXXIV. And be it enacted, That in case the Master or Owner of any Ship liable to any of the Duties imposed by the said recited Acts or this Act, or any other Person whatsoever, shall obstruct or hinder the said Trustees, or the Person or Persons appointed or employed to collect the Rates or Duties hereby made payable, or the Person or Persons appointed to admeasure Ships in pursuance of this Act, from entering on board such Ship, or taking the Admeasurement thereof, such Master, Owner, or other Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Powers for Recovery of Rates and Duties.

LXXV. And be it enacted, That it shall and may be lawful to and for the said Trustees, and to such Persons as shall be for that Purpose authorized by them, and without any other or farther Authority than the present Act, to go on board any Ship, and to demand, collect, and receive from any Owner or Master of any Ship, or from any Persons having the Charge of any Goods on board of the same, the Rates and Duties by this and the said recited Acts imposed and made due and payable, and in case of Delay or Refusal of Payment, to seize, take, and detain, preferable to and notwithstanding of any Attachment, Arrestment, or other Debt, Lien, or Right whatsoever claimable by or due to any other Person, any of the Goods, Tackle, Furniture, or Apparel of or belonging to any such Ship, and to detain and keep the same until the said Rates and Duties respectively shall be satisfied and paid; and in case of any Neglect or Delay in the Payment of the said Rates and Duties, or any

of them, for the Space of Three Days after such taking, seizing, or detaining as aforesaid, it shall and may be then lawful to the said Trustees, and to the Persons authorized by them as aforesaid, to apply for judicial Authority to cause the same to be appraised by Two or more sufficient Persons, and afterwards to sell and dispose of the Goods and other Effects taken and appraised, and therewith, or with the Proceeds thereof, to satisfy the Rates and Duties so neglected or delayed to be paid, together with the Charge of such seizing, taking, detaining, and selling, (as the same shall be ascertained by the Collector of the said Trustees, or the Seller, upon Oath,) rendering to the Master or Owner of such Ship, or to the Owner of such Goods, the Overplus (if any be), on Demand.

Penalties for Attempts to evade Duties.

LXXVI. And be it enacted, That if any Master, or any Owner, Factor, or Consignee of any Ship, or any Owner, Proprietor, Factor, or Consignee of any Goods, liable in the Rates and Duties by this or the said recited Acts imposed, shall at any Time after the Commencement of this Act elude or evade the Payment of any Rates and Duties hereby granted by any Method whatsoever, every such Master or other Person aforesaid shall for every such Offence forfeit and pay to the said Trustees a Sum not exceeding Five Pounds, besides the said Rates and Duties, and the Expences attending the Recovery thereof.

Power to borrow additional Sum of Money upon Security of Rates.

LXXVII. And be it enacted, That the said Trustees shall and may and they are hereby authorized and empowered, under the Provisions and Restrictions in this Act contained, from Time to Time to borrow and take up at Interest, on the Credit of the Duties leviable under the said recited Acts and this Act, or any them, any Sum or Sums of Money not exceeding the Sum of Three hundred thousand Pounds, in addition to the Sums borrowed or authorized to be borrowed under the said recited Acts, and to grant, assign, and set over, for securing the Payment of the same, with the Interest thereof respectively, the several Rates, Duties, and Tonnages given and granted by the said recited Acts or this Act, to any Person or Persons who shall be willing to advance such Sum or Sums; and all the Monies so to be borrowed and advanced, as well as all the Rates and Duties hereby authorized to be levied, shall be employed for the Ends and Purposes of the said recited Acts and this Act, and not otherwise.

Securities to Creditors under recited Acts not to be affected by this Act.

LXXVIII. Provided always, and be it enacted, That the Securities granted to the Creditors under the said recited Acts shall remain equally good and sufficient to them as if this Act had not passed, and shall be equally available against the Property and Effects belonging to or to be received by the Trustees under this Act as such Securities were available against the Property and Effects belonging to or received by the Trustees under the said recited Acts.

Two Trustees and the Secretary to subscribe Bonds or Vouchers of Debt.

LXXIX. And be it enacted, That the Bonds or Vouchers of Debt to be in future granted for Money to be borrowed as aforesaid shall be subscribed by at least Two of the said Trustees, and their Clerk or Secretary for the Time being, at a Meeting of the said Trustees: Provided always, that no Secretary or Clerk or Trustee shall be held

or

or adjudged to have rendered himself personally liable for the Repayment of any Money to be borrowed by virtue of this Act, or Interest thereof, or for Payment of any Sum which he shall not have bound himself to pay personally as an Individual.

The Money to be borrowed shall be first applied to the Improvement of the Harbour.

