



ANNO QUADRAGESIMO SEXTO

GEORGI III. REGIS.

Cap. 74.

An Act for opening and improving certain Streets in the City of *Glasgow*, and for removing the Slaughter Houses in the said City to a more convenient Situation. [20th June 1806.]

WHEREAS it would tend much to the Improvement and Ornament of the City of *Glasgow*, and to the Health and Accommodation of the Inhabitants, and of Persons resorting thereto, if certain new Streets, Lanes, and Passages were opened and formed therein, and others further continued and enlarged, and particularly if *Clyde Street* was continued Eastward from the South End of *Stockwell Street* to the Green; if the present Slaughter Houses and Buildings therewith connected or thereto belonging were removed, and new Slaughter Houses erected in a more convenient Situation; if a new Street was opened and formed between *Argyll Street* and *Clyde Street*, opposite, or nearly so, to the South End of *Queen Street*; and if the Part of the *High Street*, situated to the North of *George Street* and *Duke Street*, was altered and carried Northward in a different Direction; may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, it shall and may be lawful to and for the Magistrates and Town Council of the City of *Glasgow*, and to their Successors in Office, by themselves, their Deputies, Agents, Workmen, and Servants, and they

[Loc. & Per.]

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are

Preamble.
Powers to
continue
Clyde Street,
etc.

To sell or feu
the Ground on
the North Side
of that Street,
etc.

To remove
the present
Slaughter
Houses and
to erect new
ones, etc.

Powers to
treat and
agree for
Purchases.

are hereby authorized and empowered to open, form, causeway, and pave a new Street, running Eastward from the South End of *Stockwell Street* to the Green, belonging to the Community of the said City, which shall likewise comprehend and occupy that Part of the said Green, situated to the West of the Line of the East Side of the *Saltmarket Street*, and which shall form a Continuation of *Clyde Street*; either in a straight Line with the said Street, or in such a Line and at such a Distance from the River *Clyde* as the said Magistrates and Town Council shall think proper; and also to sell or feu the Ground on the North Side of the proposed Continuation of *Clyde Street*, for erecting thereon Houses, Shops, Warehouses and other Tenements, according to a Plan to be made and approved by the said Magistrates and Town Council; and also to pull down and remove the present Slaughter Houses and Buildings connected therewith, belonging to the Community of the said City; and to build and erect new Slaughter Houses and other necessary Buildings therewith connected, on a Piece of Ground, situated a little to the East of the Merchants' House, between *Bridgegate Street* and the Line of the proposed Continuation of *Clyde Street*.

II. And whereas the proposed Street and Buildings above mentioned will occupy the greater Part of the Grounds bounded by *Stockwell Street* and the *Old Bridge of Glasgow* on the West, by *Bridgegate Street* on the North, by the Line of the East Side of *Saltmarket Street*, and by Part of the Green belonging to the said City on the East, and by the River *Clyde* on the South, with Part of the Ground on the South Side of *Bridgegate Street*, be it further enacted, that the said Magistrates and Town Council and their Successors in Office, shall have full Power to treat and agree, with the Owners, Occupiers, and all others having Interest in such Lands, for the Purchase of all Houses, Tenements, and other Premises, as shall be occupied by the said proposed Street and other Buildings, particularly with *John Wright*, late Baker; *William Riddell*, late Baker; *Charity*, Midwife, as Factor for her Children; the Corporation of Skinners; *Thomas Atkinson*, Butcher; *Thomas Laurie*, Billet Maltster; *John M'Cool*; *William Marshall*, Agent; *Robert Samples*, late Stoneware Merchant, or his Creditors; *Marshall*; *Rattray*; *John Sym*, Merchant; *James Paul*, Tanner; *Robert Dick*, Ironmonger; *Boyd M'Crocket*, Baker; *Duncan M'Dougald* and *George Morison* junior, Grocers; *John Hannab*, Butcher; *Robert Alexander*, Merchant; *Daniel Borland*, Smith; *Ann Borland*, Wife of *Alexander Wood*, Clerk; *John Paterson*, Spirit Dealer; *James Tarbet*, Shoemaker; *William Meikle*, Baker; *Thomas M'Cash*, Smith; *Widow Paterson* and *James Hall*, Residents; *John Spencer*, Shopman; *James Paterson*, Manufacturer; *John Brown*, Brats Founder; *Andrew Miller*, Baker; *John Grabam*; *James Stevenson*; *Alexander Allan* and *William Murdoch*, Upholsterer, all in *Glasgow*; with the Representatives of the Community of the said City; and with *Torquail Dallas*, Merchant in *Barbadoes*, and *Colin Dallas*, Surgeon in *St. Vincent's*, or with their Agents and Factors; *Captain Stevenson*, residing in *Hamilton*; *James Buchanan*, Wright in *Bridgetown*; the Merchants' House of *Glasgow*; the Reverend *David Ferguson*; *John Greenshields*, Advocate, *Edinburgh*; *William Allan*, Manufacturer in *Hutchison Town*; and with the Preceptor and Patrons of the Town's Hospital in *Glasgow*, all Proprietors, or reputed Proprietors of, or having an Estate or Interest in, the Lands, Tenements, and other Premises which may be occupied by the present Street, Slaughter House, and other Buildings; or with

with the Heirs or Disponées of all or any of the aforesaid Persons; or any other Person or Persons, Body or Bodies Corporate, who are, or may be Proprietors of, or who have or may have an Estate or Interest in the said Lands, Tenements, or Heritages; or with the Owners or Occupiers of any other Lands, Houses, Tenements, or Heritages, which may be occupied by the aforesaid intended Street, and other Buildings.

