



ANNO QUINQUAGESIMO NONO

# GEORGI II. REGIS.

\*\*\*\*\*

## Cap. cxvi.

An Act for more effectually supplying the City of  
*Edinburgh* and Places adjacent with Water.

[2d July 1819.]

**W**HEREAS an Act was passed in the Twenty-ninth Year of the  
Reign of His late Majesty King *George* the Second, intituled  
*An Act for the better supplying the City of Edinburgh with* 29 G.2. c. 84.  
*fresh and wholesome Water*: And whereas another Act was passed in the  
Twenty-fifth Year of the Reign of His present Majesty, intituled *An* 25 G.3. c. 28.  
*Act for opening an easy and commodious Communication from the High*  
*Street of Edinburgh to the Country Southward, and also from the Lawn-*  
*market to the new extended Royalty on the North; and for enabling*  
*Trustees to purchase Lands, Houses, and Areas for that Purpose; for*  
*widening and enlarging the Streets of the said City, and certain Avenues*  
*leading to the same; for rebuilding or improving the University; for*  
*enlarging the public Markets, and Communications thereto; for regulating*  
*certain Taxes; for lighting the said City; for providing an additional*  
*Supply of Water; for extending the Royalty of the said City; and for*  
*levying an additional Sum of Money for Statute Labour in the Middle*  
*District of the County of Edinburgh*: And whereas the Powers and  
Authorities in regard to the supplying the City of *Edinburgh* and Places  
adjacent with Water, by the said recited Acts granted, are, by reason of  
the great Extension of the said City, and of the increased Population in  
the ancient and extended Royalties thereof, and in the Parishes of  
*St. Cuthbert's* and *Canongate* adjacent thereto, found to be ineffectual for  
the Purposes intended; and it is expedient and necessary that an addi-  
tional Supply of Water should be procured for the Use of the Inhabitants of  
[Local.] 35 B the

Proprietors.

the said City of *Edinburgh* and Places adjacent: And whereas the several Persons herein-after named are willing and desirous, at their own Costs and Charges, to effect the Purpose aforesaid, on the Terms and Conditions herein-after mentioned; but as this cannot be done without the Aid and Authority of Parliament, 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 the Right Honourable *William Adam*, Lord Chief Commissioner of the Jury Court, *Adamson, Thomas Adinston, Alexander Aitchison, Thomas Allan, William Allan, John Allan, Samuel Anderson, Robert Anderson, William Arbuthnot, D. W. Arnot, Roger Aytoun, John Baird, James Balfour, Carlyle Bell, William Bell, George Bell, Robert Bell, Andrew Berry, Alexander Berwick, Thomas Blackwood, Forbes Hunter Blair, Ann P. Blair, Andrew Bonar, Alexander Bonar, Captain J. Boyes, Mrs. Brabazan, J. W. Brougham, Thomas Brown, George Brown, John Brown, William Henry Brown, James Bruce, Archibald Bruce, William Bruce, Hector M'Donald Buchanan, John Buchanan, Melville Burd, Burn, the Honourable Archibald Campbell, one of the Senators of the College of Justice, Archibald Campbell, Lieutenant Colonel James Campbell, Alexander Campbell, Patrick Campbell, John Campbell, the Incorporation of Hammermen of Canongate, the Honourable David Cathcart, one of the Senators of the College of Justice, George Chalmers, James Cheape, William Childe, David Christie, Christie, David Cleghorn, John Clerk, Archibald Constable, Walter Cook, John Corser, George Cranstoun, James Crosbie, William Cruden, Charles Cuninghame, Alexander Cuninghame, John Cuninghame, Thomas Dallas, Reverend Doctor Davidson, Peter Dick, Miss Dirom, John Drummond, John Duff, Adam Duff, W. W. Duffin, Richard Duffin, Doctor Duncan, Doctor Duncan junior, James Dundas, R. J. Dundas, James Dundas, Robert Dundas, the Lord Provost, Magistrates, and Town Council of the City of *Edinburgh*, William Erskine, William Erskine, the Honourable George Ferguson, one of the Senators of the College of Justice, James Ferguson, Sir James Ferguson Baronet, Fernie, Charles Ferrier, Walter Ferrier, Ferrier, James Ferrier, Sir William Fettes Baronet, Daniel Fisher, Sir William Forbes Baronet, William Forrest, Alexander Forsyth, Robert Forsyth, Frederick Fotheringham, J. B. Fraser, Campbell Gairdner, John Gardner, Henry Gardner, John Geddes, James Gentle, James Gibson, William Gibson, J. Thomson Gibson, Ebenezer Gilchrist, William Gilchrist, Joseph Gordon, James Farquhar Gordon, Grizel Gray, Elizabeth Gray, Jean Gray, Mrs. Gray, Isabel Gray, Robert Hall, Doctor Hamilton senior, Sir John Hay Baronet, Captain James Hay, Mrs. Hay, Henderson, Alexander Henderson, William Henderson, Thomas Henderson, William Hill, John Hogg, Doctor Home, Doctor Thomas Charles Hope, James Hope, Donald Horne, John Horner, Richard Hotchkis, James Hunter, Patrick Hunter, Lieutenant Colonel Hutchinson, Henry Jardane, Francis Jeffrey, George Imlach, William Inglis, John Innes, Robert Johnston, Thomas Johnston, James Jollie, George Irvine, John Keir, Alexander Kennedy, James Ker, James Ker junior, James Kettle, John Laidlaw, Alexander Laing, Peter Lamond, John Learmouth, William Logan, Coll Macdonald, James Mackay, John Mackay, Patrick Mackay, William Mackintosh, the Right Honourable Kincaid Mackenzie, Lord Provost of the City of *Edinburgh*, Henry Mackenzie, James Mackenzie, William*

*William Mackenzie, Colin Mackenzie, Reverend Doctor Macknight, William Maitland, John Manderston, Sir John Marjoribanks Baronet, Marshall, the Incorporation of Saint Mary's Chapel, General M'Alister, Æneas M'Bean, James M'Brair, Matthew M'Donald, John M'Kay, Thomas Megget, John Mill, William Mitchell, Robert Mitchell, William Scott-Moncrieff, Alexander Monypenny, John Morrison, Davinia Morrison, Mary Morrison, John Mozbray, Lieutenant-Colonel Munro, John Alexander Murray, James Nairne, David Nisbet, George Noble, the Honourable Fletcher Norton, One of the Barons of the Court of Exchequer, James Orr, Alexander Osborn, William Patrick, Henry Pickard, Professor Playfair, William Ramsay, George Ranken, the Honourable James Clerk Rattray, One of the Barons of the Court of Exchequer, Reverend Doctor David Ritchie, George Russell, Claud Russell, John Russell, David Scott, John C. Scott, James Scott, Walter Scott, George Robertson Scott, Scrymgeour, Charles Selkrig, William Slade, Sibbald, William Simpson, Smith, George Smyth, Peter Spalding, Patrick Spiers, Peter Spiers, James Spittal, Duncan Stewart, Duncan Stewart, James Stewart, Andrew Stirling, Watson Stott, Ebenezer Stott, Gibson Stott, James Stuart, John Thom, James Thomson, William Trotter, David Turnbull, George Veitch, Francis Walker, Alexander Walker, Sir Patrick Walker, James Walker, Mrs. Walker, David Wardlaw, Wardlaw, Doctor Wardrop, Samuel Watson, Walter Watson, John Wauchope, Mrs. Weir, Sir Henry Moncrieff Wellwood Baronet, William Wemyss, John Wigham, Andrew Wilson, William Wilson, Janet Wright, Andrew Wood, Fletcher Yetts, Alexander Young, and all and every such other Person or Persons, and such Body or Bodies Politic, Corporate, or Collegiate, as have already become Subscribers, or from Time to Time shall subscribe, and be duly admitted Proprietor or Proprietors, and Member or Members of the Company herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby declared to be One Body Politic and Corporate, by the Name of "The *Edinburgh* Joint Stock Water Company;" and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued.*

Incorporated.

II. And be it further enacted, That it shall and may be lawful for the said Company of Proprietors, in order to enable them to obtain the Use of the necessary Springs and Quantity of Water, and Ground necessary for Reservoirs, Cisterns, Pipes, and necessary Machinery, and for the other Purposes herein-after specified, to raise and contribute amongst themselves, in such Proportions as they shall think fit, any Sum or Sums of Money not exceeding in the whole the Sum of One hundred and thirty-five thousand Pounds, including therein a Sum of Thirty thousand Pounds Sterling, to which Amount of Thirty thousand Pounds the Lord Provost, Magistrates, and Town Council of the City of *Edinburgh*, on behalf of the Community or their Assigns, shall hold Shares in the said Company in manner herein-after mentioned.

Proprietors to raise Money among themselves not exceeding 135,000*l.*

III. And be it enacted, That the said Sum of One hundred and thirty-five thousand Pounds, or so much thereof as shall be raised and contributed, shall be divided into Shares of Twenty-five Pounds each; and such Shares shall be and they are hereby vested in the several Bodies Politic, Corporate, or Collegiate, and Persons so raising and contributing the same,

In Shares of 25*l.* each.

same, and their several and respective Successors, Executors, Administrators, or Assigns.

Distribution  
of Profits.

IV. And be it enacted, That the said Bodies Politic, Corporate, or Collegiate, and Persons, so becoming Proprietors of Shares as aforesaid, and their several and respective Successors, Executors, Administrators, or Assigns, shall be entitled to and receive, after the said Works shall be completed, and after Interest at the Rate of Five Pounds *per Centum per Annum* shall be paid on the said Sum of Thirty thousand Pounds of Shares held by the Lord Provost, Magistrates, and Town Council of the City of *Edinburgh*, as representing the Community thereof, to which Interest the Profits on the said Shares are to be and are hereby restricted, the entire and net Distribution of an equal proportional Part, according to the Money so by them respectively paid, on the aforesaid Sum of One hundred and thirty-five thousand Pounds of the Profits and Advantages which shall and may arise and accrue from the Sums of Money to be raised, recovered, or received by the said Company of Proprietors by the Authority of this Act; and every Body Politic, Corporate, and Collegiate, Person and Persons, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportional Sum towards carrying on the same in manner herein directed and appointed.

Not to exceed Six and a Half per Centum per Annum.

V. Provided always, and be it enacted, That the aforesaid net Distribution shall not exceed the Rate of Six and One Half Pounds *per Centum per Annum*, so long as no other Water Company for the Supply of the City of *Edinburgh* and the Places adjacent shall be established; and the same shall never in any Year exceed Seven thousand two hundred and seventy-five Pounds, after defraying the annual Interest on the aforesaid Sum of Thirty thousand Pounds; and that it shall never exceed the Rate of Seven and a Half Pounds *per Centum per Annum* on the Sum actually expended by the said Company at the Period of Distribution.

No Persons answerable for more than their respective Stock.

VI. Provided always, and be it enacted, That nothing herein contained shall extend to charge or make liable any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, who is, are, or shall be Proprietor or Proprietors of the Stock of the said Company, or Contributor or Contributors thereto, or his, her, or their Real or Personal Estate, with any Debt or Demand whatsoever due or to become due from the said Company beyond the Extent of his, her, or their Capital Stock, or Share or Shares in the Stock of the said Company; any Law, Custom, or Usage to the contrary thereof in anywise notwithstanding.

Powers not to be exercised until the estimated Expence be subscribed.

VII. And whereas the probable Expence of carrying into effect the Purposes intended by this Act will, according to an Estimate made thereof, amount to the Sum of One hundred thousand six hundred and thirty-two Pounds, and the Sum of Eighty thousand five hundred and twenty-five Pounds, being upwards of Four-fifth Parts of such Expence, has been already subscribed under a Contract binding the Subscribers, their Heirs, Executors, and Administrators, for Payment of the several Sums of Money so subscribed by them respectively; be it enacted, That the whole of the said Sum of One hundred thousand six hundred and thirty-two Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

VIII. And

VIII. And be it further enacted, That all and every the Shares and Proportions of all Bodies Politic, Corporate, and Collegiate, and of all and every other Person or Persons whatsoever, of and in the Works, or the Joint Stock or Fund of the said Company, shall be deemed Personal Estate, and transmissible as such; and not of the Nature of Real Property.

Shares to be Personal Estate.

IX. And be it further enacted, That every Body Politic, Corporate, or Collegiate, and every Person who shall by virtue of this Act have subscribed or undertaken for Four Shares in the said Undertaking; their, his, or her respective Successors, Executors, Administrators, and Assigns, present at the Stated General and Special Meetings to be held as herein appointed, shall have a Vote for every such Four Shares, but not exceeding Five Votes although possessed of more than Twenty Shares in the said Undertaking; and every Body Politic, Corporate, or Collegiate, and every Person, who shall by virtue of this Act have subscribed or undertaken for Four Shares in the said Undertaking, their, his, or her respective Successors, Executors, Administrators, and Assigns, who cannot attend such Stated and General and Special Meetings, shall have a Vote for every such Four Shares, but not exceeding Five Votes in the whole although possessed of more than Twenty Shares in the said Undertaking, by their, his, or her Proxies or Proxy constituted under the Seal of such Body Politic, Corporate, or Collegiate, or under the Hand of such other Person, every such Proxy being a Proprietor in the said Undertaking; and every such Vote by Proxy shall be as good and sufficient to all Intents and Purposes as if the Principal had voted in Person; and every Question, Matter, and Thing which shall be proposed, discussed, or considered in any Stated General or any Special General Meeting of the said Company of Proprietors shall be determined by the Majority of Votes and Proxies then present, computing One Vote to every Four Shares; providing nevertheless, that no Body Politic, Corporate, or Collegiate, or Person, shall have more than Five Votes as aforesaid; and that no Person shall be Proxy for more than Ten absent Proprietors; and the Appointment of such Proxies shall be made according to the following Form, or in Words to the like Effect; that is to say,

Proprietors to have a Vote for every Four Shares, but not to have more than Five Votes, and may vote by Proxy.

‘ I *A. B.* of \_\_\_\_\_ one of the Proprietors  
 ‘ of the \_\_\_\_\_ do hereby nominate, con- Form of  
 ‘ stitute, and appoint *C. D.* of \_\_\_\_\_ to be my Proxy, in my Appointment  
 ‘ Name and in my Absence to vote or give my Assent or Dissent to any of Proxies.  
 ‘ Business, Matter, or Thing relating to the said Undertaking which shall  
 ‘ be mentioned or proposed at any Meeting of the Company of Proprietors  
 ‘ of the said Undertaking, in such Manner as the said *C. D.* shall think  
 ‘ proper, according to his Opinion and Judgment, for the Benefit of the  
 ‘ same, or any thing appertaining thereto. In witness whereof I have  
 ‘ hereunto set my Hand, the \_\_\_\_\_ Day of \_\_\_\_\_

X. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to Four or more Shares in the said Undertaking, and in the Profits and Advantages thereof, such Persons shall be entitled to give their Vote or Votes in respect thereof by the Person whose Name shall stand first in the Books of the said Company as Proprietors of such Shares; and it shall be lawful to any Body Politic, Corporate, or Collegiate to give their Vote or Votes by their Treasurer or Secretary,

Joint Proprietors or Bodies Corporate how to vote.

[Local.]

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Secretary,

Secretary, or any One of their Officers especially appointed by them for that Purpose; and that no Subscriber or Subscribers, Proprietor or Proprietors to or for this Undertaking, shall have a Vote at any Meeting, General or Special, either of the Company or of the Committee of Management, upon any Question or Questions relating to the Concerns of the said Company, in which the said Subscriber or Subscribers shall have a separate personal Interest.

Place of  
General  
Meetings;  
Parties to  
pay their  
Expences.

XI. And be it further enacted, That all the General Meetings of the said Company shall be held in the said City of *Edinburgh*, and that at all and every such Stated General and Special Meetings the Parties composing them shall pay their own Expences, the Hire of the Office or Place in which the Meetings shall be held only excepted.

First and  
other General  
Meetings.

XII. And be it further enacted, That the First General Meeting of the said Company of Proprietors for putting this Act into execution shall be held at *Edinburgh* as aforesaid upon the Third *Monday of November* One thousand eight hundred and twenty, at the Hour of Twelve at Noon, and all future General Meetings of the said Company (except such Special General Meetings as herein-after mentioned) shall be held on the Third *Monday of November* in every Year thereafter, at the Hour of Twelve at Noon, of all which General Meetings Ten Days previous Notice at the least shall be given by public Advertisement in any Three of the Newspapers usually published in *Edinburgh*, to be named by the Committee of Management after specified.

Meetings of  
Proprietors  
may be spe-  
cially con-  
vened.

XIII. And be it further enacted, That if at any Time it shall appear that for the more effectually putting this Act into execution a Special Meeting of the said Company is necessary to be holden, it shall and may be lawful to any Ten or more of the said Proprietors who may be collectively possessed of a Tenth Part at least of the Shares of the Capital Stock of the Company for the Time, or any Five of the Committee of Management herein-after mentioned, upon specifying in Writing subscribed by them the Purpose thereof, to require the Clerk of the said Company of Proprietors to call such a Meeting, and the said Clerk shall thereupon convene such Meeting by giving at least Fourteen Days Notice thereof by Advertisement as aforesaid, specifying in such Notice the Reason and Intention of requesting such Special Meeting; and the Time when and the Place where the same shall be holden; and the said Proprietors are hereby authorized to meet pursuant to such Notice, and such of them as shall be present shall proceed to the Execution of the Powers by this Act given to the said Company of Proprietors with regard to the Matters so specified only; and all such Acts of the Proprietors, or of the major Part of them met together at such Special Meeting, shall be as valid with respect to the Matters specified in the said Notice as if the same had been done at any annual General Meeting; and that at all such General and Special General Meetings of the said Company of Proprietors the Chairman, or in his Absence the Deputy Chairman of the Committee of Management, to be named as herein-after mentioned, and in the Absence of both the Director present highest on the List, shall be Chairman of such Meeting; and such Chairman shall not only have, in the first place, a deliberative Voice as a Proprietor, but in case of an Equality of Votes shall have a decisive or casting Vote; and all Questions, Matters, and Things

Things which shall be proposed, discussed, or considered at such General or Special Meetings shall be decided and determined by the Majority of Votes of the Proprietors then present, and of the Proxies for such as shall be absent.