LXXX. And whereas it is expedient that the constructing of the Dock and the other Improvements of the Harbour of *Glasgow*, as authorized by this Act, should be completed before the Improvements of the Navigation of the River *Clyde* by deepening the same are commenced; be it enacted, That no more of the Sums authorized by this Act to be borrowed shall be so borrowed than what may be required, first, for defraying the Expences of Works and Operations necessary towards the Execution and Completion of the Enlargement and Improvement of the said Harbour, and deepening the same to such Extent as the said Trustees shall judge necessary and expedient under the Powers hereby granted, and of making and completing the said Wet Dock on the Lands of *Windmillcroft*, and the Quays and Wharfs between the Bridge at the *Broomielaw* and the *Stockwell Street Bridge*, all as laid down on the Plan designed by the said *James Walker*, and deposited as aforesaid; and, secondly, for the special Purpose of acquiring Land and Heritages on the Sides of the River *Clyde* necessary for widening the said River according to the said Plan: Provided always, that the Sums to be borrowed for this Purpose shall not exceed Fifty thousand Pounds, and that no Purchase or Acquisition of such Land and Heritages shall be made unless the same and the Terms thereof shall have been first authorized by a Resolution of a Meeting of the said Trustees in which not less than Three Fourths in Number of the whole of said Trustees shall have concurred, and the Sums so authorized to be borrowed shall be applied to the Purposes thus specified respectively, and to none other whatsoever.

After the Harbour has been improved the River to be deepened, &c.

LXXXI. And be it enacted, That after the said Harbour, Dock, Quays, and Wharfs shall be so completed it shall be lawful for the said Trustees to execute the Improvements of the Navigation of the River *Clyde* in deepening the same or otherwise to the Extent hereby authorized and laid down on the said Plan, and to borrow Money for that Purpose: Provided always, that before any Steps be taken in either of these respects the same shall have been agreed to at a Meeting of the said Trustees to be called by public Notice, to be given by their Clerk by Advertisement to be published Twice in a Week in at least Three of the *Glasgow* Newspapers, specifying the Purpose of such Meeting, namely, of taking into consideration how far the said Harbour, Dock, Quays, and Wharfs shall be declared to be completed according to the true Intent and Meaning of this Act, and whether the Improvements on the Navigation of the River shall be proceeded with, and Money for that Purpose be borrowed under this Act, which Notice shall also set forth the Amount of the Debt due by the Trustees at the Time, and their Revenue in the preceding Year.

Application of Rates and Duties.

LXXXII. And be it enacted, That the Rates and Duties to be taken and received in virtue of the said recited Acts and this Act shall, until the

the Dock and whole other Improvements of the Harbour be completed, be applied in manner following, and in no other; (that is to say,) in the first place, in paying and discharging all the Costs, Expences, and Charges incurred in applying for, obtaining, and passing this Act, and all other necessary and proper Expences relating thereto; in the second place, in defraying the ordinary Outgoings and Expences of the Trust; in the third place, in defraying the Expences of the Works and Operations necessary towards maintaining and securing the Navigation of the said River in the Condition in which the same now is; in the fourth place, towards the Payment of the Interest of the Debt due upon the Credit of the Rates and Duties leviable in virtue of the said recited Acts and this Act; in the fifth place, towards the Repayment of the Capital of the said Debt as the same may be from Time to Time demanded or be deemed advisable; in the sixth place, in defraying the Expence of the Works and Operations necessary towards rendering the whole Bed of the said River of the Depth of Thirteen Feet as authorized by the said recited Acts, and in straightening the Course of the said River by removing Angles and Projections, and widening the same where necessary, preserving its present Depth; in the seventh place, towards the Completion of the Quays, Wharfs, Dock, and other Improvements at the said Harbour authorized by this Act; and it is hereby provided, that in giving Effect to these Purposes the said Trustees shall be bound and they are hereby required to observe the Order in which the same are thus set forth, so as that each of the said Purposes in succession may have a Preference given to it by the said Trustees in applying the said Rates and Duties over that which stands behind it; and it is further provided, that when the said Quays, Wharfs, Dock, and other Improvements shall be completed, the said Rates and Duties shall be applied to the general Purposes and Provisions of the said recited Acts and this Act, the Maintenance of the Navigation of the said River in the State or Condition in which it may from Time to Time be placed, always forming a preferable Claim to all others on the said Rates and Duties.

Provision as to keeping Accounts.

LXXXIII. And be it enacted, That the said Trustees shall and they are hereby required to keep separate Accounts of the Disbursements to be made by them on account of the said River and Harbour or Dock respectively.

Power to make Bye Laws.