III. And be it enacted, That, from and after the passing of this Act it shall and may be lawful to and for the said Magistrates and Town Council of the City of *Glasgow*, and their Successors in Office, by themselves, their Deputies, Agents, Workmen, or Servants, and they are hereby authorized and empowered to open, form, causeway, and pave a new Street, not exceeding Sixty Feet in Breadth, running Southward from *Argyll Street* to *Clyde Street*, in such Line as the said Magistrates and Town Council shall think proper, between the Line of the East Side of *Queen Street* continued Southward, and the Line of the West Side of *Maxwell Street* in the said City; to purchase the Ground and Buildings on both Sides of the said proposed Street, to an Extent not exceeding Sixty Feet on each Side of the said Street from *Argyll Street* to *Clyde Street*; a great Tenement called *Turner's Land*, and every Part thereof, being always excepted; and to sell or feu the Ground so purchased, on each Side of the said Street, for the Purpose of erecting thereon Houses, Shops, Warehouses, and other Tenements, according to a Plan to be made out and approved of by the said Magistrates and Town Council.

Powers to open a new Street between *Argyll Street* and *Clyde Street*.

IV. And be it enacted, That, from and after the passing of this Act, it shall and may be lawful for the said Magistrates and Town Council of the City of *Glasgow*, and their Successors in Office, by themselves, their Deputies, Agents, Workmen, or Servants, and they are hereby authorized and empowered, to open, form, causeway, and pave a new Street, not exceeding Sixty Feet in Breadth, running Northward from *George Street* and *Duke Street*, in such Line as the said Magistrates and Town Council may think most expedient, between the present Line of that Part of the *High Street*, situated on the North of *George Street* and *Duke Street*, and a Line to be drawn from the Northwest Corner of that Part of the *High Street* situated on the South of *George Street*, to the Southwest Corner of *Weaver Street*, to form a Communication or Junction with the High Road, at or near the Road leading to the *Provan Mill*; and to purchase the Ground and Buildings on both Sides of the said proposed Street, to an Extent not exceeding Sixty Feet on each Side of the said Street, from *George Street* and *Duke Street* to its North Termination; and to sell or feu the Ground so purchased, on each Side of the said Street, for the Purpose of erecting thereon Houses, Shops, Warehouses, and other Tenements, according to a Plan to be made out and approved of by the said Magistrates and Town Council.

Powers to open a new Street to the North of *George Street* and *Duke Street*.

V. And for enabling the said Magistrates and Town Council to open and form the said Two proposed new Streets, and to carry into Execution the other Purposes aforesaid, be it further enacted, That the said Magistrates and Town Council, and their Successors in Office, shall have full Power to treat and agree with the Owners, Occupiers, and all others having Interest for the Purchase of all such Lands, Houses, Tenements, and other Heritages, as may be occupied by the said Two proposed Streets, and

Powers to treat and agree with Proprietors, etc.