XIV. Provided always, and be it further enacted, That if at such First, or any General, Special, or Adjourned Meeting, there shall not be Persons present as Principals and Proxies who shall be possessed of or entitled to One hundred Shares in the said Undertaking, no Business shall be done at any such Meeting, but the same shall be adjourned, and there shall be another General Meeting of the said Company upon that Day Se'nnight thereafter, and so from Time to Time until there be Persons present at such General Meeting having as Principals and Proxies such Number of Shares as aforesaid; and of every such Adjourned General Meeting Five Days Notice shall be given by Advertisement as aforesaid.

General Meeting to consist at least of Proprietors or Proxies of Proprietors holding One hundred Shares.

XV. And be it further enacted, That from and after the passing of this Act the Lord Provost of the said City of *Edinburgh*, *James Denholm*, Deacon Convener of the Trades of the said City, the Reverend Sir *Henry Moncreiff Wellwood* Baronet, Sir *John Hay* Baronet, *James Gibson*, the Honourable *James Clerk Rattray*, one of the Barons of His Majesty's Court of Exchequer for *Scotland*, Sir *William Fettes* Baronet, *John Cuninghame*, *Henry Jardine*, *Henry Mackenzie*, *William Arbuthnot*, *John Manderston*, Treasurer of the said City, *Alexander Henderson*, Dean of Guild of the said City, *Alexander Smellie*, Second Baillie of the said City, *James Stuart*, and *John Playfair*, Professor of Natural Philosophy, and Doctor *Thomas Charles Hope*, Professor of Chemistry in the University of *Edinburgh*, or the Professors of Natural Philosophy and Chemistry in the said University for the Time being, shall be the Ordinary Directors of the said Company, and shall constitute a Committee of Management of the Concerns of the said Company until the First General Meeting of the Proprietors of the said Company to be held upon the Third *Monday of November* One thousand eight hundred and twenty, when Seventeen Directors, Five of them, of whom the Lord Provost of the said City for the Time being shall always be one, and the remaining Four to be Members of the Town Council for the Time being, to be named annually previous to the said Third *Monday of November* by the Lord Provost, Magistrates, and Town Council of the City of *Edinburgh*, Ten of them, each holding at least Four Shares of the Stock of the said Company, to be chosen by Ballot or otherwise, and to be appointed by the other Proprietors of the said Company, and the Professors of Natural Philosophy and of Chemistry in the said University for the Time being, shall constitute the Committee of Management until the Third *Monday of November* One thousand eight hundred and twenty-one, and so on upon the Third *Monday of November* in every Year thereafter a similar Appointment of Fifteen Directors shall be made: Provided always, that the Two Directors at the Head of the List of the Directors herein named, exclusive of those at present Members of the said Town Council of the City of *Edinburgh*, and of the Professors of Natural Philosophy and of Chemistry in the aforesaid University, and no more, of the Ten Directors appointed by the Proprietors of the said Company, shall every Year at the said Meeting go out of Office by Rotation; and also, that

Appointment of Committee of Management.

that it shall not be lawful to re-elect for the then ensuing Year any One of the Two Directors so going out of Office by Rotation : Provided always, that none of the aforesaid Ten Directors shall be Members of the Town Council of *Edinburgh* at the Time of their Election ; and in case any One or more of them shall become Member or Members of such Town Council, he or they shall thereupon *ipso facto* forfeit his or their Situation as a Director or Directors ; and also provided that no Person shall be qualified to be elected to act as One of the Ten Directors appointed by the said Company without being possessed of Four Shares in the Stock of the said Company.

First Meeting of Committee, Chairman and Vice Chairman

XVI. And be it enacted, That the said Committee of Management shall hold their First Meeting within the Council Chamber of the City of *Edinburgh* on the Third *Tuesday* after the passing of this Act (of which previous Notice shall be given by the Lord Provost of the City of *Edinburgh* Eight Days at least before the Day of such Meeting in any Two of the Newspapers published in *Edinburgh*), at One of the Clock Afternoon, and shall then and there proceed to carry this Act into execution ; and that it shall be lawful for the said Committee, and they are hereby required, at their First Meeting, and also at their First Meeting after the Annual Election on the Third *Monday* of *November* One thousand eight hundred and twenty, and after each Annual Election thereafter, to elect a Chairman and a Vice Chairman ; and at all Meetings of the Committee the Chairman, and in his Absence the Vice Chairman, and in the Absence of both the Director present highest on the List, shall preside ; and the said Committee may adjourn their Meetings from Time to Time as they shall see Cause, due Notice of such Adjournments being always given.

Nomination of Directors in case of Death, or of any of those named declining to act.

XVII. And be it enacted, That in case of the Death or Resignation of any One or more of the said Ten Directors, it shall and may be lawful to the Remainder of the said Seventeen Directors, and they are hereby authorized and empowered, at any Meeting of the Committee of Management specially called for that Purpose, to name another Director or Directors in the Room and Place of the said Director or Directors so deceasing or declining to act.

Meetings of the Committee, Chairman, and Quorum.

XVIII. And be it further enacted, That it shall and may be lawful for the said Committee of Management for the Time being, and they are hereby authorized and required, from Time to Time to assemble and meet together at any Place or Places in *Edinburgh* for the Direction and Management of the Affairs of the said Company ; and that they shall hold Special Quarterly Meetings on the First *Tuesday* in the Months of *August*, *November*, *February*, and *May* ; and that any Five or more Members of such Committee of Management, but not less, shall be a sufficient Number or Quorum to constitute a Meeting for the Purpose of doing all the Acts, Matters and Things, and exercising all the Powers and Authorities vested in such Committee ; and that all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Committee of Management at their Meetings shall be decided and determined by the Majority of Members then present : Provided always, that if on the Day appointed for any such Meeting of the Committee of Management there shall not attend so many Members of



such Committee as are hereby required to constitute a Meeting for exercising the Powers hereby vested in such Committee, then and in such Case, and when and so often as the same shall happen, the Meeting shall be adjourned to any future Day, to be fixed by the Member or Members or Majority of them then present, or if no Member shall be present by the Clerk to the said Company of Proprietors: Provided always, that it shall and may be lawful for the said Committee of Management to appoint any of their Number as a Sub-Committee for particular Purposes for the better attending to and transacting the Business of the said Company, and subject to the Approbation of the said Committee of Management or their Quorum before specified; and also provided that Notice of each Meeting of the Committee shall be given by the Clerk, in Writing or in Print, signed by him, to each Member thereof, at least Three Days before it is to take place, and that the Clerk shall at all Times have it in his Power to call Meetings of the Committees on receiving a Requisition to that Effect from Five Members of the Committee.

XIX. And be it further enacted, That it shall and may be lawful for the said Committee of Management, and they are hereby authorized and required from Time to Time, to nominate and appoint a Treasurer or Collector, and also a Clerk or Clerks to the said Company of Proprietors, and such Engineers, Surveyors, and other Officers, as the said Committee of Management shall think proper and expedient, for the better carrying the Purposes of this Act into execution, and to give them such Salaries or Allowances as they may think proper; the said Committee of Management always taking good and sufficient Security, and to such Extent as they shall think requisite, from such Treasurer, Collector, and other Officer appointed to receive Money, or to have the Care or Custody thereof, for the due accounting for all such Monies with which they may be entrusted, and for the faithful Discharge of the Trust reposed in them, and also from Time to Time to discharge and dismiss any such Treasurers, Collectors, Clerks, Engineers, Surveyors, and other Officers, and appoint others in their Stead, as the said Committee of Management shall think fit; and that all such Treasurers, Collectors, Clerks, Engineers, Surveyors, and other Officers of the said Company of Proprietors, who shall at any Time quit or be dismissed from the Service of the Company, and the respective Executors or Administrators of those who may happen to die, shall immediately thereupon produce and deliver up to the said Committee of Management, or to such other Person or Persons as they shall appoint, all Books, Accounts, Writings, and Papers whatsoever which shall be in the Custody or Power of such Treasurers, Collectors, Clerks, Engineers, Surveyors, or other Officers, Executors or Administrators respectively, in anywise relating to the said Undertaking; and the said Committee of Management shall have Power and Authority, and they are hereby required, to balance or cause to be balanced the Books of the said Company at the Term of *Martinmas* in every Year, the First Balance being made on the Eleventh Day of *November* One thousand eight hundred and twenty, or on the Twelfth when the Eleventh falls on a *Sunday*, and the same being so balanced shall be examined by disinterested Persons unconnected with the said Company, and shall be doqueted and signed by them, and by the major Number or Quorum of the said Committee of Management, and shall be produced at the General Meeting of the said Company of Proprietors to be held on the Third *Monday of November* One thousand eight hundred and twenty, and every

Committee of  
Management  
to appoint  
Officers.

[*Local.*]

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Year

Committee of Management not to be answerable for Omissions.

Year thereafter, so that any of the Proprietors attending the said Meeting may have an Opportunity of inspecting the same; and the Books of the said Company shall be patent and open for the Inspection of all the Proprietors and of all concerned for One Calendar Month subsequent to the said *Third Monday of November* in each Year as aforesaid: Provided always, and be it enacted, that the said Committee shall not be answerable for Mistakes, Omissions, nor for the Sufficiency or Responsibility of any Security or Securities to be taken under the Authority of this Act, nor for Receipts, Acts, or Commissions of the Treasurer, Clerk, or other Officers of the said Company, nor any one of the said Committee for the others, but each of them for his own Receipts, Acts, and Omissions only.

Office of Clerk and Treasurer not to be held by the same Person.

XX. Provided always, and be it further enacted, That it shall not be lawful for the said Committee to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer by virtue of this Act, or if any Person, being a Partner of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered by summary Complaint before the Justices of the Peace at their Quarter Sessions, or before the Sheriff Deputé or Substitute of the County where the Offender may reside.

Powers of Committee.

XXI. And be it further enacted, That the said Committee of Management or Quorum aforesaid shall also have full Power and Authority, on behalf of the said Company of Proprietors, to contract for and purchase all such Lands, Tenements, and Heritages, and again dispose thereof if they shall see Cause, and all such Materials and other Things as shall or may be wanted for the said Undertaking, and the Works already erected and which are hereby authorized to be made, and to treat and agree with all and every Person or Persons, Bodies Politic, Corporate, or Collegiate whomsoever, touching the Compensation to be made for any Damages to be done in the Exercise of the Powers hereby given, and to enter into and make such Contracts and Agreements with any Contractors, Agents, Workmen, Servants, or other Persons, in and about or for carrying on the said Undertaking and Works, or any Part thereof, as shall be thought expedient, and to enter into and make all such Contracts, Bargains, and Agreements whatever touching or in anywise concerning the said Undertaking as they shall think proper, and to order and direct how the several Works shall from Time to Time be carried on, and generally to direct and manage all and singular the Affairs and Business of the said Company of Proprietors, and to do and execute and perform all Acts, Matters, and Things which the said Company are by this Act authorized to do, save and except such only as are hereby expressly directed to be done by the Proprietors at large at any Meeting or Meetings of such Proprietors to be held as herein directed.

Committee to enter their Proceedings in Books.

XXII. And be it further enacted, That the Committee of Management shall enter or cause to be entered into Books a full and true Account of all

all Money disbursed and Payments made by such Committee, and by all and every Person and Persons employed by or under them, and of all Monies that shall be paid to or received by them respectively for or on account of the said Company of Proprietors, and also a full and true Account or proper Notes or Minutes of every Contract, Bargain, and Agreement which shall be entered into by them respectively for or on behalf of the said Company of Proprietors; and of all and singular their respective Orders, Transactions, and Proceedings whatsoever, and in and about the Affairs and Business of the said Company, but that no Money shall be issued or paid by the Treasurer to the said Company for or on account of the said Company otherwise than in such Manner as shall be directed by the Committee of Management.

And Money not to be issued by the Treasurer, otherwise than as directed by Committee of Management.

XXIII. And be it further enacted, That the said Committee of Management shall also have full Power and Authority from Time to Time, at any such Meeting as aforesaid, to make such Rules, Orders, and Bye Laws as to them shall seem meet and proper for the good Government of the Affairs of the said Company of Proprietors, and for regulating the Proceedings of the said Committee of Management, and of all Officers, Workmen, and Servants to be employed in and about the Affairs and Business of the said Company of Proprietors, and for the well and orderly using of the said intended Undertaking, and the Pipes and Works belonging thereto, and for the orderly Behaviour of all Workmen and other Persons who shall be employed in and about the said Undertaking, and for their Superintendence in all respects whatsoever, and from Time to Time to alter or repeal such Rules, Orders, and Bye Laws, or any of them, and to make others, and inflict such reasonable Fines upon all such Persons employed by the said Company offending against such Rules, Orders, and Bye Laws, or any of them, not exceeding the Sum of Five Pounds Sterling for any One Offence, as to the said Committee of Management shall seem meet and expedient; provided such Rules, Orders, and Bye Laws be not repugnant to the Laws of that Part of the United Kingdom called *Scotland*, or to any of the express Directions or Provisions of this Act, or to any Contract or Agreement entered into between the said Company and Persons receiving Water from them; and provided that such Rules, Orders, and Bye Laws shall be subject to the Review of any General Meeting of the said Proprietors.

Committee of Management may make Bye Laws.

XXIV. Provided always, and be it enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Order, Judgment, or Determination made or given in pursuance of any such Rule, Order, or Bye Law, may, within Two Calendar Months next after any such Order, Judgment, or Determination shall have been made or given, (first giving Ten Days Notice to the Person or Persons against whom any Complaint is intended to be made,) complain to the Sheriff Depute or Substitutes of the County of *Edinburgh*, who shall hear and determine the said Complaint, or if he or they think proper may adjourn the hearing thereof; and the said Sheriff or his Substitutes may, if he or they see Cause, mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye Law, Order, or Determination, and may also order and award such farther Satisfaction to be made to the Party injured as he or they shall judge reasonable; and the Determination of such Sheriff Depute or Substitutes

Bye Laws subject to Appeal.

Substitutes shall be final and conclusive, without being subject to Advocation, Suspension, or Reduction; any Law or Statute to the contrary notwithstanding.

Committee of Management to make Calls for Money, not exceeding 10l. per Cent.

XXV. And be it further enacted, That the Committee of Management shall have full Power and Authority from Time to Time, at any of their Meetings aforesaid, to make such Call or Calls for Money from the several Subscribers to and Proprietors of the said Undertaking, in proportion to the several Sums subscribed by them respectively, in order to defray the Expences of or for carrying on the same, as they shall from Time to Time find necessary for these Purposes, until the Sums subscribed are fully paid, so that no such Call shall exceed at One Time the Sum of Ten Pounds *per Centum* on the Amount of each Share, and so that no such Calls be made but at the Distance of Three Months at least from each other, and so that One Month's Notice at least shall be given of every such Call by a Circular Letter addressed to each Proprietor, or to his known Agent; all which Money so to be called for as aforesaid shall be paid into the Hands of the Treasurer of the said Company, to be issued, paid, and applied for carrying on the said Undertaking in such Manner as the said Committee of Management shall from Time to Time order and direct.

Proprietors to pay their Shares of the Money called for at the Place appointed;

XXVI. And be it further enacted, That the Proprietor of every Share or Shares in the said Undertaking shall from Time to Time pay his or her Proportion of the Money so to be called for as herein-before mentioned into the Hands of the Treasurer of the said Company, at such Time and Place in the City of *Edinburgh* as shall be appointed for that Purpose by the Committee of Management making such a Call, and of which Notice shall be given as herein-before directed; and that if any Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so to be called for as aforesaid at the Time and Place which shall be appointed for that Purpose in manner aforesaid, it shall be lawful for the said Committee of Management to sue for and recover the same with Interest, at the Rate of Five Pounds *per Centum per Annum* from the Time appointed for the Payment thereof, in any competent Court in *Scotland*, or in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, as the Case may be; and in case any such Person or Persons shall neglect or refuse to pay his, her, or their proportionable Part of the Money so first to be called for as aforesaid, for the Space of Six Calendar Months after the Time to be appointed for Payment of the said First Call as aforesaid, and the same shall not have been sued for by the said Company as aforesaid, or if sued for shall not have been recovered by them, then and in such Case the Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, and Interest whatsoever in the said Undertaking, and all Profit and Advantage thereof; and all Shares that shall or may be so forfeited shall be vested in the said Company in trust for and for the Benefit of all the rest of the said Proprietors, in proportion to their respective Interests in the said Undertaking, or shall, at the Discretion of the said Company or Committee of Management, be sold by public Auction for the most Money that can be got for the same; and in the Event that any Person or Persons paying any such First Call as aforesaid shall neglect or refuse to pay his, her, or their proportionable Part or Parts of the Money

and if First Call not paid in Six Months, Shares to be forfeited.

to be thereafter called for as aforesaid, and for the Space of Six Calendar Months after the Time to be appointed for the Payment thereof as aforesaid, and the same shall not be sued for by the said Company as aforesaid, or if sued for shall not be recovered by them, then and in such Case the Share or Shares shall and may be sold by the said Company or their Committee of Management by public Auction for the highest or best Price or Prices that can be got for the same, every such Sale being advertised once a Week at least for Three Weeks successively in some One or more of the Newspapers published in *Edinburgh*, and the said Company or the said Committee of Management rendering an Account of every such Sale or Sales to every such Person or Persons when demanded, and paying to every such Person any Overplus of any such Price or Prices, after deducting all such Charges, and such farther proportionable Sum or Sums of Money which may remain due upon such Share or Shares by such Person or Persons to the said Company; but no Advantage shall be taken of such Forfeiture of any Share or Shares in the said Undertaking as aforesaid, unless the same shall be declared at some General or Special Meeting of the said Company or Committee of Management which shall be held not earlier than Two Months next after the said Forfeiture shall happen; and that every such Forfeiture so to be declared shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, so forfeiting, against all Actions, Suits, and Prosecutions for any Breach of Contract or other Agreement between such Proprietor or Proprietors, his, her, or their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

XXVII. And be it further enacted, That in any Actions or Suits brought by the said Company against any Owner or Owners of any Share or Shares in the said Undertaking, to recover any Sum or Sums of Money due and payable to the said Company for or by reason of any Call or Calls made by virtue of this Act, it shall be sufficient for the said Company to declare and allege that the Defender or Defenders, Defendant or Defendants, being a Proprietor or Proprietors of such or so many Share or Shares in the said Undertaking, is or are indebted to the said Company in such Sum or Sums of Money as the Call or Calls in arrear shall amount to, for such and so many Call or Calls, of so many Sum or Sums of Money, upon such or so many Share or Shares belonging to the said Defender or Defenders, Defendant or Defendants, (as the Case may happen to be,) whereby a Right of Action or Suit hath accrued to the said Company by virtue of this Act, without setting forth the special Matter; and in such Action or Suit it shall only be necessary to prove that the Defender or Defenders, Defendant or Defendants, at the Time of making such Call or Calls, was or were a Proprietor or Proprietors of some Share or Shares in the said Undertaking, and that such Call or Calls was or were in fact made, and that such Notice thereof was given as is directed by this Act, without proving the Appointment of the Committee who made such Call or Calls, or other Matters whatsoever; and the said Company shall thereupon be entitled to recover the Call or Calls which shall appear to be due, and the legal Interest that may be due thereon, and the Expences that may be incurred in prosecuting for and recovering the same.