LXXXIV. And be it enacted, That the said Trustees shall be and they are hereby authorized and empowered, from Time to Time, to make and establish such Rules, Orders, and Bye Laws as they may deem necessary and expedient for regulating the Management, Superintendence, Police, and lighting of the said Harbour, Quays, Dock, River, Wharfs, Sheds, Cranes, Weighing Machines, and whole other Works authorized to be constructed by the said recited Acts and this Act, and the Conduct and Behaviour of the Masters and Crews of Ships and other Persons resorting to the said Harbour, Quays, Dock, River, Wharfs, and other Works; for requiring due Intimation of the Arrival of Ships; for regulating or prohibiting the loading and unloading of Gunpowder, and the Discharge of Guns or Fire-

arms at the said Harbour or Dock, and the keeping of Fires or Lights on board of Ships lying thereat; for preventing Ballast, Ashes, Rubbish, or other Materials from being thrown into the said Dock or Harbour, or remaining on the said Quays; for removing Goods or other Commodities from the Quays; for preventing and removing Obstructions in the said Harbour, Quays, Dock, and River; for berthing or stationing, removing, distributing, and arranging, all Ships arriving at and using the said Harbour, Dock, Quays, or other Works, or any Part thereof, or lying in any Part of the said River and Frith; for regulating the berthing of Omnibuses, Coaches, and other Carriages, and the Wages, Conduct, and Behaviour of Porters, Carters, Hackney Coachmen, and others resorting to the said Harbour, Quays, Dock, or other Works for Employment, within the Limits of the said Harbour, Quays, Wharfs, Dock, River, and other Works under the Management of the said Trustees; for regulating the Management, Superintendence, and Police of the said River, of the Works constructed or to be constructed for the Improvement of the Navigation thereof, and of the Beacons and Lighthouses, Palls and Land-fasts, placed thereon or on the Sides thereof; for regulating the Conduct of the Owners, Masters, Pilots, and Crews of Ships propelled by Steam for the Conveyance of Passengers plying on the said River and Frith, with regard to the Times of sailing, as previously announced by them, the Mode of navigating such Ships, and having proper Lights a-head or otherwise, and as to taking on board and landing or putting out Passengers; for regulating the Conduct of Boatmen, Ferry Boatmen, and others plying on the said River and Frith, particularly in landing Passengers from and putting them on board of Ships propelled by Steam, and the Sufficiency of the Boats employed for that Purpose; for regulating the Conduct of the Owners, Masters, Pilots, and Crews of Ships propelled by Steam employed on the said River and Frith for the Conveyance of Goods, and for towing or dragging Ships, with regard to the Time and Mode of sailing or navigating and towing such Ships, and the Size and Number of the Ships towed or dragged at One Time in One Train; for regulating the Conveyance of Rafts of Timber or Wood on the said River, and the Size and Dimensions of such Rafts of Timber or Wood; and from Time to Time, as Occasion may require, to repeal, add to, alter, and amend such Rules, Orders, and Bye Laws, and to enforce the due Observance thereof by the Imposition of reasonable pecuniary Penalties not exceeding Five Pounds for each Offence, besides the Expences; such Penalties and Expences to be levied and recovered in a summary Manner, as herein-after mentioned: Provided always, that such Orders, Rules, and Bye Laws shall not be repugnant to or inconsistent with the Laws of *Scotland* and the Provisions of the said recited Acts or of this Act, and shall be approved of in Writing by the Sheriffs Depute of the Counties of *Lanark*, *Renfrew*, and *Dumbarton*, or any Two of them, and shall be printed, distributed, and put up in conspicuous Places adjoining the said Harbour, Dock, and River, and shall, when effaced or obliterated, be renewed and made legible: Provided always, that a Copy of every such Bye Law shall be deposited with the Sheriff Clerk of each of the Counties of *Lanark*, *Renfrew*, and *Dumbarton* One Month at least before the Day on

which the same shall be taken into consideration by the said Sheriffs, and shall be open to Inspection to all Persons interested; and the said Sheriffs shall not approve any Bye Law unless Notice of the Application for such Approval, and of the Day fixed for hearing the same, shall have been given in One or more Newspapers (if any) circulating in each of the Counties of *Lanark*, *Renfrew*, and *Dumbarton*, One Month at least before the Day fixed for the disposing of such Application; and any Party deeming himself aggrieved by any such Bye Law, on giving Notice of the Nature of his Objection to the said Trustees Four Days at least before the hearing of such Application, may by himself, his Counsel or Agent, be heard thereon, but not so as to allow more than One Party to be heard on the same Nature of Objection; and every such Bye Law or Regulation, when approved of as aforesaid, shall be printed, distributed, and put up in conspicuous Places adjoining the said Harbour, Dock, and River, and shall, when effaced or obliterated, be renewed and made legible; and such Bye Laws shall thereafter be binding and conclusive upon all Persons whomsoever: Provided also, that nothing herein contained shall be construed to authorize the said Trustees, or any Person acting by or under their Authority, or by or under the Authority of any Bye Law, Rule, or Regulation so to be made, to interfere with Vessels at or in the Harbour, Quays, or other Landing Places belonging to the Burgh of *Renfrew*, or with the Regulations of the said Magistrates and Council of the said Burgh respecting Vessels lying in such Harbour, Quays, or Landing Places, unless the Vessels at such Harbours, Quays, or Landing Places shall in any way obstruct or impede the Navigation of the said River.