and by the Buildings to be erected on the Sides thereof as aforesaid, particularly with *James Blyth* Shoemaker, *Graham* and *Wardrops* Copper-smiths, *James Miller* Merchant, *Alexander Herriot* Messenger, all in *Glasgow*; *Richard Henderson* one of the Town Clerks of *Glasgow*, *Thomas Stewart* of *Glasgow Field*, *Campbell* and *Turner* residing in *Glasgow*; the Heirs of *James Muirhead* late Sadler there; *Charles Campbell* Accountant, *Archibald Liddell* Painter, *Pinkerton* Brewer, *Ronald M'Nicol* Merchant, *John Brown* Wright, and *Andrew Brocket* Mason, all in *Glasgow*; *David Allison* one of the Masters of the Grammar School there; *William Clarke* of *Kerse*; *Robert Craig* of *Overnewton*; *John M'Caul* Merchant, *Robert Brown* Barber, and *John Turnbull* Writer, all in *Glasgow*; *Paterfon* residing in *Glasgow*; *M' Ausland* residing in *Anderston*, *Rowan* residing in *Glasgow*; *William Shaw* Timber Merchant, and *William Muckle* Plasterer, both in *Glasgow*; *Alexander Drysdale* Needle-maker in *Glasgow*; *Cross* Spinster, residing there; *John Lang*, Flether there; the *Anderston Friendly Society*; *Thomas Ferrie* Farmer, at *Blackbill*; *Widow Dunn* residing in *Glasgow*; *William Craig* Mason in *Glasgow*; *Alexander Oswald* of *Spielball*, Merchants there; the *Glasgow Rope-work Company*, *Scott*, Son, and *Lawrie*, or *James Bogle*, *Allan Scott*, and *David Lawrie*, Timber Merchants in *Glasgow*; *Archibald Begg* Wright there; *John M'Crindle* residing in *Anderston*; *James Beith*, one of the Beadles in *Glasgow*; *James Lumsden* Engraver there; *Nisbet* Spinster, residing in *Glasgow*; *Robb* residing in *Edinburgh*; *James Barr* Stocking-maker, and *James Galbraith* Tin Smith, both in *Glasgow*; *Leicester* residing there; *William Rae* Wilson of *Kelvin Bank*, *Andrew M'Kendrick* Plasterer in *Hutchisontown*; *Alexander Lindsay* Baker, *John Greig* Vintner, *David Caldwell* Changekeeper, *George Burn* Innkeeper, and *Thomas Terrie* Wright, all in *Glasgow*; *David Owen* residing in *Renfrew*; *Daniel Morrison* Cowfeeder, and *James Thomson* residing both in *Glasgow*; *Walter Douglas* Farmer at *Kirkintulloch*; *Calder* residing at or near *Campsie*; *Robertson* residing in *Glasgow*; *James Auchie* Merchant, *Mathew Anderson* Baker, *Galloway* and *Anderson* Wrights, *John Taylor* Manufacturer, and *Robert Maxwell* Merchants, all in *Glasgow*; the Reverend Doctor *William Taylor* Principal of the University of *Glasgow*; *James Burns* late Shoemaker, *William Reid* Printer, *Andrew M'Culloch* Turner, *John Freeland* Yarn Merchant, *James Reekie* Shopkeeper, *John Harvie* Grocer, and *Archibald Napier* Printer, all in *Glasgow*; the Heirs of *Alexander Warrand* late Merchant in *Glasgow*; *James Robertson*, *Mary Robertson*, *Christian Robertson* *Graham*, and *Stewart*, all residing in *Glasgow*; *John Ewing* Grocer, *James Ewing* Warper, *William Robb* Wheelwright, *William Loudon* Weaver, *John Steven* Sadler, the Heirs of *Daniel Brown* late Watchmaker, *M'Farlane* Residenter, *William Bogle* Writer, *James Ferguson* Merchant, and *Hugh Innes* Smith, all in *Glasgow*; *David Wilkie* at present in the *West Indies*, or his Agent or Factor; *John Bogle* Weaver, *James Carswell* Cloth Merchant, the Heirs of *Mathew Gilmour* late Writer, and *Knox*, *Cross*, *Stewenson* Spinster; and *Addie*, all residing in *Glasgow*; *John Harper* Manufacturer in *Glasgow*; *William Mathie* Sergeant in the Royal Artillery, *Robert M'Farlane* Farmer, at *New Kilpatrick*; *John Herbertson*, Collector of the Canal Dues at *Port Dundas*; *Andrew Menzies* Farmer, at *Ballornock*; *Robert Craig* Brewer, in *Airdrie*; *John Gray* Miller, at the Town's Mill; *John Ferguson* Weaver, in *Glasgow*; *William Reid* Farmer, near *Carron*; *John Pollock* Manufacturer in *Glasgow*; *William*

William Miller of Slatefield; John Black Shoemaker, in Glasgow; James Campbell Changekeeper there; Baird residing there; the Trades-House of Glasgow; the Proprietors and Patrons of Saint Nicholas Hospital in Glasgow; Robert Campbell Writer in Stirling; Andrew Steven Shoemaker, Robert Towart Carter, John Sommerville Weaver, Widow Towart residing, and Thomas Ballantyne Gardener, all in Glasgow; Alexander Morrison residing at Kirkintulloch; Robert Finlay Farmer, at Milton; James Miller and James Sommerville residing in Glasgow; John Robertson Weaver, Henry Graham Stockingmaker, John Hamilton Wine Merchant, the Heirs of James Scott late Smith, and John Ure Merchant, all in Glasgow; James Johnston Farmer, at Calder Cull; John Buchanan Merchant, Francis Orr Pocket Book Maker, and John Swanston Grocer, all in Glasgow; the Proprietors Feuars, or Trustees of the Glebe of the Barony Parish of Glasgow; the Company of Proprietors of The Monkland Canal, and the Managers of The Royal Infirmary of Glasgow, the Heirs of the deceased Isabel Dunlop, lately residing in Glasgow, the Preses and Managers of one of the Victualing Societies in Glasgow, of which Alexander Harvie is the present Preses, Hugh Stewart and Janet Stewart Spinster, both residing in Glasgow; and Robert Campbell Gardener there; all Proprietors or reputed Proprietors of or having an Estate or Interest in the Lands, Tenements, and Heritages which may be occupied by the said Two proposed Streets, and by the Buildings to be erected on the Sides thereof as aforesaid, or with the Heirs or Dispontees of all or any of the foresaid Persons, or any other Person or Persons, Body or Bodies Politic or Corporate, who are or may be Proprietors of, or who have or may have an Interest in the said Lands, Houses, Tenements, or Heritages, or with the Owners or Occupiers of any other Lands, Houses, Tenements, or Heritages, which may be occupied by the aforesaid intended Streets and other Buildings: Provided always, that it shall not be in the Power of the said Magistrates and Town Council, or their Successors in Office, to take or occupy more of the Ground belonging to the said Royal Infirmary than shall be necessary for the Street alone, where it shall pass through the said Ground; any Thing in this Act contained to the contrary notwithstanding.