Directions  
for Proceed-  
ings and  
Actions for  
Calls.

[*Local.*]

35 E

XXVIII. And

Persons selling Shares after a Call to be liable for such Call.

XXVIII. And be it further enacted, That after a Call of such Money shall have been made by such Committee as aforesaid, every Person and all Persons selling or transferring any Share or Shares which he, she, or they shall possess in the said Undertaking, shall, as well as the Person or Persons to whom such Share or Shares shall be sold, be liable in the Payment of every such Call in the Manner directed by this Act, unless such Person or Persons so selling or transferring shall at the Time of such Sale or Transfer have paid to the Treasurer of the said Company of Proprietors the whole and entire Sum of Money which shall have been previously called for upon each Share so sold or transferred.

Power to borrow Money.

XXIX. And be it further enacted, That it shall and may be lawful to and in the Power of the said Company or of their Committee of Management to borrow or to take up in Loan at or below legal Interest any Sum or Sums of Money for completing the said Undertaking, if requisite, not exceeding the Sum of Thirty thousand Pounds Sterling in the whole, and to grant, execute, and deliver to and in favour of the Lenders, or those having Right, such Bonds, Obligations, or other Deeds in Writing as may be required, binding the whole Works of every Kind belonging to the said Company for Payment of the Sum or Sums so borrowed, with Interest and Penalty, as is usual in such Cases; and such Deeds shall, if necessary, contain the Clauses usual and necessary by the Laws of *Scotland* for vesting in the Lenders of the said Monies the Heritable Subjects belonging to the said Company, in Security of the said Sums.

Shares may be sold.

XXX. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking, his, her, or their respective Successors, Executors, Administrators, and Assigns, to sell and dispose of any Share or Shares to which he, she, or they may be entitled therein, subject to the Rules and Conditions herein mentioned; the Conveyances of which Shares may be in the Form or to the Effect following; *videlicet*,

Form of Conveyance.

‘ I *A. B.* of \_\_\_\_\_ in consideration of  
 ‘ \_\_\_\_\_ paid to me by *C. D.* of \_\_\_\_\_ do hereby  
 ‘ convey, sell, assign, and transfer to the said *C. D.* the Sum of \_\_\_\_\_  
 ‘ \_\_\_\_\_ Capital Stock of and in the *Edinburgh Joint*  
 ‘ Stock Water Company, being One Share [*or so many Shares, as the*  
 ‘ *Case may be*] in the said Undertaking, to hold to the said *C. D.* of  
 ‘ \_\_\_\_\_ Executors, Administrators, and Assigns, subject to the  
 ‘ same Rules, Orders, and Restrictions, and on the same Conditions that  
 ‘ I held the same immediately before Execution hereof; and I the said  
 ‘ *C. D.* do hereby agree to take and accept the said Capital Stock or  
 ‘ Share \_\_\_\_\_ subject to the same Rules, Orders,  
 ‘ and Restrictions and Conditions. In witness whereof we have sub-  
 ‘ scribed these Presents, written by \_\_\_\_\_ at  
 ‘ the \_\_\_\_\_ Day of \_\_\_\_\_  
 ‘ before these Witnesses \_\_\_\_\_  
 ‘ and \_\_\_\_\_

Assignment to be entered in Books of Company.

And on every such Sale the said Assignment or Deed of Conveyance (being executed by the Seller or Sellers and the Purchaser or Purchasers of such Shares) shall be indorsed by any Three of the said Committee of Management, and shall be kept by the said Purchaser or Purchasers for his, her, or their Security, after the Clerk to the said Company shall have

have entered in a proper Book or Books to be kept for that Purpose a Memorial or Specification of such Transfer and Sale for the Use of the said Company, and have testified or indorsed the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Five Shillings shall be paid; and the said Clerk is hereby required to make such Entry or Memorial accordingly, immediately without any undue Delay; and until such Deed of Sale, Indorsement, and Memorial shall have been made and entered as above directed, such Purchaser or Purchasers shall have no Right to draw any Part or Share of the Profits of the said Undertaking, nor to any Vote as a Proprietor or Proprietors of the said Undertaking.

XXXI. And be it further enacted, That the said Committee of Management shall and they are hereby required to cause the Names and Designations of the several Persons who shall be entitled to Shares in the said Undertaking, with the Number of the Shares, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book or Books to be kept by their Clerk, and after such Entry to cause the same to be signed by their Chairman; and they shall also cause a Certificate so signed by the Chairman and Clerk to be delivered to every Proprietor on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking; and such Certificate shall be admitted in all Courts whatever as Evidence of the Title of such Proprietor, his, her, or their Successors, Executors, Administrators, and Assigns, to the Share or Shares therein specified.

Names of Proprietors to be entered, and Certificates of their Shares delivered to them.

XXXII. And be it further enacted, That the Bodies Politic, Corporate, and Collegiate, and all and every Person or Persons whose Names shall at any Time hereafter stand in the said Register Book or List of Proprietors of the said Company, either as a Proprietor or Proprietors of One or more Share or Shares in the said Undertaking, whether as Subscribers, or as Successors, Executors, Administrators, or Assigns of Subscribers, shall be deemed and taken to be Proprietors of the several Share or Shares standing in the said Book in their respective Names, and shall be subject and liable to the Payment of every Call and Calls made and to be made thereon, and to all Actions, Suits, Forfeitures, and Penalties to which original Proprietors of Shares in the said Undertaking are made subject and liable by this Act; and that all Notices hereby required to be given, previous to the Forfeiture of Shares to the Proprietors thereof, shall, if given to the Persons appearing by the Register Book of the said Company to be such Proprietor or Proprietors, or their Representatives, or left at his, her, or their last or most usual Place of Abode, be in all respects good, sufficient, and conclusive; and all Payments of Interest and Dividends due and to grow due on such Shares shall be made to such Person or Persons as by the said Book of the Company shall so appear to be Proprietors thereof; and that no Assignment, Transfer, Bargain, or Sale of any Share or Shares, or other Instrument giving Title to any Share or Shares, which shall not have been enrolled or registered as directed by this Act, shall be admitted as Evidence either to defeat any Action or Suit brought or to be brought by the said Company to receive the said Calls, or to entitle any Person to recover any Share or Shares forfeited to the Company of Proprietors, or to make the said Company liable to the Payment of the Dividends to any other Person or Persons than

For the Purpose of making and receiving Calls, the Persons whose Names are standing in the Company's Books as Proprietors, are to be deemed the actual Proprietors.

than such as appear upon the said Book to be Proprietors of the said Shares, but that in all Cases the said Book shall be considered as Evidence of the Proprietorship of the said Share or Shares.

Company or  
Committee  
may contract  
for the Pur-  
chase of  
Lands.

XXXIII. And be it further enacted, That it shall and may be lawful to and for the said Company, or their Committee of Management, and they are hereby empowered, as often as it may be necessary, to contract and agree for the absolute Purchase of any Lands, Tenements, or Heritages which they may require for the Purposes of this Act, with any Body Politic, Corporate, or Collegiate, Heirs of Entail, or any Tenant or Tenants for Life, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or any Trustee or Trustees, Executors, Administrators, Husbands, Guardians, Tutors, or Curators for Minors or for fatuous and furious Persons, not only for and in behalf of themselves, their Heirs and Successors, but also for and in behalf of the respective Persons interested, whether Infants, Minors, or Issue unborn, fatuous or furious Persons, or married Women, who are or shall be seised, possessed of, or interested in their own Right, or with any Person or Persons whomsoever who shall be willing to sell the same, for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company to hold such Lands, Tenements, and Heritages so purchased, any Law or Statute to the contrary notwithstanding.

Springs, &c.  
vested in the  
Company.

XXXIV. And be it further enacted, That from and after the passing of this Act all and sundry the Springs, Aqueducts, Reservoirs, and Pipes, with the Ground acquired and Buildings thereon, and waste Water from the *Edinburgh* and *Glasgow* Union Canal, and the whole Appurtenances and Implements of every Description belonging and relating to the Supply and Distribution of Water to the said City of *Edinburgh* and Places adjacent, heretofore vested in the Lord Provost, Magistrates, and Council of the said City, by virtue of the said recited Acts, shall be and the same are hereby vested in the said Company; and the said Company shall, in virtue of the Powers and Authorities hereby committed to them, and out of the Rates and Duties by this Act granted, supply Water to the present public Wells of the City of *Edinburgh*, and perform all lawful Contracts entered into by the said Lord Provost, Magistrates, and Council under the before-recited Acts or either of them, and free and relieve them of all Obligations incumbent on them for or in respect of supplying Water either to the Inhabitants or to any of the public Institutions in the said City, over and above making Payment to the said Lord Provost, Magistrates, and Council of the Interest of the Sum of Money herein-after specified: Provided always, that from and after the Term of *Whitsunday*, or the Fifteenth Day of *May* One thousand eight hundred and twenty-one, such Rates and Duties as shall be fixed in manner herein-after mentioned shall be payable by all and every Person or Persons to whose Houses or Premises Water shall be conveyed by a private Pipe or Pipes, or private Well or Wells, hereby authorized to be made, and that in the meantime the Rates and Duties at present payable to the said Lord Provost, Magistrates, and Council, by virtue of the said recited Acts, shall be paid to the said Company.

City to hold  
Twelve hun-  
dred Shares of

XXXV. And, in consideration of the aforesaid Springs, Aqueducts, Reservoirs, Pipes, Grounds, Buildings, waste Water, Appurtenances, and Implements of every Description, heretofore belonging to the said Lord Pro-  
vost,



vost, Magistrates, and Council, being as aforesaid vested in the said Com-  
 pany, be it enacted, as before mentioned, That the said Lord Provost,  
 Magistrates, and Town Council of the City of *Edinburgh* shall as afore-  
 said be entitled to and hold Twelve hundred Shares, being Thirty thou-  
 sand Pounds of the Stock of the said Company; but which Stock,  
 although transferred by the said Lord Provost, Magistrates, and Council  
 of the said City, which they are hereby authorized to do, in whole or in  
 part, shall confer no Right of voting nor of interfering in the Manage-  
 ment of the Affairs of the said Company on their Assigns, and for which  
 Interest at the Rate of Five Pounds *per Centum per Annum* from and after  
 the Term of *Whitsunday* last, in lieu of all Profits, shall be paid half-  
 yearly, at the Terms of *Martinmas* and *Whitsunday*, to the said Lord  
 Provost, Magistrates, and Council, or their Assigns, out of the Rates and  
 Duties to be taken by virtue of this Act, and the Principal Sum may be  
 paid off and discharged, in whole or in Parts, whenever it shall appear to  
 the said Company or Committee of Management that the same can be  
 done without Inconvenience to the other Objects of this Act: Provided  
 always, that from and after the Term of *Whitsunday* in the present Year  
 One thousand eight hundred and nineteen all and every the Powers and  
 Authorities in the said recited Acts granted to the Lord Provost, Magis-  
 trates, and Council of the said City of *Edinburgh*, and all and every the  
 Rates and Duties payable to them in regard to supplying the City of  
*Edinburgh* and Places adjacent with Water, shall be and the same are  
 hereby transferred and made over to the said Company; but all the  
 Rates and Duties heretofore due and payable to the said Lord Provost,  
 Magistrates, and Council of the said City of *Edinburgh*, as at present  
 levied in regard to supplying the said City and the Places adjacent with  
 Water, or to become due and payable to them up to the Term of *Whit-*  
*sunday* in this present Year, shall be paid to and levied and recovered by  
 the said Lord Provost, Magistrates, and Council in the same Manner as  
 such Rates and Duties have heretofore been in use to be paid, levied,  
 and recovered, and all Penalties incurred or to be incurred in relation to  
 the same up to the said Term of *Whitsunday* shall be levied and reco-  
 vered as in and by the said recited Acts directed; and all Debts and  
 Sums of Money due and owing or to become due and owing in regard to  
 the supplying the said City of *Edinburgh* and Places adjacent with Water  
 up to the said Term of *Whitsunday* in the present Year One thousand  
 eight hundred and nineteen shall be payable and be paid by the said Lord  
 Provost, Magistrates, and Council.

Company's  
 Stock, in lieu  
 of Debt due  
 to them for  
 relinquishing  
 to the Com-  
 pany the pre-  
 sent Water  
 Establish-  
 ment.

XXXVI. And, in order that the said City and Places adjacent may be  
 sufficiently supplied with good and wholesome Water, be it enacted, That it  
 shall and may be lawful to the said Company and they are hereby authorized  
 and empowered to take and use the Spring called *The Crawley Spring*, situ-  
 ated in the Parish of *Glencorse* and County of *Edinburgh*, and such Quan-  
 tity of Water from the Brook called *The Burn of Glencorse*, at or near  
*Glencorse Bridge*, situated in the Parish and County aforesaid, as the said  
 Company shall deem expedient; and also to take and use the Springs  
 called *The Black Springs*, marked on the Map or Plan herein-after men-  
 tioned A, B, C, and the nearest Spring to C on the Property of Lieutenant  
 General *Thomas Scott of Mallery*, marked D, situated on the East Side  
 of the said Spring marked C, in the Parishes of *Penicuik* and *Currie* and  
 County of *Edinburgh*, and any Quantity of Ground adjoining to the said  
 Spring called *The Crawley Spring*, and to the said Springs called *The Black*

Company  
 empowered  
 to take *Craw-*  
*ley* and *Black*  
*Springs*, and  
 necessary  
 Ground.

[Local.]

35 F

*Springs*,

*Springs*, not exceeding in all Five Acres at each, for the Purpose of forming proper Conduits, Reservoirs, and Cisterns for collecting and receiving the Water of the said Springs and Brook, and for the Accommodation of the Persons to be intrusted with the Charge of such Conduits, Reservoirs, and Cisterns: Provided always, that the said Company shall erect no Engine to be worked by Steam nor any Building on any Part of the said Five Acres adjoining to the said *Crawley Spring* the Top of which shall be higher than Twenty-five Feet above the Surface of the Ground, nor more than One Dwelling House upon the said Five Acres of Ground the Plan of which shall be previously approved by the Sheriff Depute of the County of *Edinburgh* for the Time being; and also that the said Company shall provide and make and supply with Water a proper Watering Place or Watering Places, for supplying any Field or Fields at present supplied from the said *Crawley Spring* before it joins *Glencorse Burn*; and provided also, that the said Company shall first give One Month's Notice of such their Intention to take the said Springs and Ground to the Owner or Owners and Occupier or Occupiers thereof, and making Satisfaction to such Owner or Owners and Occupier or Occupiers in manner herein-after directed.

Proviso as to  
the Water of  
the Black  
Springs.

XXXVII. Provided always, and be it enacted, That in taking or conveying away the Water of the Spring marked D as aforesaid the said Company shall not affect or carry away the Water of any other Spring supplying the *Stream Burn*, or the Water of the said *Stream Burn*, and that the Cistern for collecting the Water of the said Spring D shall be so constructed as that no Water of any other Spring, or the Waters of the said *Stream Burn*, shall be taken or conveyed into the said Cistern, or out of the said Springs or *Stream Burn*; and provided also, that the Compensation Reservoir to be formed at the *Bavelaw Burn* shall be made capable of containing as much more Water than is hereafter provided as shall yield a full Compensation for as much Water as shall be taken from the said Spring D, such additional Compensation to be calculated according to the Proportion which the Water of the said Spring D shall be found on Computation to bear to the whole of the Water of the said Springs A, B, and C, and to be settled by the Engineers and Umpire in the Manner in which the Compensation Reservoir is herein directed to be settled by such Engineers and Umpire.