Owner, Factor, &c. responsible for Removal of Goods, &c.

LXXXV. And be it enacted, That the Owner, Factor, Agent, or Consignee and Master of any Ship at the said Harbour, Dock, Wharfs, and other Works, and the Proprietor, Factor, or Consignee of Goods landed from or to be shipped on board of such Ship, shall be jointly and severally responsible for the Removal in due Time of such Goods from the Quays, Wharfs, or Sheds, and failing such Removal be liable in the Penalties exigible in that Behalf, and the whole Expences and Damages therewith connected.

Petty Thefts &c. to be judged of summarily.

LXXXVI. And be it enacted, That in order still further to promote the good Government and Police of the said Harbour, Quays, Dock, River, and other Works, in all Cases of petty Thefts, Pilfering, Pocket-picking, fraudulent Abstraction, or Embezzlement of Coals or other Commodities, Assaults, petty Riots, Breaches of the Peace, Abuse or Obstruction of the Harbour or Public Officers in the Execution of their Duty, and other similar Offences against good Order, and to the Interruption of Business at the said Harbour, Dock, and Quays, and for Breaches of the Regulations established by the said Trustees under the said recited Acts or this Act, it shall be lawful to and for any Civil or Criminal Officer, or Officer appointed by the said Trustees, to apprehend and carry before the Baillie of the River *Clyde*, or other Judge competent, without any further or other Warrant than this Act, all Persons committing any such Offences; which Offences shall be prosecuted at the Instance of the Procurator Fiscal of Court, or the Party injured, with the Concourse of the

	£	s.	d.
Staves, Butt or Pipe, per 100 - - - -	0	0	4
Hogshead, ditto - - - -	0	0	3
Barrel, ditto - - - - -	0	0	2
Ends, ditto - - - - -	0	0	2
Stone and British Marble, per Ton - - - -	0	0	6
Swine, each - - - - - - -	0	0	6
Tables, per Set - - - - - -	0	2	6
Other ditto, each - - - - - -	0	1	0
Tallow, per Cwt. - - - - - -	0	0	2
Tea in Packages not exceeding 1 Cwt. - - - -	0	0	6
Ditto ditto ½ ditto - - - -	0	0	3
Ditto ditto ¼ ditto - - - -	0	0	2
Tiles, per Ton - - - - - - -	0	1	0
Timber, per Ton of 40 Cubic Feet - - - -	0	1	6
Turtle, each - - - - - - -	0	2	0
Valonia, per Ton - - - - - -	0	1	6
Vegetables, at per Bushel - - - - -	0	0	1
Waggons, each - - - - - - -	0	5	0
Wine and Spirits in Casks, for any Quantity under 50 Gallons, per Gallon - - - - - -	0	0	0½
For 50 Gallons and above, per Gallon - - -	0	0	0¼
Ditto in Bottles, per Dozen - - - - -	0	0	4
Wool, Yarn or Cotton, per Cwt. - - - -	0	0	6
All Goods and Packages not enumerated in this Schedule, to pay at the Rate of:—			
At per Cwt. - - - - -	0	0	3
At per Cubic Foot - - - -	0	0	1
At per Gallon, if under 50 Gallons - - -	0	0	0½
If 50 Gallons or above - - -	0	0	0¼

The THIRD SCHEDULE referred to by the foregoing Act.

For the Use of the Cranes.

	£	s.	d.
For all dry Goods, in Quantities not exceeding 10 Tons, per Ton	0	0	8
Exceeding 10 Tons - - - - -	0	0	6
For Wine, Spirits, and other Liquids, not exceeding 10 Tons -	0	1	0
Exceeding 10 Tons - - - - -	0	0	8
For any heavy Article, exceeding 1½ Tons - - -	0	1	0
Exceeding 2 Tons - - - - -	0	1	6
Exceeding 2½ Tons - - - - -	0	2	0
Exceeding 3 Tons - - - - -	0	2	6
Exceeding 3½ Tons, a special Agreement must be made with the Pier Master.			

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1840.