VI. And be it enacted, That the said Magistrates and Town Council, and their Successors in Office, shall be, and they are hereby authorized and empowered, to pay for the said Lands, Tenements, and other Heritages, for making and completing the said Streets and for erecting the said Slaughter Houses and other Buildings, so to be purchased, out of the common Stock, Funds, and Revenues of the Corporation and Community of the said City of Glasgow.

Power to defray the Expences;

VII. Provided always, and be it further enacted, That the said Magistrates and Town Council shall account for, and pay to the Treasurer or Chamberlain of the said City for the Time being, for Behoof of the Community, such Sums as may arise from the Sale of the Whole, or any Part, of the Ground occupied by the present Slaughter Houses, or Buildings connected therewith; or from the Sale of the Materials of the said Houses, or of the Materials of any other Houses or Buildings purchased under Authority of this Act; or from the Sale or feuing of any Lots or Areas of Ground for the Erection of Houses, Warehouses, and other Tenements, by virtue hereof, whether the said Lots or Areas of Ground be acquired from the Community of the said City, or from other Proprietors.

and to account for the Proceeds of the Sales of the purchased Grounds, etc.

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VIII. And

Power to pull
down Build-
ings, etc.

VIII. And be it enacted, That it shall and may be lawful to and for the said Magistrates and Town Council, and their Successors in Office, and they are hereby authorized and empowered, after making Payment or Consignation of such Sum or Sums of Money, as shall be agreed on between them and the said Owners and Occupiers, or other Persons interested therein respectively, for the Purchase of the aforesaid Lands, Houses, Tenements, and other Heritages, or as shall be ascertained to be the Value thereof, in Manner hereinafter-mentioned, to order the said Houses to be taken down, and the Areas to be cleared, and used in such Manner as shall be thought proper and necessary by the said Magistrates and Town Council, and their Successors in Office, for the Purposes aforesaid, subject to the Regulations hereinafter mentioned.

Proprietors,
Bodies Corpo-
rate, etc. em-
powered to sell
and convey.

IX. And be it further enacted, That it shall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, Minors, furious or fatuous Persons, married Women, and to and for every other Person or Persons whomsoever, who are or shall be seized, possessed of, or interested in any of the said Lands, Houses, Tenements, or other Heritages, whether by Title held in Fee Simple, or under Entail or otherwise, to sell and convey to the said Magistrates and Town Council all or any such Lands, Houses, Tenements, or other Heritages, or any Part thereof, for the Purposes aforesaid; and that all Contracts, Agreements, Sales, or other Conveyances, so made, shall be valid to all Intents and Purposes, any Law, Statute, Usage, or any Matter or Thing to the contrary notwithstanding; and that all Trustees, Heirs of Entail, Tutors or Curators, Corporations, Proprietors, Incumbrancers, and all other Persons, are and shall be hereby indemnified for what they shall do by virtue of and in pursuance of this Act; and if it shall happen that any such Owner, Proprietor, Occupier, Trustee or Trustees, Heirs of Entail, or Tutors and Curator, Bodies Politic, Corporate, or Collegiate, or any other Person or Persons interested as aforesaid, after Twenty-one Days Notice given to them, if they reside within the County of *Lanark*, personally or at their Dwelling Place, or if they reside without the said County, left with some Tenant or Tenants in Possession of such Lands, Houses, Tenements, and Heritages respectively, shall neglect or refuse to treat, or shall not agree for the Purchase of such Lands, Houses, Tenements, or Heritages, or any Part or Parts thereof, or for their Interest therein, or by reason of Absence or other Circumstance, shall be prevented from treating, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim, to the Satisfaction of the said Magistrates and Town Council, then and in every such Case it shall and may be lawful to and for the Magistrates and Town Council to apply, by Petition, to the Sheriff Depute of the County of *Lanark*, or to his Substitute at *Glasgow*, setting forth this Act, and that the Parties interested have refused or neglected to treat or contract, or are prevented from treating or contracting for the Purchase of the said Lands, Houses, Tenements, and Heritages, or have not produced or evinced a clear Title to the Premises they are in Possession of or to the Interest they claim, and therefore praying him to fix and ascertain the just Amount and Value of such Lands, Houses, and Heritages respectively; and it shall and may be lawful to the said Sheriff Depute, or Substitute, and he is hereby empowered and required, upon receiving such Petition, to order Notice thereof to be given by Adver-

tisement

If Proprietors
refuse to treat
and agree, the
Magistrates
and Council
may apply to
the Sheriff.