Company to  
form Com-  
pensation  
Reservoirs;

XXXVIII. And be it further enacted, That it shall and may be lawful to the said Company and they are hereby authorized and empowered to take and use Grounds and Premises for the Purpose of forming a Reservoir or Reservoirs within the Parishes of *Glencorse*, *Penicuik*, and *Currie* aforesaid, in the County of *Edinburgh*, or any of them, at the Places described in the Map or Plan herein-after mentioned; or, in reference to the Compensation Reservoir for *The Crawley Spring* and *Glencorse Burn*, at any other Place or Places within the said Parishes of *Glencorse* and *Penicuik* which may be deemed more advisable by *John Rennie* and *Thomas Telford*, Civil Engineers, or either of them; provided that the Consent in Writing of the Owners and Occupiers of the Lands whereon the same may be formed shall be previously obtained, to compensate the Owners and Occupiers of Mills and Land Owners for the Water taken for the Purposes of this Act, as herein-after directed, and to make the necessary Cuts, Trenches, Mounds, or other Works for connecting together the Springs and Water herein-before authorized to be taken, and also the  

1

necessary

necessary Cuts, Trenches, Conduits, Mounds, or other Works for conducting the Water thereof to the said City, in the Line or Lines pointed out in the said Map or Plan, and to construct the necessary Aqueduct or Aqueducts, and lay the necessary Pipe or Pipes for that Purpose, first giving One Month's Notice of such their Intention to the Owner or Owners and Occupier or Occupiers of such Grounds and Premises, and making Satisfaction to such Owner or Owners and Occupier or Occupiers in manner herein-after directed; and the said Company or their Committee are authorized to obtain Access to the Grounds through which the Water may be conducted by the Gates or other Mode of Entry to the Inclosures used as Access for other Purposes, at all reasonable Times during the Day, not earlier than Six of the Clock in the Morning nor later than Sunset, to the said Company or their Committee, or their Engineer or Superintendent specially named by the Company, to inspect the Line or Tract of the Aqueduct or Aqueducts, and in the event of Repairs being found necessary to obtain the like Access for the other Servants of the said Company to repair the same, the Company indemnifying the Owner or Occupier for all Damages thereby done in manner herein-after directed.

and to make Cuts, and lay Pipes to conduct the Water to the City.

XXXIX. And be it enacted, That in so far as the foresaid Line of Aqueducts or Pipes passes through the Lands of *St. Catherine's*, situated in the Parish of *Libberton* and County of *Edinburgh*, the same shall not enter the said Lands on the South at a Point further West than Twenty Yards from the Junction of the Road leading Southwards to the Farmhouses of *Southhouse*, with the public Road leading from the Village of *Kaims* Eastwards towards *Brokenbridge*; and that such Line of Aqueducts or Pipes shall from thence run in a straight Line Northwards to a Point not less than Fifty-five Yards to the Eastward of the Door of the Ice-house belonging to the said Lands of *St. Catherine's*, and from thence in a straight Line to *Libberton Dams*, and from the Lands of *St. Catherine's* Southward in a straight Line to *Five Houses*; and no Air-cock or other Aperture shall be made in the said Aqueducts or Pipes in so far as the same shall pass through the said Lands of *St. Catherine's*; neither shall the said Company, nor any Person or Persons employed by them, have any Right of Access to the said Lands of *St. Catherine's* for the Purpose of examining the Line of the said Aqueducts or Pipes, without giving Notice in Writing to that Effect to the Possessor of the said Lands of *St. Catherine's* for the Time, at least Twenty-four Hours previous to such Inspection, except in the Event of any Fracture or Damage being at any Time discovered in any of the said Aqueducts or Pipes, when the Occupiers of the said Lands for the Time shall be and they are hereby required to give immediate Notice thereof to the said Company, who shall be and they are hereby required forthwith to repair such Fracture or Damage, and for that Purpose the said Company, and their Workmen and other Persons employed by them, shall have the necessary Access to the said Lands of *St. Catherine's*, without giving any previous Notice in Writing in manner before mentioned.

Pipes how to be conducted through the Lands of *St. Catherine's*.

XL. Provided always, and be it enacted, That the Ascent to every Bridge to be made over the said Aqueduct shall not be more than One Foot in Thirteen Feet, and that the Fence on each Side of such Bridge shall not be less than Four Feet above the Surface of such Bridge.

Provision as to Ascent to Bridges over Aqueduct.

XLI. And

Power to enter on Lands to survey and to take Materials.

XLI. And be it further enacted, That it shall and may be lawful to and for the said Company and their Workmen, and they are hereby authorized and empowered, to enter into and upon the Lands and Grounds of all Person or Persons, Bodies Politic, Corporate, or Collegiate whatsoever, and to survey and take Levels of the same, and to set out and ascertain such Parts thereof as they shall think necessary and proper for making the said Reservoir or Reservoirs and Aqueduct or Aqueducts, and necessary for making, preserving, and improving the same; and also to bore, dig, cut, trench, sough, get, remove, take, and carry away and lay, Earth, Clay, Stone, Rubbish, Beds of Gravel or Sand, for making the said Reservoir or Reservoirs, Aqueduct or Aqueducts, which may be got in carrying on the said Works, or out of the Lands of any Person or Persons adjoining any Part of the said Works, which the said Company are hereby empowered to enter for the Purpose of getting such Materials, and to make such Roads as may be requisite for removing the same; and also to place, lay, and work the same on the said Lands: Provided always, that the said Company shall not be entitled to take Clay, Stone, or other such Materials for the Purposes of this Act from any Orchard, Garden, Yard, planted Walk, Avenue, Lawn, or Pleasure Ground, or Plantation of Trees planted prior to the passing of this Act, without the Consent in Writing of the Owner or Owners thereof first had and obtained, they the said Company doing as little Damage as may be in the Execution of the several Powers hereby granted, and making Satisfaction, in manner herein-after mentioned, to the Owner or Owners, Occupier or Occupiers of and other Persons interested in any such Lands or other Heritages which shall be taken, used, removed, or prejudiced, for all Damage to be by them sustained in or by the Execution of all or any of the Powers of this Act.

Notices to be given before Materials are taken.

XLII. Provided nevertheless, and be it further enacted, That no Surveyor, or any other Person or Persons acting under the Authority of this Act, shall begin to dig, gather, or carry away any Materials for the Purposes aforesaid, out of or from any inclosed Land, until Notice in Writing, signed by the said Surveyor or other Person or Persons, shall have been first given to the Owner or his known Agent, or to the Occupier of the Land from which such Materials are intended to be taken, or left at such Owners or Occupiers usual Place of Residence, to appear before any Two Justices of the Peace acting for the County of *Edinburgh*, at any Time not sooner than Three Days after giving such Notice, to show Cause why such Materials shall not be had therefrom; and in case such Owner, Agent, or Occupier shall attend pursuant to such Notice, and shall not show sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Surveyor or other Person or Persons to dig, get, gather, take, and carry away such Materials, at such Time or Times as to such Surveyor or to such Justices shall seem proper: Provided always, that such Justices shall before giving any such Authority settle and fix the Rate at which such Materials shall be paid for; and if such Owner or Occupier shall neglect or refuse to appear, by himself or herself, or his or her Agent, such Justices shall and may make such Order therein as they shall think fit, as fully and effectually, to all Intents and Purposes, as if such Owner or Occupier or his or her Agent had attended; and the Order of such Justices shall be final and conclusive to and upon all Parties.

XLIII. Pro-

XLIII. Provided always, and it is hereby declared, That nothing in this Act contained shall authorize or empower the said Company, either under any Power of Deviation or otherwise, to enter the Park, Plantations, or Pleasure Grounds of *John Trotter* of *Castlelaw* in the County of *Edinburgh*, without his Consent, save and except the Pieces of Ground marked and described Nos. 1, 2, 3, and 5 in the Plan and Book of Reference herein-after mentioned, including the Piece of Ground, Part of No. 5, which lies between the Red Line described in the Plan and the Burn of *Glencorse*.

Not to enter Pleasure Grounds of *John Trotter* of *Castlelaw*.

XLIV. And be it further enacted, That it shall and may be lawful to the said Company or their Committee of Management, and they are hereby authorized and empowered, to collect and dam up all the Flood Waters of *Glencorse Burn* and its tributary Streams in the Compensation Reservoir or Reservoirs herein-before authorized to be made in the Parishes of *Glencorse* and *Penicuik*, for the Purpose of making Compensation to the said Owners or Occupiers of Mills and Land Owners on the said Burn of *Glencorse*, and on the said River *North Esk* below its Junction with the said Burn, for the Water herein-before authorized to be taken from the said *Crawley Spring* and *Glencorse Burn*, for the Purposes of this Act.

Flood Waters of *Glencorse Burn*, &c. to be dammed up.

XLV. And be it further enacted, That it shall and may be lawful to the said Company or their Committee, and they are hereby authorized and empowered, to collect and dam up all the Flood Waters of *Bavelaw Burn* and its tributary Streams, in either Compensation Reservoir herein authorized to be formed in the Parish of *Currie*, for the Purpose of making Compensation to the said Owners and Occupiers of Mills and Land Owners on the Course of *Bavelaw Burn* and on the River *Leith*, below the Confluence of the said Burn and River, for the Water herein-before authorized to be taken from the said *Black Springs* for the Purposes of this Act.

Power to dam up Flood Waters of *Bavelaw Burn*.

XLVI. And be it further enacted, That it shall and may be lawful to the said Company or their Committee to cut and make such Catch-water Drains as may appear to them necessary for conducting and conveying Flood Waters from the said Burns and tributary Streams into any of the said Compensation Reservoirs for the Purposes aforesaid, the said Company making Satisfaction to the Owner or Owners, Occupier or Occupiers of the Grounds through which the said Drains may be made, in the Manner herein-after directed.

Power to make Drains for conducting Flood Waters into Reservoirs.

XLVII. And be it enacted, That the said Company shall be and they are hereby required to lodge at the Office of the Sheriff Clerk of the County of *Edinburgh* a precise Specification or Description of the intended Compensation Reservoirs or Reservoir for receiving the Water of *Glencorse Burn* and its tributary Streams, mentioning the Contents thereof, and the Depth of the Water that may be collected therein at any Time, and the Kind of Work proposed in constructing, and all other Particulars respecting the same, necessary for the Information of the Parties concerned; and after such Specification or Description shall have been so lodged as aforesaid, *John Rennie* and *Thomas Telford*, Civil Engineers, or one or other of them, or an Engineer or Engineers appointed by the said *John Rennie* and *Thomas Telford*, shall consider the said Specification or Description, and shall declare by Writing under his or their Hands that

Water Company to lodge Descriptions of Compensation Reservoir for *Glencorse Burn* in the Office of the Sheriff Clerk.

[Local.]

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in his or their Opinion the Work, if constructed agreeably to such Specification or Description, will be a sufficient Security against any Damage arising from the Embankment or Head of the Compensation Reservoir or Reservoirs bursting or giving way, or otherwise; and in case of the Death or Inability to act of the said *John Rennie* and *Thomas Telford*, the said Sheriff Depute of the County of *Edinburgh* shall name One or more Engineer or Engineers to act in the said Matters.

Engineers to inspect and report the Progress of the Work.

XLVIII. And be it enacted That the said *John Rennie* and *Thomas Telford*, or either of them, and in case of the Death or Inability to act of both of them, or of their differing in opinion, the said Sheriff Depute shall name an Engineer or Engineers whose Duty it shall be to visit the Works while in progress, and from Time to Time to report to the said Sheriff Depute, by Writing under his or their Hand or Hands, that the Execution of the Work on *Glencorse Burn* is proceeding according to the Terms of the said Specification or Description, or the contrary, as the Case may be; and in case of any material Deviation from the said Specification, not specially authorized in Writing by the said *John Rennie* and *Thomas Telford*, or either of them, or of the Engineer or Engineers appointed by the said Sheriff Depute in manner before mentioned, as the Case may be, the said Sheriff Depute shall forthwith issue his Order to stop the Works so executing contrary to the said Specification or Description.

Engineers to declare the Sufficiency of the Work.

XLIX. And be it enacted, That when the said Embankments or Heads of the Compensation Reservoir or Reservoirs for receiving the Waters of *Glencorse Burn* are completed, the said *John Rennie* and *Thomas Telford*, or either of them, and in case of the Death or Inability to act of both of them, or of their differing in opinion, the Engineer or Engineers appointed by the said Sheriff Depute in manner before mentioned, shall visit and inspect such Embankments or Heads of Reservoirs, and declare by a Writing or Writings under his or their Hand or Hands that the Works have been completed according to the Specifications or Descriptions, and that in his or their Opinion they form a sufficient Security against any Damage being done by the bursting of the said Embankments or Heads or their giving way, or the contrary Opinion, as the Case may be; and until such Report or Reports is or are made declaratory of the Works being completed and sufficient, it shall not be lawful to or for the said Company to abstract or divert the Water of the *Crawley Spring* or of *Glencorse Burn*, or any Part thereof, nor obstruct the present Course of the same; and the whole Expence of the Examination of the Engineers and Inspection of and Attention to the Works shall be borne and paid by the said Company; and the said Specifications or Descriptions, and the Reports and Opinions of the Engineers, shall remain in the Office of the said Sheriff Clerk of the County of *Edinburgh*, open to the Inspection and Perusal of all Parties concerned.

Power to apply to the Sheriff Depute in case of the Works falling into Disrepair.

L. And be it enacted, That upon such Embankments or Heads of Reservoirs being completed and declared to be sufficient in manner before mentioned, the same shall be kept in proper Repair by the said Company in all Time thereafter; and it shall be lawful to any of the Owners of Lands, Mills, or Works on the said River *North Esk* and on *Glencorse Burn* to apply to the Sheriff Depute of the said County, alleging that the said Embankments, Heads, or Compensation Reservoirs, or any of them,

them, have become insufficient or want Repair, whereupon the said Sheriff shall cause Inquiry to be made into the Truth of such Allegation by a skilful Person or Persons, and thereupon make such Orders for the Repairs thereof, or otherwise binding on the said Company, as the Case may require, so as that the said Embankments, Heads, and Reservoirs may be always kept in a sufficient State of Repair.

LI. And be it further enacted, That the said *John Rennie* and *Thomas Telford*, or either of them, or some other qualified Person or Persons to be appointed by them or one of them, or in case of the Death or Inability to act of both of them, or in case of their differing in opinion, then some qualified Person or Persons to be appointed by the said Sheriff Depute, shall be and they are hereby respectively required, as often as they may see necessary, at least once in the Months of *May, June, July, August, September, and October* in the Year One thousand eight hundred and nineteen, or in such of these Months as shall occur after their Appointment as aforesaid, and likewise as often as they may see necessary, at least once in the Months of *May, June, July, August, September, and October* in the Year One thousand eight hundred and twenty, to measure, gauge, and estimate, in such Manner as to them shall seem proper, the average ordinary Discharge of the said *Glencorse Burn*, exclusive of Flood Waters, at or near the upper End of the said Compensation Reservoir or Reservoirs on the said Burn; and the said *John Rennie* and *Thomas Telford*, or either of them, or in case of their Death or Inability to act, or differing in opinion, then some qualified Person or Persons to be appointed by the said Sheriff Depute, shall determine on the Situation or Situations and Dimensions of a Gauge or Gauges, Sluice or Sluices, to be fixed above the Level of the said Compensation Reservoir or Reservoirs proposed to be made, to allow the average ordinary Discharge of the said Burn ascertained as aforesaid to flow into the aforesaid Compensation Reservoir or Reservoirs.

Engineers to measure and ascertain average ordinary Discharge of Water.

LII. And be it enacted, That the said *John Rennie* and *Thomas Telford*, or either of them, either by themselves or by a Person or Persons by them or either of them, or by the said Sheriff Depute, appointed in manner before mentioned, shall, on or before the Thirtieth Day of *November* One thousand eight hundred and twenty, ascertain the true Amount of such average Quantity of Water, as the same shall be estimated, and shall report upon the Situation or Situations and Dimensions of the said Gauge or Gauges, Sluice or Sluices; and the Certificate or Certificates to this Effect to be lodged by the said *John Rennie* and *Thomas Telford*, or either of them, or other Persons to be appointed in manner before mentioned, with the Sheriff Clerk of the County of *Edinburgh*, shall be final and conclusive, so far as respects the Ordinary average Delivery of the said Burn of *Glencorse*, unless Application shall be made to the Sheriff Depute to continue the gauging in the Years One thousand eight hundred and twenty-one, One thousand eight hundred and twenty-two, and One thousand eight hundred and twenty-three, in manner herein-after mentioned; and the said Sheriff Depute is hereby authorized and required, by a Precept or Precepts to be issued under his Hand, to direct the Erection of the said Gauge or Gauges, Sluice or Sluices, within such reasonable Time or Times as he may order.

Certificates by Engineers lodged with Sheriff Clerk.

LIII. And

Power to  
take Flood  
Waters.

LIII. And be it further enacted, That when the Water in the said Burn of *Glencorse* shall by Floods or Rains or from any other Cause be raised or increased beyond the average ordinary Quantity ascertained in the Way above directed, and shall be above the Height of such Gauge or Gauges, Sluice or Sluices, such Increase shall be considered and taken as surplus or Flood Water; and it shall be lawful for the said Company or their Committee, and they are hereby authorized, from Time to Time, to take such surplus or Flood Waters therefrom: Provided always, that no such surplus or Flood Waters shall be taken by the said Company until such Gauge or Gauges, Sluice or Sluices, shall have been fixed and regulated as aforesaid.

Quantity of  
Water to be  
discharged  
from Com-  
pensation  
Reservoirs  
on *Glencorse*  
Burn.

LIV. And be it further enacted, That the said Company or their Committee are hereby required, during the Six Months of *May, June, July, August, September, and October*, from the said Compensation Reservoir or Reservoirs on *Glencorse Burn*, to discharge as much Water into the Channel of the said Burn as flows into the said Compensation Reservoir or Reservoirs through the aforesaid Gauge or Gauges, Sluice or Sluices, at the Time, not exceeding at any Time the average ordinary Discharge of the said Burn ascertained as aforesaid, together with as much Water at the Time as the said Company divert from *Crawley Spring* and *Glencorse Burn* for the Purposes of this Act; and the said Company are likewise required to discharge from the said Compensation Reservoir or Reservoirs Three hundred and fifty *Scots Pints* of Water *per Minute* during the Three ordinary dry Months of *June, July, and August*, or any Three of the aforesaid Six Months, at the Option of the Owners and Occupiers of Mills and Land Owners, or the major Part of them, for the better Supply of the Mills and Accommodation of Lands than heretofore in dry Weather; and the said Company or their Committee are hereby likewise required, during the other Six Months of *November, December, January, February, March, and April*, from the Compensation Reservoir or Reservoirs on *Glencorse Burn*, to discharge into the Channel of the said Burn as much Water as flows into the said Compensation Reservoir or Reservoirs through the aforesaid Gauge or Gauges, Sluice or Sluices, not exceeding at any Time the average ordinary Discharge of the said Burn ascertained as aforesaid, together with a Quantity of Water equal to One Half of the Quantity diverted from the aforesaid *Crawley Spring* and *Glencorse Burn*, for the Purposes of this Act.

