



ANNO SEXTO

GEORGIIV. REGIS.

Cap. cvi.

An Act for collecting the *Shaws-Water*, and applying the same to the driving Mills and Machinery, near the Town of *Greenock* in the County of *Renfrew*, and for supplying the said Town and Harbour thereof with Water. [10th June 1825.]

WHEREAS the procuring and maintaining, in the Neighbourhood of the Town of *Greenock* in the County of *Renfrew*, an abundant and constant Supply of Water for driving Mills and Machinery, and other manufacturing Purposes, and for the Use of the said Town and Neighbourhood, and the Shipping in the Harbour thereof, would not only prove locally beneficial to the said Town of *Greenock* and the adjacent Country, but would also prove advantageous to the Public, by the Facilities and Encouragement which would thereby be given to various Trades and Manufactures requiring the Use of Machinery: And whereas the Persons herein-after named are desirous, at their own Cost and Charges, to procure and maintain such Supply of Water, and to make and execute the various Reservoirs, Aqueducts, and Works necessary thereto; but as such Purpose cannot be effected 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 Sir *Michael Shaw Stewart* Baronet, *Michael Stewart Nicolson* of *Carnock*, *Robert Farquhar* of *Newark*, *John*
[Local.] 29. Z. 3 Shaw

Proprietors;

Shaw Stewart Advocate, Henry Alexander Douglas Merchant, Patrick Maxwell Stewart Merchant, and Houstoun Stewart, and all and every 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 to the said Undertaking, and be 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 are hereby declared to be One Body Politic and Incorporated. Corporate, by the Name of "The Shaws-Water Joint Stock Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued.

Whole Sum
to be sub-
scribed before
Execution of
the Act.

II. And whereas the probable Expence of making and constructing the Works hereby authorized will, according to an Estimate made thereof, amount to the Sum of Thirty-one thousand Pounds, and the Sum of Twenty-five thousand Pounds, being Fourth-fifth Parts of such Expences, has been already subscribed for defraying the same, under a Contract binding the Subscribers, their Heirs, Executors, and Administrators, for Payment of the several Sums of Money so subscribed by them respectively; be it enacted, That the whole of the said Sum of Thirty-one thousand Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

Company
to raise
Money.

III. 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 Streams, Springs, and Quantity of Water and Ground required for Reservoirs, Aqueducts, Cuts, Runs, Courses, Pipes, and necessary Works, and also for the Erection of Milns, Manufactories, and other Works and Machinery on or near the Sides of such Aqueducts, Cuts, Runs, or Waterfalls, 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 said Sum of Thirty-one thousand Pounds Sterling, which Sum of Thirty-one thousand Pounds shall be divided into Shares of One hundred 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, and their several and respective Successors, Executors, Administrators, and Assignees.

Company to
be entitled to
the Profits.

IV. And be it further enacted, That such Persons so becoming Proprietors of Shares as aforesaid, and their several and respective Successors, Executors, Administrators, or Assignees, shall be entitled to and receive, after the said Works shall be completed, and at such Time or Times as the said Company shall, at a General or Special Meeting to be convened for that Purpose in Manner herein-after directed, direct and appoint, the entire and net Distribution of an equal proportional Part, according to the Money or Stock so by them respectively paid or contributed, 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 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; and all and every

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 Undertaking 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.

Stock to be
Personal
Property.

V. Provided always, and be it further 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 a Proprietor or Proprietors of the Stock of the said Company, or a Contributor or Contributors thereto, or his, her, or their Real or Personal Estate, to, with, or for 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.

Proprietors
not to be
liable beyond
the Amount
of their
Shares.

VI. 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 One Share 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 Share, but not exceeding Ten Votes in whole for any One Proprietor, although possessed of more than Ten Shares of 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 One Share 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 Share, but not exceeding Ten Votes in whole, 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 Share; provided nevertheless, that no Person shall be Proxy for more than Fifteen 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
each Share;

and may vote
by Proxy.

I *A. B.* of _____ One of the Proprietors of the *Shaws-Water*
Joint Stock Company, do hereby nominate, constitute, and appoint
I *C. D.* of _____ to be my Proxy, in my Name and in my Absence
to vote, or give my Assent or Dissent to any 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, ac-
cording 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, this _____ Day of _____

VII. And

Shares pos-
sessed jointly
how voted
on.

VII. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to One 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 Proprietor 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, or any One of their Officers especially appointed by them for that Purpose; and no Subscriber or Proprietor 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 after mentioned, upon any Question or Questions relating to the Concerns of the said Company, in which the said Subscriber or Proprietor shall have a separate personal Interest.

Proprietors to
pay their own
Expences.

VIII. And be it further enacted, That all the General Meetings of the said Company shall be held in the said Town of *Greenock*; and that at all and every such stated General and Special Meetings the Persons composing them shall pay their own Expences, the Hire of the Office or the Place in which the Meetings shall be held only excepted.

First and
other Meet-
ings.

IX. And be it further enacted, That the First General Meeting of the said Company for putting this Act into Execution shall be held at *Greenock*, upon the Second Tuesday of *July* One thousand eight hundred and twenty-five, at the Hour of Twelve Noon; and all future General Meetings of the said Company (except such Special General Meetings as herein-after mentioned) shall be held at *Greenock*, or such other Place in *Scotland* as shall from Time to Time be fixed by a Quorum of the Committee of Management after mentioned, on the First *Friday* of *November* One thousand eight hundred and twenty-five, and on the First *Friday* of *November* in every Year thereafter, at the Hour of Twelve o'Clock; of all which General Meetings Ten Days previous Notice at the least shall be given by public Advertisement, in any Newspaper usually published in *Greenock*, and in One of the *Glasgow* and One of the *Edinburgh* Newspapers, to be named by the Committee of Management after specified.