tification in all the *Glasgow* Newspapers, and also particular Notice to be given to the Owners or Occupiers of the said Houses, Tenements, or Heritages, if they reside within the County of *Lanark*, personally, or by leaving at their Dwelling Houses; or if they reside without the said County, at the Dwelling House of One of the Tenants or Occupiers of the Premises respectively, a full Copy of the said Petition, with an Order to give in their Answers or Objections, if they any have, within Ten Days after such Notice; after which Time is elapsed, it shall and may be lawful for the said Sheriff Depute, or Substitute, and he is hereby empowered and required, to issue his Precept or Precepts for summoning and empannelling a competent Number of substantial and disinterested Persons, Proprietors of Lands, Houses, or Heritages within the said City of *Glasgow*, in Number not less than Twenty nor more than Thirty, each of them seised of an Estate valued at Twenty Pounds Sterling of yearly Rent, in the Cess or Stent Roll of the said City, which Persons so to be summoned and returned, are hereby required to come and appear before the said Sheriff Depute or Substitute, at such Times and Places, as in the said Precept or Precepts shall be directed and appointed; of which Time and Place for assembling the Jury the said Parties interested shall have Notice given them by Advertisement in all the *Glasgow* Newspapers, at least Six Days previous to the said Meeting; and out of such Persons so to be summoned and returned, the Sheriff Depute, or Substitute, shall appoint a Jury of Fifteen Persons, before whom the said Magistrates and Town Council, and the Parties interested, may bring a Proof by habile Witnesses for estimating and ascertaining the just and real Value and Price to be paid by the said Magistrates and Town Council for the said Lands, Houses, Tenements, or other Heritages, including such Damages as may be suffered by the Proprietors of Ground, or their Tenants, by throwing down their Fences, and opening their Grounds, or otherwise; with Power to the said Sheriff Depute, or Substitute, to issue his Order, to compel the Parties interested and all other Persons having in their Custody or Possession, any Title Deeds, or other Papers containing the Rights of or relative to the Premises, to exhibit and produce the same in Judgment before the said Jury; and the said Sheriff Depute, or Substitute, is hereby empowered and required, before proceeding to take the Evidence, to administer an Oath to the Jury, to return a true Verdict; and to take down in Writing the Depositions of the Witnesses, to be given by them upon Oath; and to adjourn from Time to Time until the Proof shall be concluded by both Parties; and afterwards the Jury shall return their Verdict in Writing, either from their own proper Knowledge, in case no Proof be adduced, or upon the Evidence adduced; ascertaining the Value of the said Lands, Tenements, Houses, or other Heritages, in such Manner as to them shall seem just; and also to distinguish and ascertain, in their said Verdict, the Share or Proportion of the Purchase Monies to be paid, as a Recompence or Damages to the Tenants or Occupiers of such Lands, Tenements, Houses, and other Heritages; or any other Person having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective Interests therein; which Determination shall be final and binding upon all Parties, who shall be obliged to perform to each other their respective Parts of the same; and a Copy thereof shall be fairly written on Paper or Parchment, signed by the Foreman of the Jury, and the said Sheriff Depute, or Substitute, and entered in the Records of the Sheriff Court of the County of *Lanark*, kept at *Glasgow*; and

Sheriff to
 summon a
 Jury to ascertain
 Purchase
 Monies, etc.

Sheriff to
 swear Jury
 and Witnesses,
 etc.

Verdict of the
 Jury to be
 final.

and the same, or Extracts thereof, shall be taken and deemed as good and lawful Evidence in all Courts of Law and Equity whatsoever.

Sheriff to impose Fines on Jurymen and Witnesses not appearing, etc.

X. And be it further enacted, That the said Sheriff Depute, or Substitute, shall have Power, and he is hereby authorized from Time to Time, to impose any reasonable Fine or Fines, not exceeding the Sum of Five Pounds Sterling, on any Person, who shall be summoned and returned on such Jury or Juries, who shall not appear, or who shall refuse to be sworn (or, being Quakers, to affirm) on the said Jury or Juries; or being so sworn, shall not give his or their Verdict, and also on any Person or Persons, who shall be summoned, to give Evidence touching any of the Matters aforesaid, or shall not attend, or refuse to be sworn (or being Quakers, to affirm) or who, being sworn, shall refuse to give his, her, or their Evidence; and on any other Person or Persons, who shall, in any Manner, willingly neglect his, her, or their Duty in the Premises, contrary to the true Intent and Meaning of this Act; and from Time to Time to levy such Fine or Fines, either by Imprisonment of the Person, fined, till the same are paid, or by Distress and Sale of the Offender's Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus, if any, to the Owner; and also to use such Compulsions, as are competent by the Laws and Practice of *Scotland*, to compel any Person or Persons, who may be summoned as a Witness or Witnesses, or as Custodians of Writings and Title Deeds, to appear and give Evidence as aforesaid, and to exhibit and produce such Writings and Title Deeds.

On Payment or Consignation of the Purchase Monies, the Magistrates and Town Council may proceed.