Power of  
Access to  
the Main at  
*Crawley*  
Spring.

LV. And be it further enacted, That it shall and may be lawful to any Party interested, at all reasonable Times, to have free Access to inspect the Main Cistern to be formed at the *Crawley Spring*, and to ascertain the Quantity of Water conveyed by the aforesaid Aqueduct or Aqueducts for the Purposes of this Act.

Measurement  
to be con-  
tinued in  
1821, 1822,  
and 1823.

LVI. Provided always, and be it further enacted, That if the said Owners and Occupiers of Mills and Land Owners, or the major Part of them, on the said Burn of *Glencorse* and River *North Esk* as aforesaid, or the said Company or their Committee, shall be dissatisfied with the aforesaid Certificates delivered to the said Sheriff Clerk on or before the said Thirtieth Day of *November* One thousand eight hundred and twenty, it shall be competent to any of the said Parties, in the Month of *January* One thousand eight hundred and twenty-one, but not afterwards, to  
1  
apply



apply to the said Sheriff Depute, who shall thereupon direct the said Engineers or qualified Persons, or other Person or Persons to be named in their Stead, in the Manner before specified, to continue to measure, gauge, and estimate the said average ordinary Discharge of the said *Glencorse Burn*, exclusive of Flood Waters, as often as they may see necessary, at least once in the Months of *May, June, July, August, September, and October* in the Years One thousand eight hundred and twenty-one, One thousand eight hundred and twenty-two, and One thousand eight hundred and twenty-three; and the said Engineers, or either of them, or Person or Persons to be appointed in their Stead, in manner before mentioned, in that Case are, on or before the Thirtieth Day of *November* One thousand eight hundred and twenty-three, taking into consideration the said Measurement and Gaugings made as aforesaid in the aforesaid Months in the Years One thousand eight hundred and nineteen, One thousand eight hundred and twenty, One thousand eight hundred and twenty-one, One thousand eight hundred and twenty-two, and One thousand eight hundred and twenty-three, finally to determine on the Situation or Situations and Dimensions of the said Gauge or Gauges, Sluice or Sluices, or, in case of their differing in Opinion, the aforesaid Umpire, to be named as before mentioned, shall finally determine the said Dimensions on or before the Thirty-first Day of *December* One thousand eight hundred and twenty-three, and the said Determination shall thenceforth and in all Time coming be binding on all Parties concerned.

LVII. And whereas certain of the Owners and Occupiers of Mills and of Lands and others situated on *Bavelaw Burn* and on the Water of *Leith* have suggested that a more secure and commodious Compensation Reservoir may be formed than the Reservoir proposed in the Situation laid down on the said Map or Plan; be it therefore enacted, That it shall and may be lawful for the said Company, and they are hereby empowered and required, to collect and dam up all the Flood Waters of *Bavelaw Burn* and its tributary Streams in a Compensation Reservoir, to cover in Extent Thirty-six *Scotch Acres* of Land, capable of containing at least Twelve Millions of Cubic Feet of Water, to be formed at the Junction of *Bavelaw Burn* and a Burn called *The Stream Burn*, upon the Property of Lieutenant General *Thomas Scott* of *Malleny* and *William Johnston* of *Lathrisk*, for the Purpose of making Compensation to the said Owners and Occupiers of Mills and Land Owners on the Course of *Bavelaw Burn*, and on the River *Leith* below the Junction of the said Burn and River, for the Water hereinbefore authorized to be taken from the *Black Springs* for the Purposes of this Act: Provided always, that the Consent in Writing of the said *Thomas Scott* and *William Johnston* be first had and obtained thereto.

Compensation Reservoir may be made at the Junction of *Bavelaw Burn* and the *Stream Burn*.

LVIII. And be it enacted, That in case the said Compensation Reservoir shall be made at the Junction of *Bavelaw Burn* and the *Stream Burn*, the Supply of Water to be delivered from it into *Bavelaw Burn* shall at all Times after the Completion of the same be regulated by a Committee to be appointed by the Mill Owners on *Bavelaw Burn* and on the River *Leith* below its Junction with the said Burn, the said Committee to consist of One Occupier of a Mill on *Bavelaw Burn* and Four Occupiers of Mills on the River *Leith*, which Committee shall from Time to Time give the necessary Directions for the Supply of such Water to the Person or Persons appointed and paid by the said Water Company to take charge of such

Supply of Water from Reservoir at Junction of *Bavelaw* and *Stream Burns*, how to be regulated.

Reservoir; and the said Water Company shall be no further concerned with the Supply of Water from the said Reservoir than in keeping the said Reservoir in good Order and Repair, and of a sufficient Depth to be capable of containing the Quantity of Water above specified.

Regulations  
as to Delivery  
of Water  
into Bavelaw  
Burn.

LIX. And be it further enacted, That in case the said Upper Reservoir at the Junction of the *Stream Burn* and *Bavelaw Burn* shall not be made, in consequence of the said *Thomas Scott* or *William Johnston* withholding their Consent, a Gauge or Gauges shall, under the Direction of Two Engineers, one to be named by the said Company, and the other by the Proprietors of Mills upon *Bavelaw Burn* and the River *Leith* below its Junction with *Bavelaw Burn*, or the major Part of them, and in case of the said Two Engineers differing in opinion, under the Direction of the said *John Rennie* as Umpire, or any other Umpire to be appointed by the said Sheriff Depute of the County of *Edinburgh* in manner herein-before directed, be placed upon *Bavelaw Burn*, one of which Gauge or Gauges shall be immediately above the Works of the *Edinburgh Roperie* and *Sail Cloth Company* of *Leith* at *Malleny Mills*, for ascertaining the Quantity of Water which may be required for driving and supplying the whole of the Mills and Machinery thereof, and such Quantity being so ascertained it shall not be lawful for the said Water Company at any Time to take or divert any Part of the Water of *Bavelaw Burn* or of the *Stream Burn* from the respective Channels of such Burns into the Compensation Reservoir, unless such Gauge or Gauges to be placed as aforesaid shall be full during the Time of such Diversion; and the said Company shall further be obliged at all Times, when such Gauge or Gauges placed as aforesaid are not full, to run into the Channel of *Bavelaw Burn* for the Use of the said Mills at *Malleny* and other Mills on the *Bavelaw Burn* and River *Leith*, a Quantity of Water equal at the least to the annual average Quantity of Water issuing from the said *Black Springs*, to be taken by the said Water Company, the Amount of the Quantity so taken from the *Black Springs* to be calculated on an Average of the whole Year, and to be ascertained by the said Engineers, or Persons by them appointed, in manner herein-before mentioned, such Engineers and other Persons to be paid by the said Company out of their Funds.

Specifica-  
tions, occa-  
sional Inspec-  
tions, and  
final Report  
as to Bave-  
law Burn.

LX. And be it further enacted, That the said Company shall be and they are hereby required to lodge at the Office of the Sheriff Clerk of the County of *Edinburgh* a precise Specification or Description of the intended Reservoir or Reservoirs for receiving the Water of *Bavelaw Burn* and its tributary Streams, mentioning the Contents thereof, and the Depth of the Water that may be collected therein at any Time, and the Kind of Work proposed in constructing and all other Particulars respecting the same necessary for the Information of the Parties concerned; and after such Specifications or Descriptions shall have been so lodged as aforesaid, Two Engineers, the one to be named by the said Company, and the other by the Proprietors of Mills on *Bavelaw Burn* and on the River *Leith* below its Junction with *Bavelaw Burn*, or the major Part of them, shall consider the said Specifications or Descriptions, and shall declare, by Writing under their Hands, that in their Opinion the Work, if constructed agreeably to such Specifications or Descriptions, will be a sufficient Security against any Damage arising from the Embankment or Head of the Compensation Reservoir or Reservoirs bursting or giving way, or otherwise; and

and the said Two Engineers to be named as aforesaid shall visit the said Works while in progress, and from Time to Time report to the said Sheriff Depute, by Writing under their Hands, that the Execution of the Work is proceeding according to the Terms of the said Specification or Description, or the contrary, as the Case may be; and in case of any material Deviation from the said Specification or Description not specially authorized in Writing by the said Engineers, the said Sheriff Depute shall forthwith issue his Order to stop the Works so executing contrary to the said Specifications or Descriptions; and when the said Reservoir or Reservoirs for receiving the Waters of *Bavelaw Burn* are completed the said Engineers shall visit and inspect the same, and declare by a Writing under their Hands that the Works have been completed according to the said Specifications or Descriptions, and that in their Opinion they form a sufficient Security against any Damage being done by bursting of the said Embankments or Heads, or their giving way, or the contrary Opinion, as the Case may be; and until such Report is made declaratory of the Works being completed and sufficient, it shall not be lawful to or for the said Company to abstract or divert the Water of the *Black Springs*, or any Part thereof, nor obstruct the present Course of the same; and in case the said Two Engineers to be named as aforesaid shall differ in opinion with regard to any of the Matters before specified, then the said Matters, in so far as the said Engineers shall differ in opinion with regard to them, shall be determined by *John Rennie*, Civil Engineer, and failing him by Decease or Inability to act, by any other Civil Engineer to be named by the said Sheriff Depute for that Purpose; and the whole Expence of the Examinations of the Engineers incurred in relation to the said Specifications or Descriptions, and Inspections of and Attention to and reporting upon the said Works, shall be borne and paid by the said Company; and the said Specifications or Descriptions, and the Reports and Opinions of the Engineers, shall remain in the Office of the said Sheriff Clerk open to the Inspection and Perusal of all Parties concerned.

LXI. And be it enacted, That upon such Embankments or Heads of Reservoirs being completed and declared to be sufficient in manner before mentioned, the same shall be kept in proper Repair by the said Company in all Time thereafter; and it shall be lawful to any of the Owners of Lands, Mills, or Works on the said River *Leith* and on *Bavelaw Burn* to apply to the Sheriff Depute of the said County, alleging that the said Embankments, Heads, or Compensation Reservoirs, or any of them, have become insufficient or want Repair, whereupon the said Sheriff shall cause Enquiry to be made into the Truth of such Allegation by a skilful Person or Persons, and thereupon make such Orders for the Repair thereof, or otherwise binding on the said Company, as the Case may require, so as that the said Embankments, Heads, and Reservoirs may be always kept in a sufficient State of Repair.

LXII. And be it further enacted, That in order to compensate the said *Edinburgh Roperie and Sail Cloth Company of Leith*, and Lieutenant General *Thomas Scott of Malleny*, for the Loss of pure Water for Bleaching at the Works of the said Company on *Bavelaw Burn*, situated on the Property of the said Lieutenant General *Thomas Scott*, by the Diversion of the said *Black Springs*, the said Water Company shall be and they are hereby required, at their sole Expence, previous to their beginning to execute

Embankments to be maintained by the Company.

Compensation for Spring Water to the Edinburgh Roperie and Sail Cloth Company of Leith.

execute any of the Works hereby authorized to be made which may affect the Purity of *Bavelaw Burn*, to collect the Springs in *Balerno Muir*, acquired by the said Company from *George Reid* of *Rathobank*, into a Cistern, and to convey the Water discharged by such Springs by a Pipe into a Pond to be formed by the said Water Company on Part of the said *Balerno Muir* belonging to the said Lieutenant General *Thomas Scott*, adjoining to the Works of the said *Edinburgh* Roperie and Sail Cloth Company at *Malleny Mills*, which Pond shall be One thousand Feet in Length, Twenty Feet in Breadth, and Three and a Half Feet in Depth, and to lay out the Banks of such Pond for a Bleaching Ground, and to form a Road from the said Roperie Company's Works by the said Bleaching Ground to the Road leading from *Bavelaw* to *Balerno* (such Pond, Bleaching Ground, and Road to comprehend in the whole Three *Scotch* Acres of Ground), and to complete the Inclosure round such Pond, Bleaching Ground, and Road with a Stone Dike, to lay a Pipe of Six Inches in Diameter from the said Pond into a Cistern to be made by the said Water Company at the Washing Mill of the said Roperie Company, and to carry the Three Pipes of the said Washing Mill into the said Cistern: Provided always, that if all such Works before mentioned shall not be completed, and the said Bleaching Ground in proper Condition for Bleaching upon within Four Years from and after the passing of this Act, the whole Powers and Authorities by this Act given and granted to the said Water Company for taking and diverting the said *Black Springs* shall cease and determine.

Expences of  
Engineers  
paid by  
Company.

LXIII. Provided always, and be it enacted, That all the Expences of the several Persons so to be appointed as aforesaid, and of obtaining the Direction of the said Sheriff Depute in the Matters herein-before mentioned, shall be paid and defrayed by the said Company; and the Appointments of the said Sheriff Depute in the said Matters shall be binding, conclusive, and final, to all Intents and Purposes whatsoever, against all Bodies Politic, Corporate, or Collegiate, and all other Persons, and shall not be liable to Review by Advocation, Suspension, Reduction, or otherwise; any Law or Statute to the contrary notwithstanding.

Sheriff to  
make Orders  
if Supply in-  
sufficient,

LXIV. And be it further enacted, That if at any Time any of the said Compensation Reservoir or Reservoirs do not discharge the several Quantities of Water herein-before directed to be delivered at the several Times and on the several Events herein-before directed, it shall be lawful for any Owner of a Mill or Mills or of Lands interested in the said Springs or Brook to apply to the Sheriff Depute of the County of *Edinburgh*, who is hereby authorized and required to visit the Premises, or to employ a skilful Person or Persons to visit the same; and in case the said Sheriff shall find that the Quantities of Water above mentioned are not discharged from the said Reservoir or Reservoirs, he shall ordain the said Springs or Water, or a sufficient Part thereof, to be turned into their original Channels, and to continue to run in them until the said Reservoir or Reservoirs shall again discharge a Quantity of Water equal to the Quantity aforesaid; and he shall give Judgment against the Company for all Expences and Damages incurred by the said Owners or Occupiers of Mills and Land Owners through the Insufficiency of the said Reservoir or Reservoirs; and his Judgment in all these Matters shall be binding, conclusive, and final, to all Intents and Purposes whatsoever, against all Bodies Politic, Corporate, or Collegiate, and all other Persons, and shall not be

liable to Review by Advocation, Suspension, Reduction, or otherwise, any Law or Statute to the contrary notwithstanding.

LXV. Provided always, and be it enacted, That no such Order as aforesaid, in regard to the said *Crawley Spring* or Burn of *Glencorse*, shall be pronounced, if the said Sheriff Depute shall find that the Deficiency in the Discharge of the said Quantity of Water in the Months of *June, July, and August* has been occasioned by such excessive Drought as to render the Deficiency unavoidable, and that the Deficiency does not exceed the said additional Quantity of Three hundred and fifty *Scotch Pints per Minute*, in so far as respects the Water taken from *Glencorse Burn*; and provided also, that in every Application which may be made to the aforesaid Sheriff Depute, by virtue of the Provisions herein contained, Expences shall in all Cases be awarded against the said Company, unless the aforesaid Sheriff Depute shall find that there were no sufficient Grounds for the Application, in which Case the Sheriff Depute shall award the Expences, or such Part of them as he shall determine, to be paid by the Party or Parties applying.

No Order to be made by Sheriff in certain Cases.

LXVI. And be it further enacted, That if the Embankments or Dams of the said Compensation Reservoir or Reservoirs shall at any Time burst or give way, in consequence of Floods or other Causes, the Damage thereby done to the Owners or Occupiers of Lands, Mills, or other Works and Establishments shall be ascertained, on the Application of any Party interested, by the said Sheriff Depute of the County of *Edinburgh*, whose Judgment for the Payment of Damages by or absolving the said Company, or in such Terms as he shall think fit to pronounce on advising such Application, shall be in the same Way binding and final, and not subject to Review.

In case of the bursting of Embankments.

LXVII. And whereas the Magistrates and Town Council of the City of *Edinburgh* have by an Act of Council, bearing Date the Twenty-eighth of *April* One thousand eight hundred and nineteen, agreed to guarantee the Payment for or in respect of any Injury (notwithstanding the foregoing Precautions being taken) being done to the Lands adjacent to, or the Mills, Buildings, or other Works or Establishments upon, the said *Glencorse Burn* and *River North Esk* and *Bavelaw Burn* and *River Leith*, to the Extent of Fifty thousand Pounds, over and above what the Capital and Revenue of the said Company may yield; be it enacted, That it shall and may be lawful to the Owners and Occupiers of such Lands, Mills, Buildings, Works, and Establishments as shall be damaged or injured by the bursting of any of the aforesaid Reservoir or Reservoirs, to sue for and they are hereby declared entitled to recover the Amount of the Damage and Injury sustained from the said Company, to the Extent of their Capital and Effects or Property, or from the City of *Edinburgh*, and the Community or Revenues thereof, to the Extent of the said Sum of Fifty thousand Pounds, the Company and the City being jointly and severally bound in Reparation of and Payment for such Damage or Injury to the Person or Persons sustaining the same, reserving to the said City, and Lord Provost, Magistrates, and Town Council, as representing the Community thereof, Relief of what they may pay from and against the said Company, but the Claim or Claims of the Person or Persons injured; as against the said Company and its Property, shall always be preferable to the Claim of Relief by the City or Town Council to the Extent aforesaid;

City of Edinburgh guarantee Land and Mill Owners against Damages to the Extent of 50,000*l.*

[Local.]

35 I

provided

provided always, that if the said Company shall construct the aforesaid Reservoir at the Junction of *Bavelaw Burn* and the *Stream Burn*, the said Owners and Occupiers on the said *Bavelaw Burn* and River *Leith* shall have no Claim on the Lord Provost, Magistrates and Council of the City of *Edinburgh*, as representing the Community of the said City, on account of any Injury that may be done by the bursting of the aforesaid Reservoir, without Prejudice, however, to their Claims on the Stock and Property of the said Company.