XI. And be it further enacted, That, upon Payment of such Sum or Sums of Money, so to be settled and ascertained as aforesaid, to the lawful Owners and Proprietors of the said Lands, Houses, Tenements, or other Heritages; or judicial Tender thereof made to him, her, or them, respectively, by a Minute in the said Process before the Sheriff for ascertaining the said Value, whether Appearance be made in the Process for the Party or Parties interested, or not; or in case they shall not be able to evince their Title to the Premises, to the Satisfaction of the Sheriff Depute or Substitute, or that the Subjects are encumbered or entailed, so that the Price of the same cannot be legally paid to the Parties interested, then, upon Payment and Consignation thereof, with the Approbation and Warrant of the said Sheriff Depute, or Substitute, into the Royal Bank of *Scotland*, or Bank of *Scotland*, for the Use of the Parties interested, there to remain till it shall be issued in Manner by this Act directed; and upon Notice of such Payment or Consignation, if the Party or Parties interested have made Appearance in the said Process, by proper Evidence being adduced of the said Payment or Consignation; or, if the Party or Parties interested have not made such Appearance, and reside within the County of *Lanark*, upon such Notice being made to them personally or at their Dwelling Houses; but, if they reside without the said County, then at the Dwelling House of some Tenant or Occupier of the Premises; by a Notary Public and Witnesses; and Evidence being adduced of the said Payment or Consignation; then, and in any of these Cases, it shall be lawful for the said Sheriff Depute, or Substitute, to discern and adjudge the full Right and Property of the Lands, Houses, Tenements, and other Heritages respectively, to belong to the Magistrates and Town Council of the City of *Glasgow*, for and in Behalf of the Community and

and Corporation of the said City, as fully and freely, as if the respective Proprietors had disposed and conveyed, or had resigned the same to and in Favour of the said Magistrates and Town Council; and it shall then, and not before, or otherwise, be lawful to and for the said Magistrates and Town Council, to enter upon the Premises, and to convert and dispose of the same for the Purposes of this Act.

XII. Provided always, and be it further enacted, That in case the Sum or Sums of Money so assessed by the said Jury, and ordered and adjudged by the said Sheriff Depute or Substitute, to be paid to the Owners, Occupiers, and others, for their respective Interests in the Premises aforesaid, shall not be paid, tendered, or consigned, as herein directed, within Six Calendar Months next after the same shall have been so assessed, ordered, and adjudged, then, and in such Case, the Verdict of the said Jury, and the Order and Adjudication of the said Sheriff Depute or Substitute, shall not be binding on the said Parties, Owners, Occupiers, and others; but shall continue binding on the said Magistrates and Town Council; any Thing herein to the contrary notwithstanding.

If Purchase Monies not paid, Verdict not to be binding on the Owners, &c.

XIII. Provided always, and be it further enacted, That in the Event that such Jury shall award a greater Compensation than the said Magistrates and Town Council shall have offered, but less than the Owner or Owners, Occupier or Occupiers, shall have required, the Expence of such Jury shall be defrayed, and borne by the said Magistrates and Town Council, and the said Owner or Owners, Occupier or Occupiers equally; but in case the said Jury shall award to such Owner or Owners, Occupier or Occupiers, the Sum so required, or any greater Sum, the Whole of the said Expence shall be paid by the said Magistrates and Town Council; and, on the other Hand, if the said Jury shall award the Sum offered by the said Magistrates and Town Council, or a less Sum, the Whole of the said Expence shall be paid by the said Owner or Owners, Occupier or Occupiers: Provided that in all Cases where any Person or Persons shall, by reason of Absence, be prevented from treating with the said Magistrates and Town Council, such Costs and Expences shall be borne and paid by the said Magistrates and Town Council.

Expences of Jury.

XIV. Provided always, and be it enacted, That in case of a Part only of any House, Building, or Tenement, being wanted for making, widening, or extending the said Streets, or any of them, the Proprietors, Life Renters, and Possessors of such Houses, Buildings, and other Tenements aforesaid, shall be entitled, if they so incline, to receive and be paid the full and adequate Value of the Whole of such Houses, Buildings, and other Tenements, and which the said Magistrates and Town Council shall be, and they are hereby obliged to purchase, account for, and pay accordingly, as the same shall be agreed on or determined in case of Difference in the Manner herein directed.

Where only a Part is wanted, Magistrates and Town Council to purchase the Whole if required.

XV. And be it enacted, That it shall be lawful for the said Magistrates and Town Council to sell and dispose of, or to feu or demise for a Term of Years, such Part or Parts of the Grounds, Houses, and Tenements as may be purchased by them, and as shall not be wanted for the Purposes of this Act, and apply the Money arising therefrom towards the Expence of carrying this Act into Execution.

Magistrates and Town Council may resell.

[Loc. & Per.]

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XVI. Provided

Persons from whom Lands have been purchased shall have the first Offer of Re-purchase.

XVI. Provided always, and be it further enacted, That the said Magistrates and Town Council, before they shall sell and dispose of such Ground, Houses, or Tenements, shall first offer to re-sell the same to the Person or Persons from whom they shall have purchased such Ground, Houses, or Tenements; and in case such Person or Persons shall not then and thereupon agree, or shall refuse to re-purchase the same, then and in every such Case, any Affidavit to be made and sworn before One of His Majesty's Justices of the Peace for the County of *Lanark*, by some Person or Persons no way interested in the said Ground, Houses, or Tenements, stating that such Offer was made by or on Behalf of the said Magistrates and Town Council, and that such Offer was then and thereupon not agreed to, or was refused by the Person or Persons to whom the same was so offered, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made and not agreed to, or was refused by the Person or Persons to whom it was made, as the Case may be.

Power to sell Materials, &c. not wanted.

XVII. And be it enacted, That after the Purchase of any Houses or Tenements which may be found necessary for the aforesaid Improvements, the said Magistrates and Town Council shall, and they are hereby authorized and empowered to sell by Public Auction or otherwise, on Payment of an adequate Price, the old Materials of such Houses and Buildings, if any be, as well as the remaining Grounds or Areas along the Line or Course of the aforesaid Streets, and the Price thereof shall be applied to and for the Purposes of this Act, and to no other Use or Purpose whatever.

Application of Compensation where exceeding 200l.

XVIII. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Ground, Houses, or Tenements, purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which are held under Entail, or are subject to Life-Rents, Annuities, or other Incumbrances, or shall belong to any Incorporation, married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds Sterling, under the Direction and by the Authority of the Court of Session, be with all convenient Speed paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Ground, Houses, or Tenements, in the Purchase of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrance or Part thereof as the said Court shall authorize to be paid, affecting the same Ground, Houses, or Tenements, or affecting other Ground, Houses, or Tenements standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Ground, Houses, or Tenements, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Ground, Houses, or Tenements which shall be so purchased, taken, or used as aforesaid stood settled or limited; or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean
8 Time,

Time, and until such Purchase shall be made, the Interest or annual Produce of such Money shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Ground, Houses, or Tenements, so hereby directed to be purchased, in case such Purchase or Settlement were made.

XIX. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Ground, Houses, or Tenements, purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds Sterling, and not less than the Sum of Twenty Pounds Sterling, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Ground, Houses, or Tenements so purchased, taken, or used, and of his, her, or their Tutors or Curators, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, under the like Direction and Authority, be paid into either of the said Banks, and be placed to his or their Accounts as aforesaid, in order to be applied in Manner herein-before directed, or otherwise, the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Magistrates and Town Council (such Nomination and Approbation to be signified in Writing under the Hand of the nominating and approving Parties), in order that such Principal Money, and the Interest arising thereon, may be applied in Manner herein-before directed, so far as the Case may be applicable.

Where the Compensation does not exceed 200l. and is not less than 20l.

XX. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as next before mentioned, shall be less than Twenty Pounds Sterling, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Ground, Houses, or Tenements, so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Magistrates and Town Council shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Tutors or Curators, to and for the Use and Benefit of such Person or Persons so entitled respectively.

Where less than 20l.

XXI. And be it further enacted, That in case any Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Ground, Houses or Tenements, to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Magistrates and Town Council, or in case such Person or Persons to whom such Money or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Ground, Houses, or Tenements, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Magistrates and Town Council to order the said Sum or Sums of Money so awarded as aforesaid, to be paid into the Bank of Scotland, or Royal Bank of Scotland, to the Credit of the Parties interested in the said Ground, Houses, or Tenements (describing them), subject

In case of not making out Titles, etc.

Purchase Money to be paid into the Bank.

Subject to the
Order of the
Court of
Session.

to the Order, Controul, and Disposition of the Court of Session; which said Court, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Petition, shall be, and is hereby empowered in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out, and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest, of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable, and the Cashier or Cashiers of the Bank of Scotland, or Royal Bank of Scotland, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use, the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Where any
Question shall
arise touching
the Right to
such Money.

XXII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the said Banks in pursuance of this Act, for the Purchase of any Ground, Houses, or Tenements, or of any Estate, Right, or Interest in any Ground, Houses, or Tenements to be purchased in pursuance thereof, the Person or Persons, who shall have been in Possession of such Ground, Houses, or Tenements, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Ground, Houses, or Tenements, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Session; and such Money and the Interest thereof shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Ground, Houses, or Tenements, or to some Estate or Interest therein.

The Court
may order
reasonable
Expences of
Purchasers to
be paid by
the Ma-
gistrates and
Town Council.

XXIII. Provided always, and be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Ground, Houses, or Tenements, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Banks, and to be applied in the Purchase of other Ground, Houses, or Tenements to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Magistrates and Town Council, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Notice to be
given to Own-
ers, etc.

XXIV. Provided also, and be it enacted, That previous Notice shall be given to the Tenants and Occupiers of such Lands, Houses, Tenements, and other Heritages, as are to be so converted and disposed of, Forty Days at least before the Term of *Whitsunday*, with regard to Houses, and Forty Days at least before the Term of *Candlemas*, with regard to Lands and Garden Grounds, at which the said Tenants or Occupiers, are
to

to be removed, by warning them, as is usual and competent by the Law of Scotland.