Company may form Reservoirs in the City, lay Distribution Pipes, and open Streets.

LXVIII. And be it enacted, That it shall and may be lawful to the said Company and they are hereby authorized and empowered to take and use such Houses and Premises as may be requisite to enable them to form a proper Cistern or Reservoir upon or adjoining to the *Castlehill* of the said City of *Edinburgh*, at the Place mentioned and described in the said Map or Plan, as to them may seem proper for the Purposes of this Act, first giving Three Months Notice of such their Intention to the Owner or Owners and Occupier or Occupiers thereof, and making Satisfaction to such Owner or Owners and Occupier or Occupiers in manner hereinafter directed; and the said Company shall have full Power and Authority to lay such Pipes and construct such Works within the said City and Places adjacent as they shall deem requisite for the proper Distribution of Water to the Inhabitants, and to cut, dig, and open such Streets, and Roads, Ways, or Passages, and other Places, as may be necessary for these Purposes, and to do every other Act or Thing which the said Company shall deem necessary for effectually and completely executing the Purposes of this Act, according to the true Intent and Meaning thereof, the said Company always giving Notice to the Overseer of the Road Trustees before opening any Streets or Roads, and opening and replacing the same to his Satisfaction, or to the Satisfaction of the Sheriff Depute of the County of *Edinburgh*.

No Premises to be taken, not mentioned in Schedule, without Owner's Consent.

LXIX. Provided always, and be it enacted, That no Spring, Stream, or Brook, or Part thereof, nor any Grounds, House, or Building, Garden, planted Walk, or Yard belonging to a House, shall be taken or used by the said Company for the Purposes of this Act, except such as are mentioned in the Schedule hereto annexed, without the Consent in Writing of the Owner or Owners thereof being first had and obtained for that Purpose.

Misnomers not to prevent Execution of the Act.

LXX. Provided always, and be it enacted, That if any Spring, Brook, Stream, Grounds, Houses, or other Premises required for the Purposes of this Act, or the Persons to whom they belong, or by whom they are occupied, shall happen to be omitted, misnamed, or improperly described in the Schedule hereto annexed, such Omission, Misnomer, or inaccurate Description shall not retard the Execution of this Act, but the same shall and may be taken and used for the Purposes of this Act, in such and the same Manner in all respects as if the Owners and Occupiers thereof had been therein properly named and described, in case it shall appear to Two or more Justices of the Peace for the County of *Edinburgh*, to be named at a Meeting of the Quarter Sessions of the said County, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake.

LXXI. And whereas a Map or Plan of the Line of the proposed Aqueducts from the said Spring called the *Crawley Spring*, and from the said Burn of *Glencorse* to the said intended Reservoir on the *Castlehill* aforesaid, and from the *Black Springs* to the *Crawley Spring*, and the Lands and Grounds through which the same lead, in which Map or Plan are laid down the Sites of the several Reservoirs herein-before mentioned as therein inserted, together with a Book of Reference containing Lists of the Names of the Owners and Occupiers of the Lands through which it is intended to lead such Aqueduct or Aqueducts, and within which such Reservoirs are intended to be situated, have been deposited with the Clerk of the Peace for the County of *Edinburgh*; be it enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of such Clerk of the Peace, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse the same, and obtain Copies or Extracts thereof, paying to such Clerk at the Rate of Sixpence for every One hundred Words of such Copies or Extracts; and that in any Alteration of the Course or Direction of the said Aqueducts, or the Sites of the said intended Reservoirs, it shall not be in the Power of the said Company to deviate more than One hundred Yards from the Lines or Sites described in such Map or Plan respectively, except in manner herein-before mentioned.

Map to remain with the Clerk of the Peace.

LXXII. And be it enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Trustees, Heirs of Entail, Tutors or Curators for Infants, Minors, Idiots, fatuous or furious Persons, for Persons absent from *Scotland*, and for others, and to and for all and every other Person or Persons whatsoever under any other Disability or Incapacity, who are or shall be seised, possessed of, interested in, or entitled to any of the Springs, Brooks, Grounds, Houses, or other Premises required for the Purposes of this Act, to sell and convey the same to the said Company, or otherwise to agree with them for the Use thereof for the Purposes aforesaid; and that all Contracts, Agreements, Sales, or other Conveyances that shall be made shall be valid to all Intents and Purposes; any Law, Statute, Usage, or other Matter or Thing whatsoever to the contrary notwithstanding.

Powers to Heirs of Entail, &c. to treat.

LXXIII. Provided always, and be it enacted, That if any Person or Persons, Bodies Politic, Corporate, or Collegiate, or Owners or Occupiers of any Spring, Brook, Stream, Grounds, Houses, or other Property required for the Purposes of this Act, specified in the Schedule hereto annexed, seised or possessed of, interested in, or entitled to the same respectively, shall refuse to treat, contract, or agree to sell the same as aforesaid, or to allow the said Company to enter upon, use, or take the same for the Purposes of this Act, they shall be bound and obliged to state in Writing the Sum or Sums which they demand as Damage or Recompence for the Ground or other Subjects taken or to be taken for the Purposes of this Act; and if the said Company shall decline to pay the Sum or Sums so demanded, the said Company shall also be bound and obliged to state in Writing the Sum or Sums of Money which they are willing and offer to pay, whereupon it shall and may be lawful to and for the Sheriff Depute of the County of *Edinburgh*, or his Substitute, and they or either of them are and is hereby authorized and required, upon Application from the said Company, or from their Clerk for the Time being, to summon and return

Mode of Procedure when Proprietors refuse to treat.

return Thirty substantial and disinterested Persons, Proprietors of Lands within the County of *Edinburgh* valued in the Cess Book of the said County to the Extent of One hundred Pounds *Scots* or upwards; and the said Sheriff Depute or his Substitute shall appoint a Day and Place for proceeding in the said Matter, of which Notice in Writing shall be given to the Owners and Occupiers of such Spring, Brook, Stream, Grounds, Houses, or other Premises, personally, or left at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of the Premises as aforesaid, and at the Time and Place appointed by the Sheriff Clerk of the County of *Edinburgh*, or his Deputy or Substitute, shall, in the Presence of the said Sheriff Depute or his Substitute, and the Party or Parties interested, if, he, she, or they shall attend, put into a Box or Glass the Names of the whole Thirty Persons so summoned and returned, and shall out of such Box or Glass draw out the Names of Fifteen Persons, and the Fifteen Persons whose Names shall be thus drawn shall form a Jury for the Purposes aforesaid; and in case of the Death of any of the said Fifteen Persons, or their Inability to attend, the said Sheriff shall direct the Sheriff Clerk, or his Deputy or Substitute, to draw from amongst the remaining Names of the Persons summoned as aforesaid such an additional Number of Names as may be necessary to make up a complete Jury of Fifteen Persons able to attend; and the said Fifteen Persons are hereby required to come and appear before the said Sheriff Depute or his Substitute at such Times and Places as in his Warrant or Warrants, Precept or Precepts, shall from Time to Time be directed and appointed to that Effect; and the said Sheriff Depute or his Substitute is hereby authorized and empowered, by Warrant or Warrants under his Hand, from Time to Time, as Occasion shall require, to call before him such Person or Persons as shall be thought by the Parties proper or necessary to be examined as a Witness or Witnesses before him touching or concerning the Premises, and to send his Precept or Precepts for all and every such Person or Persons, who is and are hereby required to appear before the said Sheriff Depute or his Substitute, and to produce such Books, Papers, Deeds, and Writings as the said Sheriff Depute or his Substitute shall judge necessary for his Information, or for the Information of the Jury so to be formed as aforesaid, in any Matter or Thing relating to this Act; and the said Sheriff Depute or his Substitute shall and may administer Oaths for the better Discovery of the Truth in regard to the Enquiry by him to be made, to any Person or Persons therein concerned, or to any other Person or Persons whomsoever, and shall and may authorize the said Jury to view the Place or Places and Matters in question; and the said Jury upon their Oaths (which Oaths the said Sheriff Depute or his Substitute shall and may administer) shall enquire of and give their Verdict for such Price or Prices, Damage, or Recompence, as they shall judge fit to be awarded to such Owners and Occupiers as aforesaid, or any of them, for such Spring, Brook, Stream, Grounds, Houses, or other Premises, or any Part thereof, for their respective Estates or Interests in the same; and the Sheriff Depute or his Substitute shall and may give Judgment for the Sum or Sums of Money specified in the Verdict or Verdicts of such Jury or Juries respectively; which said Verdict or Verdicts, and the Judgment, Decree, or Determination thereupon declared and pronounced by the said Sheriff Depute or his Substitute, and the Value or Recompence, Price or Prices so to be awarded and declared, shall be binding and conclusive, to all Intents and Purposes whatsoever, against the said Company,  
and



and against such Persons, Bodies Politic, Corporate, or Collegiate, and all and every other Person or Persons whatsoever having or claiming any Right, Title, Trust, or Interest of, in, to, or out of such Premises as aforesaid, and the Verdicts, Judgments, Orders, Sentences, and Decrees, and other Proceedings of the said Sheriff Depute or his Substitute, so to be made, given, and pronounced as aforesaid, shall be fairly written upon Paper or Parchment, and signed by the Sheriff Depute or his Substitute at the making or pronouncing of the same, and shall be recorded in the Sheriff Court Books of *Edinburgh*, and the same or certified Copies thereof shall be deemed and taken as good and effectual Proof and Evidence in any Court of Law or Equity whatsoever; and if any Person so summoned and returned as aforesaid upon such Jury shall not appear, or appearing shall refuse to be sworn or to give his Verdict, or shall in any other Manner wilfully neglect his Duty, contrary to the true Intent and Meaning of this Act, or if any Person so summoned to give Evidence shall not appear after having been paid or tendered a reasonable Sum for his or her Costs, Charges, and Expences, or appearing shall refuse to be sworn and examined or give Evidence, every Person so offending, having no reasonable Excuse, to be allowed by the said Sheriff Depute or his Substitute, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, for the Benefit of the Jury upon which or to give Evidence before which such Person was so summoned: Declaring always, that the said Sheriff Depute, or his Substitute acting as such, although Proprietor of the Stock of this Company, shall not be disqualified from discharging the Judicial Duties or executing the other Matters committed to him by this Act, unless he shall otherwise happen to be specially interested in the Matter under Discussion.

LXXIV. Provided always, and be it enacted, That if such Jury or Juries shall by their Verdict award the Premises to be of the Value which the Owners and Occupiers shall have demanded for the same, or a greater Value, then and in that Case the Costs and Charges of every Sort and Kind attending the obtaining of such Verdict shall be paid and defrayed by the said Company; and if the said Jury or Juries shall award the Premises to be of less Value than the said Company shall be willing and shall have offered to pay for the same, then in that Case the said Costs and Charges shall be paid and defrayed by the said Owners and Occupiers; and if the said Jury or Juries shall award the Premises to be of less Value than the said Owners and Occupiers shall have demanded, but to be of greater Value than shall have been offered by the said Company, then and in that Case the said Costs and Charges shall be paid and defrayed by the said Owners and Occupiers and by the said Company equally between them: Provided always, that in all Cases where any Person shall by reason of Absence be prevented from treating such Costs and Charges shall be paid by the said Company.

Expences of Juries how to be paid.

LXXV. And be it enacted, That upon Payment of such Sum or Sums of Money so to be awarded and adjudged to the Party or Parties concerned, or legal Tender made to him, her, or them respectively, either personally or at his, her, or their usual Place or Places of Abode, or upon Payment thereof into the Bank of *Scotland*, into the Royal Bank of *Scotland*, or the Bank of the *British Linen Company of Scotland*, in manner by this Act directed, it shall then, and not before or otherwise, be lawful to and for

On Payment, Company may take possession.

the said Company, and to and for their Agents and Workmen, to take possession and dispose of such Springs, Brooks, Streams, Grounds, Houses, or other Premises, for the Purposes of this Act, in such Manner as the said Company shall see fit and expedient, and the said Company shall be indemnified therein and be quieted in the Possession of the Premises so to be ordered and disposed of under the Authority of this Act, provided that Notice shall be given to the Tenants and Occupiers Thirty Days at least before the Term of *Martinmas* or *Whitsunday* at which they are to be removed therefrom, by serving the same upon such Tenants or Occupiers, or leaving the same at his, her, or their usual Place or Places of Abode.

Application  
of Compensation when  
exceeding  
200*l.*

LXXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Heritages, or other Premises purchased or taken or used by virtue 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 Corporation, married Woman, Infant, Lunatic, or Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to Two hundred Pounds, under the Direction and by the Authority of the Court of Session; be with all convenient Speed paid into the Bank of *Scotland*, Royal Bank of *Scotland*, or Bank of the *British* Linen Company 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 Lands, Tenements, or Heritages, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the said Lands, Tenements, or Heritages 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 Lands, Tenements, or Heritages, 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 Lands, Tenements, or Heritages 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 meantime, 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 have been entitled to the Rents and Profits of the Lands, Tenements, and Heritages so hereby directed to be purchased, in case such Purchase or Settlement were made.

When less  
than 200*l.*  
and above  
20*l.*

LXXVII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Heritages purchased, taken, or used for the Purposes aforesaid, and belonging to any Incorporation, or to any Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, 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 Lands, Tenements, and Heritages so purchased,

chased, taken, or used, or 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 any of the said Banks, and be placed to his, her, 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 Three Trustees, to be nominated by the Person or Persons making such Option, and approved of by Five or more of the said Committee of Management, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Interest arising thereon, may be applied in any Manner herein-before directed, so far as the Case may be applicable.

LXXVIII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than Twenty Pounds, 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 Lands, Tenements, or Heritages so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Committee, or any Five or more of them, 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.

When less than 20*l.*

LXXIX. 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 Lands, Tenements, or Heritages, by virtue of this Act, shall refuse to accept the same, or shall not be able to make out a good Title to the Premises to the Satisfaction of the said Committee, or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Heritages be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Committee, or any Five or more of them, to order the said Sum of Money so awarded as aforesaid to be paid into the Bank of *Scotland*, or Royal Bank of *Scotland*, or Bank of the *British Linen Company of Scotland*, to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments, (describing them,) subject to the Order, Control, 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 or Parts thereof, by Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same 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 such 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*, or Bank of the *British Linen Company 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.

In case of not making out Titles, Purchase Money to be paid into the Banks.

LXXX. Pro-

Where Question shall arise touching the Right to Money.

LXXX. Provided always, 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 Bank of *Scotland*, Royal Bank of *Scotland*, or Bank of the *British Linen Company of Scotland*, under the Direction and by Authority of the Court of Session, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Heritages, or any Estate, Right, or Interest in any Lands, Tenements, or Heritages to be purchased with any such Money, or to the Rents or Profits thereof, the Person or Persons who shall have been in possession of such Lands, Tenements, or Heritages at the Time of such Purchase, and all Persons claiming under such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Heritages, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court, and the Rents and Profits of the Lands, Tenements, and Heritages to be purchased with such Money, and also the Lands, Tenements, and Heritages so purchased, shall be paid, applied, and disposed of accordingly, unless it shall be made to 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 Lands, Tenements, or Heritages, or to some Estate or Interest therein.

Court may order Application of Prices in Cases of Incapacity.

LXXXI. Provided also, and be it further enacted, That where, by reason of any Disability and Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Heritages to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied to the Purchase of other Lands, Tenements, or Heritages, to be settled to the like Uses, in pursuance of this Act, it shall be lawful for the said Court to order the Prices and other Expences of all Purchases to be made from Time to Time in pursuance of this Act, or so much of such Prices or other Expences as the Court shall deem reasonable, to be paid by the said Company of Proprietors, who shall from Time to Time pay such Sums of Money for such Purchases as the said Court shall direct; and provided also, that in all Cases where it shall be necessary to make Application to the said Court in regard to any Monies so paid into the said Court the Expence of such Application shall be paid by the said Company.

Water not to be abstracted from Reservoirs.

LXXXII. And be it further enacted, That if any Person or Persons shall take or cause to be taken or used any Water out of any Pond, Tank, Reservoir, or Aqueduct already made by virtue of any of the before-recited Acts, or which shall be made by virtue of this Act, or by virtue of a Provision in an Act passed in the Fifty-seventh Year of the Reign of His present Majesty, intituled *An Act for making and maintaining a navigable Canal from the Lothian Road near the City of Edinburgh to join the Forth and Clyde Navigation near Falkirk in the County of Stirling*, by which it is provided; that the said Company should permit and suffer the surplus or Waste Water therein specified to be conveyed for the Use of the City of *Edinburgh*, without the previous Consent in Writing of such Person or Persons as shall be authorized by the said Company to give such Consent, then and in every such Case every Person so offending shall forfeit and pay a Sum not exceeding Fifty Pounds Sterling for every such Offence.

LXXXIII. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons whatsoever to use and employ the Water brought into the said City and Places adjacent, by virtue of any of the above recited Acts, and to be brought in by virtue of this Act, in the extinguishing of any Fire or Fires which may happen in the said City of *Edinburgh* and Places adjacent, without making any Compensation or Satisfaction to the said Company or any other Person or Persons whatsoever; and that proper Fire Plugs shall be provided for this Purpose in convenient Situations at the Expence of the said Company.

Water may be used for extinguishing Fires.

LXXXIV. And be it further enacted, That it shall and may be lawful to and for the said Company to treat, contract, and agree with the Lord Provost, Magistrates, and Council of the said City, or with the Commissioners of Police, or with the Inhabitants of any Street, District, or Place within the same, or the Places adjacent, to water the Streets of the said City, or any such Street, District, or Place, and for the Recompence to be paid for the same; and such Recompence shall and may be recovered as Debts due to the said Company may be recovered by the Laws of *Scotland*, and such Recompence, when paid, shall be applied as the Rates and Duties payable to the said Company may be applied; but providing that the said Committee of Management shall not so apply the Water until the Inhabitants have a sufficient Supply of Water.

Company may water the Streets.

LXXXV. And be it enacted, That all Persons who at the Time of passing this Act shall have Water conveyed to their Houses or other Premises by Pipes already laid, shall and may continue to possess and enjoy the same Privilege upon making Payment to the said Company of the present Rates and Duties until *Whitsunday* One thousand eight hundred and twenty-one, and of such Rates and Duties as may after that Term be fixed in the Manner after specified.

Private Pipes already laid to continue.

LXXXVI. And be it further enacted, That such of the Inhabitants of the said City of *Edinburgh*, its Liberties and Places adjacent, as shall be desirous of having Water conveyed to their Houses or other Premises, may and they are hereby authorized and empowered, at their own Expence, (having first obtained the Consent in Writing under the Hands of such Person or Persons as shall be authorized by the said Company to give such Consent, which they are required to give within Eight Days after due Intimation,) to open the Ground between the Pipes belonging to the said Company and their respective Houses or other Premises, and to lay Leaden or other Pipes (the Bore whereof to be ascertained by the said Company) from such respective Houses or other Premises to communicate with the Reservoirs or Pipes belonging to the said Company in any Street, Passage, or Place within the said City of *Edinburgh* and Places adjacent, such respective Inhabitants making Satisfaction to the Trustees of such Roads, or those having the Charge of or interested in such Streets, Passages, or Places, or to the Owners and Occupiers of and others interested in any Lands, Grounds, or Heritages, who shall or may be injured by such Operations by the said Inhabitants in taking and using a Supply of Water from the said Company; and in case of Absence or Refusal to treat, the Damages shall be ascertained by Two Justices of the Peace for the said County, to be recovered in manner herein-after directed.

Power to Inhabitants to open Ground to lay Pipes, after giving Notice, and receiving Consent of the Company.

[*Local.*]

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LXXXVII. And

Penalty on  
laying down  
Pipes without  
Consent.

LXXXVII. And be it further enacted, That if any Person or Persons shall lay or cause to be laid any Leaden or other Pipe to communicate with any Reservoir, Aqueduct, or Pipe belonging to the said Company, or any Pipe or Pipes communicating therewith, without the Consent of the said Company having been first obtained in relation to the same as aforesaid, every such Person shall forfeit and pay to the said Company the Sum of Twenty Shillings every Day the said Pipe shall have so remained, and the said Company shall have Right to cut off the same: Provided always, that such Persons as shall have laid such Pipes as aforesaid shall be at liberty to remove and take away the same and the Cocks thereto belonging.

Persons supplied with  
Water not  
to supply  
others.

LXXXVIII. And be it further enacted, That if any Person or Persons whatsoever, supplied with Water by virtue of this Act, shall supply any other Person or Persons whatsoever with any Part of such Water, then and in every such Case every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Five Pounds; and it shall be lawful for the said Company, if they shall think fit, also to take off the Water from the House or Premises of any Person so offending, for any such Offence.

Except in  
certain Cases.

LXXXIX. Provided always, and be it further enacted, That nothing herein contained shall extend to subject any Person or Persons whatsoever, supplied with Water by virtue of this Act, to any Penalty or Forfeiture for supplying any other Person or Persons, also supplied with Water by virtue of this Act, with any Quantity of such Water, during such Time as the Pipes, Cocks, or Cisterns of such last-mentioned Person or Persons shall or may happen to be out of repair; provided that such Pipes, Cocks, or Cisterns shall nevertheless be repaired as soon as possible after any Damage shall happen thereto.

Stopcocks  
to be provided to  
Cisterns.

XC. And be it further enacted, That every Person or Persons supplied with Water by virtue of this Act shall have a Cistern for receiving Water, and in such Cistern or Receptacle for Water shall attach and fix a Ballcock, or other self-acting Cock, to the Pipe conveying Water from the Reservoirs or Pipes belonging to the said Company into such Cistern or other Receptacle, and shall repair and renew the same as often as shall be necessary, in order to prevent the Water running to waste when such Cistern or other Receptacle shall be full, and the Person or Persons neglecting to attach and fix and repair or renew such Ballcock, or other self-acting Cock, shall forfeit to the said Company a Sum not exceeding Five Pounds for every Offence; and any Officer specially authorized by the said Company, or their Committee, shall have free Access at all reasonable Times to the Premises to be supplied as aforesaid to see that such Ballcocks, or other self-acting Cocks, are kept in proper and sufficient Repair and Condition.

Drains or  
Sewers laid  
open to be  
fenced.

XCI. Provided always, and be it further enacted, That it shall not be lawful for the said Company to alter or change the Course or Direction of any of the Sewers or Drains in the said City, without the Consent of the Lord Provost, Magistrates, and Council thereof; and that any Ground which shall or may be opened or broken up for laying, taking up, or repairing any Pipe, by virtue of this Act, by the said Company, or by any  
Person

Person or Persons with their Consent, shall, by the said Company or such Person or Persons respectively, be filled in, and the Rubbish occasioned thereby carried away, as soon as conveniently may be, and in the meantime be fenced or guarded according to the Regulations of the Police of the said City, and shall also be lighted with a sufficient Number of Lamps during the Night, under a Penalty not exceeding Five Pounds, to be levied and recovered from the Person or Persons so failing to fence, guard, and light such Ground, and applied in manner herein-after mentioned, so that the same may not be dangerous to Passengers; and Notice in Writing shall be given by the said Company and the Person or Persons making any Openings respectively, Twenty-four Hours before the breaking up of any Ground as aforesaid, to the Superintendent of Public Works, Lord Provost, and Magistrates of the said City for the Time, by Notice left at the Council Chamber of the City, or to the Trustees for any Roads that may require to be broken up or to have Openings made in them, by Notice left at the House of the Clerk of the District, or to the Proprietor or Proprietors thereof, or left at his, her, or their usual Places of Abode, as the Case may be, in order that the Streets, Roads, Pavements, and Grounds, and all Things that shall have been removed, shall be made good, at the Sight of the said Lord Provost and Magistrates, or Trustees of the said Roads, or Proprietor or Proprietors thereof respectively, by the said Company, or the Person or Persons making such Openings as aforesaid, within Twelve Hours after any such Pipe shall have been laid, taken up, or repaired as aforesaid, under the Penalty of Five Shillings for each Hour thereafter that the said Streets, Roads, Pavements, Grounds, and other Things shall not be made good as aforesaid, to be applied to the Use of the Charity Workhouse of the City of *Edinburgh*; and in the event that the said Streets, Roads, Pavements, Grounds, and other Things shall not be made good as aforesaid, then and thereafter it shall and may be lawful for the said Lord Provost and Magistrates, Trustees, or Proprietor or Proprietors thereof, as the Case may be, to order and direct the same to be made good, at the Expence of the said Company, or Person or Persons with whom they shall have agreed as aforesaid, and to sue for and recover such Expences by the same Ways and Means by whom any Penalty may be sued for and recovered by virtue of this Act; but declaring always, that it shall and may be lawful to and for the said Company or other Person or Persons making such Openings to contract and agree with the said Lord Provost, Magistrates, and Council, or the Trustees aforesaid respectively, so as the latter may for the Recompence stipulated themselves fill up and make good the Streets, Pavements, or Roads so opened to their own Satisfaction, in which Case the aforesaid Penalties for not making good the said Streets, Pavements, and Roads shall not attach to the said Company or Person or Persons making such Openings.

XCVII. And be it enacted, That if any Person or Persons shall wilfully hinder or interrupt the said Company, or their Deputies, Agents, Workmen, or Servants, or any of them, in doing or performing any of the Works by this Act directed, or in exercising any of the Powers and Authorities by this Act granted, or shall in anywise cause the same to be done, every Person so offending shall for every such Offence forfeit and pay to the said Company any Sum not exceeding Ten Pounds, and also the full Amount of the Damage which shall be sustained by such Hindrance or

Penalty for  
interrupting  
Workmen.

Inter-

Interruption, such Damage to be recovered in like Manner as any Penalty or Forfeiture can or may by virtue of this Act be recovered.

Penalty for  
injuring  
Works.

XCVIII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or damage any Works already erected and made, or to be erected and made by virtue of this Act, or destroy, damage, or injure any Pond, Reservoir, Aqueduct, Pipe, Plug, or other Matter or Thing already made, constructed, provided, or procured for the Purposes of this Act, or the Materials used or provided for the same, every such Person shall forfeit and pay to the said Company any Sum not exceeding Ten Pounds, and also the full Amount of the Damage, which shall be recovered in the like Manner as the said Penalty is hereby authorized to be recovered.

Penalty for  
injuring the  
Water.

XCVI. And in order to preserve the Water to be conveyed to the said City and Places adjacent, and also the Water in the Company's Reservoirs, pure and wholesome, be it enacted, That no Person or Persons shall bathe in any Reservoir or Basin constructed under the Authority of any of the before-recited Acts, or to be made and constructed in virtue of this Act, or wash any Dog or other Animal therein, or cast, throw, or put any Dog or other Animal, or any Filth, Dirt, or noisome or offensive Thing, or wash or cleanse any Cloth or any other Thing, in any of the said Reservoirs or Basins, or suffer the Water of any Sink, Sewer, or Drain to run or be conveyed into the same, or into any of the said Pipes, or cause any other Annoyance to be done to the said Water, upon pain of forfeiting for every such Offence a Sum not exceeding Ten Pounds.

Provisions  
for the Erec-  
tion of new  
Wells.

XCV. And be it enacted, That it shall and may be lawful to and for the said Company to erect a private Well or private Wells at such Places of the City of *Edinburgh* or Places adjacent as the Inhabitant Householders proposing to use the same shall suggest, provided that such Inhabitants defray the Expence of Erection, and pay to the Company an annual Rate, to be fixed by the Committee, not exceeding Five Pounds *per Centum* on the real Rent of the Houses occupied by them, as they may be assessed for the Police Tax, which Rate when in arrear shall and may be recovered by the said Company as the other Rates and Duties after specified, and provided that the said annual Rate shall only be payable by the Inhabitant Householders applying for the Erection of such Wells, and using the same.

Rates and  
Duties for  
Inhabitant  
House-  
holders.

XCVI. And be it enacted, That the said Company or their Committee shall have full Power and Authority from Time to Time to fix and ascertain the annual Rates and Duties to be paid to the said Company by all and every Person or Persons whatsoever having Water conveyed to their private Houses from the Reservoirs and Pipes belonging to the Company; provided always, that such Rates and Duties shall not exceed Five Pounds *per Centum* on the real Rent of the said Houses as they may be assessed for the Police Tax.

For Shop-  
keepers and  
Warehouse-  
holders.

XCVII. And be it enacted, That the said Company shall from Time to Time fix and ascertain the annual Rates and Duties to be paid by Shopkeepers and Warehouse Holders requiring an ordinary Supply of Water, having Water conveyed into their Shops or Warehouses from the Reservoirs or Pipes belonging



belonging to the said Company; provided always, that such Rates and Duties shall not exceed One and a Quarter *per Centum* on the real Rent of the said Shops or Warehouses as they may be assessed for the Police Tax, which is in no Case to be calculated on a higher Rent than One hundred and twenty Pounds Sterling.

XCVIII. And be it enacted, That Brewers, Distillers, and other Manufacturers, and Hotel Keepers, and other Persons having public Establishments or Shops requiring an extraordinary Supply of Water, having Water conveyed to their Premises from the Reservoirs or Pipes belonging to the said Company, shall pay such annual Rates or Duties for the same as may be agreed on between them and the said Company, or, in case of Difference in opinion between them, by the Sheriff Substitute of the County of *Edinburgh* for the Time being, or, in the Option of any of the aforesaid Parties requiring Water, by the Sheriff Depute of the said County, whose Judgment or Determination shall be conclusive and final, and not subject to Review.

For Brewers,  
Distillers,  
Manufacturers,  
and Hotel  
Keepers.

XCIX. And be it enacted, That in case of Default in Payment of any such Rates and Duties it shall and may be lawful to the said Company to cause the Pipe or Pipes belonging to the Person making such Default, and communicating with any Reservoir or Reservoirs, Pipe or Pipes belonging to the said Company, to be separated from the said Reservoir or Reservoirs, Pipe or Pipes, with which the same shall so communicate, and to cause the Water to be stopped from issuing or running into the House or other Premises of every Person making such Default, until all such Rates and Duties, and the Arrears thereof, shall be paid off and discharged; and the Rates and Duties which shall be due and in arrear from such Person or Persons to the said Company shall and may be recovered by Pounding and Sale of the Goods and Effects of the Persons liable to pay the same, in the same Manner as Rents payable by Tack or Lease may be recovered by the Law of *Scotland*.

Rates and  
Duties how  
to be recovered.

C. And be it enacted, That the Penalties and Forfeitures authorized to be sued for, levied, and recovered by virtue of this Act shall and may be sued for, levied, and recovered by the said Company, or by their Clerk in their Name, in the same Way and Manner as the Rates of Water Duty are hereby authorized to be levied; and in case the same shall not be thereby recovered and made effectual, together with the Expences of suing for, levying, and recovering the same, it shall be lawful for the Judge or Judges before whom such Suit shall have been brought to commit the Person or Persons so failing to pay such Penalties, Forfeitures, or Expences, to the Common Gaol or Bridewell of the County, City, or Place within which he, she, or they may reside, there to remain for any Time not exceeding Three Calendar Months, unless the said Penalties, Forfeitures, and Expences, and all reasonable Charges, shall be sooner paid and satisfied.

Recovery of  
Penalties.

CI. And be it enacted, That in case any Person or Persons shall think himself, herself, or themselves aggrieved by a partial Distribution of the Supply of Water by the said Company, it shall be lawful for any such Person to apply by Petition and Complaint to the said Sheriff Depute of the County of *Edinburgh* for the Time being, for Redress, and such

In case of  
Complaint  
as to the partial  
Supply  
of Water.

[Local.]

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Sheriff

Sheriff Depute shall thereupon make Inquiry into the Matter of Complaint, and shall make such Order therein, binding on the said Company for the Period of Time during which such Company shall have contracted and agreed to supply with Water the Person or Persons making such Complaint, and shall award such Costs and Expences to such Person or Persons making such Complaint, or to the said Company, as to such Sheriff Depute shall seem just; and the Judgment or Determination of such Sheriff Depute shall be conclusive and final, and not subject to Review.

Purposes of the Act to be completed in Ten Years.

CII. Provided always, and be it enacted, That in case the Works intended to be carried into effect under the Authority of this Act shall not have been completed so as to answer the Objects of this Act within the Term of Ten Years from and after the passing thereof, all the Powers and Authorities given by this Act shall thenceforth cease and determine, save only as to so much of such Works aforesaid as shall have been completed within the said Term of Ten Years.

Exceptions as to Holyrood House.

CIII. And be it enacted and declared, That the Powers, Provisions, Matters, and Things in this Act contained shall not, nor shall any of them, extend or be construed to extend to His Majesty's Palace of *Holyrood House*, or the Royalty or Precincts thereof, and such Palace, and the Royalty and Precincts thereof, are and shall be excluded from the Operation of the present Act.

Actions where to be brought.

CIV. And be it enacted, That all Actions or Suits relative to this Act, and all Fines, Penalties, Damages, and Expences to be recovered under this Act, and for which no Remedy is previously provided, shall be sued for by summary Complaint before and judged of by His Majesty's Sheriff Depute for the County of *Edinburgh*, and before no other Court or Courts, and his Judgments shall be final and conclusive, and not subject to the Review of any Court or Courts whatever, any Law or Custom to the contrary notwithstanding.

Company may sue or be sued in the Name of their Clerk.

CV. And be it enacted, That the said Company may sue and be sued for any thing done or ordered by them in virtue of this Act in the Name of their Clerk for the Time being; and no Action or Suit wherein the said Company shall be concerned as Pursuers or Defenders in the Name of their Clerk shall abate by the Death or Removal of any such Clerk, but the Clerk to the said Company for the Time being shall be deemed to be the Pursuer or Defender in every such Action or Suit.

Limitation of Action.

CVI. And be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance or by virtue of this Act, after the Expiration of Six Calendar Months next after the Fact committed or Cause of Action incurred for which such Suit or Action shall be so brought.

Notices on the Company how to be served.

CVII. And be it further enacted, That in all Cases wherein it may be requisite or necessary for any Person or Persons, or Party or Parties to serve any Notice or Notices or any legal Proceedings upon the said Water Company, the Service thereof upon the Clerk of the said Water Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively

tively shall not be found or known, then Service upon any other Agent or Officer employed by the said Company, or on any Member of the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Company.

CVIII. And be it further enacted, That all the Money to be raised by the said Company by virtue of this Act is hereby directed and appointed to be laid out and applied in the first place for and towards the Payment, Discharge, and Satisfaction of all Costs, Charges, and Expences in applying for, obtaining, and passing this Act, and all the necessary Expences preparatory and relating thereto, and all the Residue and Remainder of said Money for and towards making, completing, and maintaining the said Aqueducts, Reservoirs, Pipes, and other Works, and other the Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever.

Application  
of Money to  
be raised.

CIX. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

Public Act.

## SCHEDULE to which this Act refers.

*Aqueduct from the Black Springs to Crawley Spring.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
A.	Robert Ferguson of Raith. William Johnston of Lathrisk.	Not put to any Use.	Spring.	Penicuik.	Edinburgh.
B.	Robert Ferguson of Raith.	ditto.	Springs.	ditto.	ditto.
C.	Robert Ferguson of Raith.	ditto.	Springs.	ditto.	ditto.
D.	Thomas Scott of Mallyen.	ditto.	Spring.	{ Penicuik or Currie. }	ditto.
1.	William Johnston of Lathrisk.	Himself.	Sheep Walk.	Penicuik.	ditto.
2.	Robert Ferguson of Raith.	James Aikman.	ditto.	ditto.	ditto.
2 a	Thomas Scott of Mallyen.	Alexander Ramage.	ditto.	{ Penicuik or Currie. }	ditto.
3.	Heritors of Penicuik Parish.	Public.	Parish Road.	Penicuik.	ditto.
4.	John Trotter of Castlelaw.	Thomas Ritchie.	Arable.	Glencorse.	ditto.
5.	ditto.	ditto.	ditto.	ditto.	ditto.
6.	ditto.	John Dickson.	ditto.	ditto.	ditto.
7.	ditto.	ditto.	ditto.	ditto.	ditto.
8.	ditto.	ditto.	ditto.	ditto.	ditto.
9.	Road Trustees of Wright's Houses Districts.	The Public.	Road.	ditto.	ditto.
10.	John Trotter of Castlelaw.	John Dickson.	Arable.	ditto.	ditto.