XXV. Provided always, and be it further enacted, That the said Magistrates and Town Council shall not have Power to remove in the Manner aforesaid, from the said Slaughter Houses and Buildings connected therewith, the Corporation of Fleshers of the said City, or any of the Individuals of the said Corporation, until the said Magistrates and Town Council shall have erected and completed the proposed new Slaughter Houses and Buildings connected therewith, agreeable to a Plan thereof to be subscribed by the Lord Provost of the said City on the Part of the said Magistrates and Town Council, and by the Deacon of the Corporation of Fleshers on the Part of the said Corporation, before the passing of this Act.

Provision as to the Removal of the present Slaughter Houses.

XXVI. And be it further enacted, That the New Slaughter Houses and Buildings connected therewith to be built in pursuance of this Act, shall be erected on Part of the Ground to be purchased as aforesaid, lying between the proposed Continuation of *Clyde Street* on the South, and *Bridgewater Street* on the North, the Lane or Passage known by the Name of *The Cow Lane* on the East, and *The Merchants-hall Lane* on the West, and shall have Five Passages or Entries thereto, Three from the said *Cow Lane*, and Two from the said *Merchants-hall Lane*; and shall contain Thirty-two separate Rooms or Apartments for slaughtering Black Cattle, each Seventeen Feet in Length, by Fifteen Feet in Breadth, or thereabout, and Forty-six separate Rooms or Apartments for slaughtering Sheep, each Thirteen Feet in Length, by Thirteen Feet in Breadth, or thereabout; and shall have One large open Yard for holding Black Cattle, and a lesser one for holding Sheep; and the said Slaughter House shall extend from the said *Cow Lane* to the said *Merchants-hall Lane*; and exclusive of the said Yards, shall occupy an Area of Three hundred and Sixty Feet in Length, by One hundred Feet in Breadth, and shall be laid out and subdivided either in the above, or in such other Manner as may be agreed upon by the said Magistrates and Town Council on the one Part, and the said Corporation of Fleshers on the other Part; and the Slaughter Houses to be built as aforesaid, shall, when completed, be held and possessed by the said Corporation of Fleshers and the Individuals of the said Corporation, on the same Terms, in every respect, as they now hold and possess the present Slaughter Houses.

Situation and Description of the new Slaughter Houses.

XXVII. And be it enacted, That the said Slaughter Houses and the different Rooms or Apartments, and the Passages therein, shall be laid or paved with smooth Flag or Square Whin Stones; shall contain a Well or Reservoir of Water, introduced from the River *Clyde* by Pipes, or otherwise; and shall have a Communication by a common Sewer with the said River *Clyde*, or with the *Molendinar Burn*, which runs into the said River.

New Slaughter Houses to be paved, etc.

XXVIII. And be it further enacted, That the said Magistrates and Town Council shall, and they are hereby required to take under their Care and Management the said New Slaughter Houses and Buildings therewith connected, in so far as concerns keeping the same sweet, clean, and in good Order, and for that Purpose shall cause the Apartments and Passages

New Slaughter Houses to be under the Superintendance of the Magistrates and Town Council, as to cleaning, etc.

[Loc. & Per.]

17. P

thereof

thereof to be washed, and the Dung or Filth removed therefrom at least Once every Day.

Value of Dung
from the
Slaughter
Houses how to
be applied.

XXIX. Provided also, and be it further enacted, That the annual Price or Value of the Dung or Manure, arising from slaughtering Cattle in the said Slaughter Houses, or otherwise, shall be determined and ascertained Yearly by Two neutral Men, one to be chosen by the said Magistrates and Town Council, and the other by the said Corporation of Fleshers, or by any one of the said Two Men, and an Overseer, whom they are hereby authorized to name in the Event of their differing in Opinion; and that the Price or Value so ascertained shall be paid by the said Magistrates and Town Council to the Collector of the Corporation of Fleshers, for Behoof of the said Corporation, after deducting therefrom such a Sum as the said Arbiters and Overseer shall award, for defraying the annual Expence of cleaning the said Slaughter Houses and Buildings connected therewith as aforesaid.

Limitation of
Actions.

XXX. And be it enacted, That no Action shall be commenced against the said Magistrates and Town Council, or any other Person or Persons, for any Thing done in the Execution of this Act, after Six Calendar Months from the Time the Fact is committed; and the Defender or Defenders in such Action or Process may produce this Act, and plead that the said Things were done by authority and in virtue thereof; and if they shall appear so to be done, then and in that Case the said Defender or Defenders shall be absolved from such Action or Process, and the Pursuer or Pursuers in such Action shall be found liable to pay to the said Defender or Defenders the whole Expences of Process incurred by the said Defender or Defenders.

Expences of
passing this
Act, how to
be paid.

XXXI. And be it enacted, That the Charges and Expences of passing this Act shall be paid by the said Magistrates and Town Council, out of the Funds of the Community of the said City.

Publick Act.

XXXII. And be it further enacted, That all Sheriffs, Justices of the Peace, Judges, and Magistrates, with their Officers, Messengers at Arms, and all other Officers and Executors of the Law whomsoever, are hereby required to be aiding and assisting in putting this Act into due and lawful Execution; and that this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.