*Aqueduct from Glencorse Burn at or near Glencorse Bridge to Crawley Spring.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
1.	Proprietors on its Banks.	Occupiers on its Banks.	Burn or Brook.	Glencorse.	Edinburgh.
2.	Heritors of Glencorse Parish.	The Public.	Parish Road.	ditto.	ditto.
3.	Alexander Finlay of Glencorse.	Himself.	Plantation.	ditto.	ditto.
4.	John Trotter of Castlelaw.	John Dickson.	Arable.	ditto.	ditto.
5.	ditto.	Alexander Wilson.	Cottage.	ditto.	ditto.
6.	Road Trustees of Wright's Houses District.	Public.	Turnpike Road.	ditto.	ditto.
7.	Alexander Finlay of Glencorse.	James Thomson. } George Dickson. }	Cottages.	ditto.	ditto.
8.	ditto.	Himself.	Arable.	ditto.	ditto.
9.	John Trotter of Castlelaw.	John Dickson.	ditto.	ditto.	ditto.

*Aqueduct from Crawley Spring to the City of Edinburgh.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
1	John Trotter of Castlelaw.	Not put to any Use.	Spring.	Glencorse.	Edinburgh.
2	ditto.	John Dickson.	Arable.	ditto.	ditto.
3	ditto.	ditto.	ditto.	ditto.	ditto.
4	Heritors of Glencorse Parish.	Public.	Parish Road.	ditto.	ditto.
5	John Trotter of Castlelaw.	John Dickson.	Pleasure Ground.	ditto.	ditto.
7	Alexander Finlay of Glencorse.	Himself.	{ Arable and Plantation. }	ditto.	ditto.
8	ditto.	ditto.	Pasture.	ditto.	ditto.
9	John Inglis of Loganbank.	ditto.	{ Arable and Plantation. }	ditto.	ditto.
10	Sir Charles M'Donald Lockhart, Bart.	William Cochran.	Arable.	ditto.	ditto.
11	ditto.	ditto.	ditto.	ditto.	ditto.
12	ditto.	ditto.	ditto.	ditto.	ditto.
13	ditto.	ditto.	ditto.	ditto.	ditto.
13a	ditto.	ditto.	Road.	ditto.	ditto.
14	ditto.	ditto.	Arable.	ditto.	ditto.
15	ditto.	ditto.	ditto.	ditto.	ditto.
16	ditto.	ditto.	ditto.	ditto.	ditto.
17	ditto.	ditto.	ditto.	ditto.	ditto.
17a	Road Trustees of Lasswade District.	Public.	Turnpike Road.	ditto.	ditto.
18	Sir Charles M'Donald Lockhart, Bart.	James Wallace.	Arable.	ditto.	ditto.
19	ditto.	ditto.	ditto.	ditto.	ditto.
1	Sir Charles M'Donald Lockhart, Bart.	John Train.	{ Arable. }	Lasswade.	ditto.
2	ditto.	John Ainslie.	ditto.	ditto.	ditto.
2a	Heritors of Lasswade Parish.	Public.	Parish Road.	ditto.	ditto.
3	Sir Charles M'Donald Lockhart, Bart.	Robert Cochran.	Arable.	ditto.	ditto.
4	ditto.	Himself.	Plantation.	ditto.	ditto.
5	ditto.	Robert Cochran.	Arable.	ditto.	ditto.
6	ditto.	ditto.	ditto.	ditto.	ditto.
7	ditto.	ditto.	ditto.	ditto.	ditto.
7a	Heritors of Lasswade Parish.	Public.	Parish Road.	ditto.	ditto.
8	Sir Charles M'Donald Lockhart.	Himself.	Plantation.	ditto.	ditto.
9	ditto.	Robert Cochran.	Arable.	ditto.	ditto.
10	ditto.	William Ainslie.	ditto.	ditto.	ditto.
11	ditto.	ditto.	ditto.	ditto.	ditto.
11a	ditto.	ditto.	Private Road.	ditto.	ditto.
12	ditto.	ditto.	Arable.	ditto.	ditto.
13	ditto.	Himself.	Plantation.	ditto.	ditto.
14	ditto.	William Ainslie.	Arable.	ditto.	ditto.
15	ditto.	ditto.	ditto.	ditto.	ditto.
16	ditto.	ditto.	ditto.	ditto.	ditto.
17	Mrs. A. Gibson of Pentland.	John Allan.	ditto.	ditto.	ditto.

*Aqueduct from Crawley Spring to the City of Edinburgh—continued.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
17a	Heritors of Lasswade Parish.	Public.	Parish Road.	Lasswade.	Edinburgh.
18	Sir Charles M'Donald Lockhart, Bart.	Himself.	Plantation.	ditto.	ditto.
19	ditto.	James Neilson.	Arable.	ditto.	ditto.
20	ditto.	Himself.	Plantation.	ditto.	ditto.
21	Mrs. A. Gibson of Pentland.	John Allan.	Arable.	ditto.	ditto.
22	ditto.	ditto.	ditto.	ditto.	ditto.
23	ditto.	ditto.	ditto.	ditto.	ditto.
24	ditto.	ditto.	ditto.	ditto.	ditto.
24a	Heritors of Lasswade Parish.	Public.	Parish Road.	ditto.	ditto.
25	Mrs. A. Gibson of Pentland.	John Allan.	Arable.	ditto.	ditto.
26	ditto.	ditto.	ditto.	ditto.	ditto.
27	ditto.	ditto.	ditto.	ditto.	ditto.
28	ditto.	ditto.	ditto.	ditto.	ditto.
29	ditto.	ditto.	ditto.	ditto.	ditto.
30	ditto.	ditto.	ditto.	ditto.	ditto.
30a	Heritors of Lasswade Parish.	Public.	Parish Road.	ditto.	ditto.
31	Mrs. A. Gibson of Pentland.	John Allan.	Arable.	ditto.	ditto.
32	ditto.	ditto.	ditto.	ditto.	ditto.
1	James Johnston of Straiton.	John Jamieson.	Arable.	Libberton.	ditto.
2	ditto.	ditto.	ditto.	ditto.	ditto.
3	ditto.	ditto.	ditto.	ditto.	ditto.
3a	Road Trustees of Lasswade District.	Public.	Turnpike Road.	ditto.	ditto.
4	James Johnston of Straiton.	John Jamieson.	Arable.	ditto.	ditto.
5	ditto.	ditto.	ditto.	ditto.	ditto.
6	ditto.	ditto.	ditto.	ditto.	ditto.
6a	Robert Baird of Newbyth.	John Allan.	Private Road.	ditto.	ditto.
7	ditto.	ditto.	Arable.	ditto.	ditto.
8	ditto.	ditto.	Garden.	ditto.	ditto.
9	ditto.	ditto.	ditto.	ditto.	ditto.
10	William Scoon.	Himself. William Train. George Johnston. George Minto. Mrs. Simpson.	Garden.	ditto.	ditto.
11	Robert Baird of Newbyth.	John Allan.	Arable.	ditto.	ditto.
12	ditto.	ditto.	ditto.	ditto.	ditto.
13	ditto.	William Smith.	Cottage Garden.	ditto.	ditto.
14	ditto.	John Allan.	ditto.	ditto.	ditto.
15	ditto.	ditto.	Arable.	ditto.	ditto.
15a	Road Trustees of Lasswade District.	Public.	Turnpike Road.	ditto.	ditto.

*Aqueduct from Crawley Spring to the City of Edinburgh—continued.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
16	Thomas Sivewright of South House.	M'Kenzie Begrie.	Cottage Garden.	Libberton.	Edinburgh.
17	ditto.	ditto.	Arable.	ditto.	ditto.
18	ditto.	ditto.	ditto.	ditto.	ditto.
17a	Road Trustees of Wright's Houses District.	Public.	Parish Road.	ditto.	ditto.
19	Sir William Rae, Bart.	Himself.	Plantation.	ditto.	ditto.
20	ditto.	ditto.	Pleasure Grounds.	ditto.	ditto.
21	ditto.	ditto.	ditto.	ditto.	ditto.
22	ditto.	ditto.	Arable.	ditto.	ditto.
23	ditto.	ditto.	ditto.	ditto.	ditto.
24	ditto.	ditto.	Plantation.	ditto.	ditto.
25a	Road Trustees of Wright's Houses District.	Public.	Turnpike Road.	ditto.	ditto.
25	Robert Little Gil-mour of Inch.	Peter Bairnsfather.	Arable.	ditto.	ditto.
26	ditto.	Alexander Hay.	ditto.	ditto.	ditto.
27	ditto.	Peter Bairnsfather.	ditto.	ditto.	ditto.
28	ditto.	Alexander Hay.	ditto.	ditto.	ditto.
28a	Road Trustees of Wright's Houses District.	Public.	Turnpike Road.	ditto.	ditto.
29	Robert Little Gil-mour of Inch.	George Torrance.	Arable.	ditto.	ditto.
30	ditto.	ditto.	ditto.	ditto.	ditto.
30a	Road Trustees of Lasswade District.	Public.	Turnpike Road.	ditto.	ditto.
31	Robert Little Gil-mour of Inch.	George Torrance.	Arable.	ditto.	ditto.
32	ditto.	William Watson.	ditto.	ditto.	ditto.
33	ditto.	John Johnston.	ditto.	ditto.	ditto.
33a	Road Trustees of Lasswade District.	Public.	Turnpike Road.	ditto.	ditto.
33b	ditto.	ditto.	ditto.	ditto.	ditto.
36	Road Trustees of Middle District.	ditto.	ditto.	St. Cuthbert's.	ditto.
34	Robert Little Gil-mour of Inch.	John Johnston.	Arable.	Libberton.	ditto.
35	ditto.	ditto.	ditto.	ditto.	ditto.
36	ditto.	Robert Dale.	ditto.	ditto.	ditto.
37	ditto.	ditto.	Cottage.	ditto.	ditto.
36a	Road Trustees of Lasswade District.	Public.	Turnpike Road.	ditto.	ditto.
38	Sir Andrew Lauder Dick, Bart.	George Manylaws.	Arable.	ditto.	ditto.
1	ditto.	ditto.	ditto.	St. Cuthbert's.	ditto.
2	ditto.	Peter Lawson. Adam Murray.	Nursery Garden.	ditto.	ditto.
3	ditto.	William Cooper. Alexander Girdwood.	Garden.	ditto.	ditto.

*Aqueduct from Crawley Spring to the City of Edinburgh—continued.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
3a {	Heritors of St. Cuthbert's Parish. }	Public	Parish Road.	St. Cuthbert's.	Edinburgh.
4 {	Sir Andrew Lauder Dick, Baronet. }	George Manylaws.	Arable.	ditto.	ditto.
5	ditto.	John Croach.	Nursery.	ditto.	ditto.
6	ditto.	George Manylaws.	Arable.	ditto.	ditto.
7	ditto.	ditto.	ditto.	ditto.	ditto.
8 {	Heirs of the late John Murray. }	John Johnston.	Arable.	ditto.	ditto.
8a {	Heritors of St. Cuthbert's Parish. }	Public.	Parish Road.	ditto.	ditto.
9	James Tod.	Catherine Mercer.	Garden & Pasture	ditto.	ditto.
10	Walter Lothian.	Himself.	ditto.	ditto.	ditto.
11	George Miller.	ditto.	ditto.	ditto.	ditto.
12	City of Edinburgh. {	James Lindsay. Peter Purvis. }	Pasture.	ditto.	ditto.
13	Watson's Hospital.	John Heron.	ditto.	ditto.	ditto.
14	ditto.	Andrew Wilson.	ditto.	ditto.	ditto.
15	ditto.	James Swan.	ditto.	ditto.	ditto.
16 {	Road Trustees of Middle District. }	Public.	Turnpike Road.	ditto.	ditto.
1	Heriot's Hospital.	Itself.	Pasture.	{ New Grey Friars.	City of Edinburgh.
2	ditto.	ditto.	Garden.	ditto.	ditto.

*West Hamilton's Close, Parish of New Gray Friars.*

Owners Names.	Occupiers Names.	Description of Property.
Samuel Watson.	M'Kenzie Cunningham.	Stable.
ditto.	Thomas Jardine.	House and Pertinents.
ditto.	William Gordon.	ditto.
ditto.	Andrew Sommers.	ditto.
ditto.	John Cameron.	ditto.
ditto.	John M'Nay.	ditto.
ditto.	Thomas Baird.	ditto.
ditto.	James Hamilton.	ditto.
ditto.	Peter M'Hart.	ditto.
ditto.	Daniel Nicolson.	ditto.
ditto.	Margaret Stewart.	ditto.
ditto.	Francis Anderson.	ditto.
ditto.	Mary M'Kay.	ditto.
ditto.	David Dunn.	ditto.
ditto.	Ann Gunn.	ditto.
ditto.	Jean Gourlay.	ditto.
ditto.	Mary M'Intyre.	ditto.
ditto.	Jean Campbell.	ditto.



*West Hamilton's Close, &c.—continued.*

Owners Names.	Occupiers Names.	Description of Property.
Samuel Watson.	James Easton.	House and Pertinents.
ditto.	Margaret Begbie.	ditto.
ditto.	Elizabeth Gibson.	ditto.
ditto.	George Murdoch.	ditto.
ditto.	Malcolm M'Donald.	ditto.
ditto.	Margaret Lauder.	ditto.
ditto.	Catherine Rafferty.	ditto.
ditto.	Helen Campbell.	ditto.
ditto.	James Robertson.	ditto.
ditto.	William Clark.	ditto.
ditto.	James Girdwood.	ditto.
ditto.	Robert Murray.	ditto.
ditto.	Francis Anderson.	ditto.
ditto.	Malcolm M'Donald.	ditto.
ditto.	Jean Robertson.	ditto.
ditto.	Mary Anderson.	ditto.
ditto.	Ann Morrison.	ditto.
ditto.	Hugh M'Donaldson.	ditto.
ditto.	Elsbeth Miles.	ditto.
ditto.	Margaret Minto.	ditto.
ditto.	Margaret Tylour.	ditto.
ditto.	Kenneth M'Kenzie.	ditto.
ditto.	John Anderson.	ditto.
Heirs of David Somerville.	John Livinstone.	Stable, Shop, and Pertinents.
ditto.	John Snowdon.	Shop.
Mr. Benjamin Miller.	John Fletcher.	Cellar.
ditto.	Margaret Robinson.	Flat.
ditto.	John M'Nie.	ditto.
ditto.	Andrew Trainer.	ditto.
ditto.	Janet M'Gregor.	House and Pertinents.
ditto.	Edward M'Mungall.	ditto.

*Castle Wynd, East Side.*

Owners Names.	Occupiers Names.	Description of Property.
James Gray.	John M'Leod.	House and Pertinents.
ditto.	Susan White.	ditto.
ditto.	John Fleming.	ditto.
ditto.	Robert Craig.	ditto.
ditto.	Walter Bailie.	Weaver's Shop.
ditto.	Daniel M'Kenzie.	House and Pertinents.
ditto.	James Bishop.	ditto.
Robert Briggs, M.D.	John Bruce.	ditto.
ditto.	Margaret M'Gruar.	ditto.
ditto.	Christian Grant.	ditto.
ditto.	Allan Grant.	ditto.
His Majesty's Castle of } Edinburgh.	Isabella Balantine.	Pasture.

*Proposed Site of the Reservoir on the Northern Side of the Castle-hill Street  
within the City of Edinburgh.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
1.	Hugh Warrender, Esq.	Himself.	{ House and Pertinents. }	Tolbooth Church. }	City of Edinburgh.
2.	ditto.	ditto.	{ Stable and Coach-house }	ditto.	ditto.
3.	ditto.	ditto.	Garden.	ditto.	ditto.
4.	{ John Ramsay, of Kinkeel. }	George Baird, D.D.	Shrubbery.	ditto.	ditto.
5.	ditto.	ditto.	Lane.	ditto.	ditto.

*Proposed Compensation Reservoirs on Glencorse Burn at or near Castlelaw.*

RESERVOIR A.

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
1.	{ John Trotter of Castlelaw. }	Thomas Ritchie.	Arable.	Glencorse.	Edinburgh.
2.	ditto.	ditto.	Pasture.	ditto.	ditto.
3.	{ Forbes Hunter Blair, Esq. }	Himself.	Sheepwalk.	ditto.	ditto.
4.	{ Robert Ferguson of Raith. }	James Aikman.	ditto.	Penicuik.	ditto.
5.	{ Heritors of Glen- corse Parish. }	Public.	Parish Road.	Glencorse.	ditto.

RESERVOIR B.

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
1.	{ Forbes Hunter Blair, Esq. }	Himself.	Sheepwalk.	Glencorse.	Edinburgh.
2.	John Trotter of Castlelaw	Thomas Ritchie.	ditto.	ditto.	ditto.
3.	{ Heritors of Glen- corse Parish. }	Public.	ditto.	ditto.	ditto.

*Proposed Compensation Reservoir on Bavelaw Burn above Balleny.*

Numbers on Plan.	Owners Names.	Occupiers Names.	Description of Property.	Parish.	County.
1.	{ Thomas Scott, of } Malleny.	George Cunningham.	Pasture.	Currie.	Edinburgh.
2.	ditto.	{ Joseph and John } Shiels.	ditto.	ditto.	ditto.
3.	ditto.	ditto.	ditto.	ditto.	ditto.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE,  
Printers to the Queen's most Excellent Majesty. 1847.

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