Special
General
Meetings may
be called.

X. 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 General Meeting of the said Company is necessary to be holden, it shall and may be lawful to any Two or more of the said Proprietors, who may be collectively possessed of Twenty Shares of the Capital Stock of the Company for the Time, or any Two of the Committee of Management herein-after mentioned, upon specifying in a Writing subscribed by them the Purpose of such Meeting, to require the Clerk of the said Company to call such Meeting, and the said Clerk shall thereupon convene such Meeting; by giving at least Ten Days Notice thereof by Advertisement as aforesaid, specifying in such Notice the Reason and Intention of requesting such Special General Meeting, and the Time when and the Place where the same shall be holden; and the Proprietors of the said Company 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, with
regard.

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 General 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, 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 which shall be proposed, discussed, or considered at such General or Special General 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.

XI. 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 Fifty 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 Three Weeks 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 Ten Days Notice shall be given by Advertisement as aforesaid.

Meetings not to be held unless Proprietors present holding Fifty Shares.

XII. And be it further enacted, That the said Sir *Michael Shaw Stewart*, *Michael Stewart Nicholson*, *Robert Farquhar*, *John Shaw Stewart*, *Henry Alexander Douglas*, *Patrick Maxwell Stewart*, and *Houstoun Stewart*, shall be Directors, and shall constitute a Committee for the Management of the Concerns of the said Company, until the General Meeting to be holden on the First *Friday* in the Month of *November* One thousand eight hundred and twenty-five, when Two of the said Committee, other than the said Sir *Michael Shaw Stewart*, or the Heir of Entail of the Estate of *Greenock* for the Time being, (to be determined by Ballot or otherwise,) shall go out of the Direction, and Two other Proprietors holding each at least Three Shares of the Stock of the said Company, shall be chosen Directors in their Room; and at the General Meeting to be holden on the First *Friday* in the Month of *November* One thousand eight hundred and twenty-six, Two others of the said Directors hereby appointed, to be determined by Ballot or otherwise, shall in like Manner go out of the Direction, and Two other Proprietors, holding at least Three Shares each as aforesaid, shall be chosen Directors in their Room; and at the General Meeting to be holden on the First *Friday* in the Month of *November* One thousand eight hundred and twenty-seven, the remaining Two Directors hereby appointed, excepting as aforesaid, shall in like Manner go out of the Direction, and Two other Proprietors, holding at least Three Shares as aforesaid, shall be chosen Directors in their Room; and thereafter, upon the First *Friday* in the Month of *November* in every Year, Two of the said Directors so chosen as aforesaid shall go out by Rotation, and Two others shall be chosen in their Room as aforesaid, the Two Directors chosen in the Month of *November* One thousand

Committee of Management.

[Local.]

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eight

Persons hold-
ing any Place
or Employ-
ment not
eligible.

eight hundred and twenty-five first going out, and so Two others succes-
sively in each Year thereafter, so that each Director shall go out at the
First General Meeting at the Expiration of Three Years after his Ap-
pointment, provided that any such Director so going out may be re-
elected; and such Persons so chosen as aforesaid shall, with the said
Sir *Michael Shaw Stewart*, or the Heir of Entail in possession of the
Estate of *Greenock* for the Time, or in his Absence any Person to be
named by him as Proxy, provided they be Shareholders in the said Com-
pany, be Directors, or a Committee for the Management of the Concerns
of the said Company; provided always, that if there shall not be Six
Persons holding at least Three Shares each in the said Undertaking, the
said Directors may be chosen from among Proprietors holding at least
One Share each; but no Person holding any Place, Office, Employment,
or Contract under the said Company shall be capable of being One of
the said Committee during the Time of his Continuance in such Place,
Office, or Employment, or holding such Contract; provided always, that
it shall and may be lawful to and for the said Company, at any Special
General Meeting, to be convened in manner herein directed, to remove
any Member of the said Committee, and to nominate any Person qualified
as aforesaid, in the Room or Stead of every Member of the said Com-
mittee, who shall die, be so removed, refuse to act, or shall hold any
Place, Office, Employment, or Contract under the said Company, or shall
cease to be a Proprietor in the said Undertaking, or shall become Bank-
rupt; and every Person so nominated by the said Special Meeting shall
have the like Power and Authority as if he had been nominated by the
said Annual Meeting; but every Person so elected at such Special Meeting
shall go out of the Direction at the same Period at which the Person in
whose Room he was elected would have gone out.

Meetings of
Committee.

XIII. And be it further enacted, That the said Committee of Management
shall hold their First Meeting in the Town of *Greenock*, on the said
Second *Tuesday* of *July* One thousand eight hundred and twenty-five, (of
which previous Notice shall be given Five Days at least before the Day
of such Meeting in any Two Newspapers, the One published in *Greenock*
and the other in *Glasgow*, or by Circular Letter addressed and dispatched
through the Post Office to each Member of the said Committee), and
shall then and there proceed to carry this Act into Execution; and it shall
be lawful for the said Committee, and they are hereby authorized and
required at their First Meeting, and also at their First Meeting after the
Annual Election on the First *Friday* of *November* One thousand eight
hundred and twenty-five, and after each Annual Election thereafter, to
elect a Chairman and a Vice Chairman; and at all Meetings of the Com-
mittee the Chairman, and in his Absence the Vice Chairman, and in
the Absence of both, the Director present highest on the List, shall pre-
side; and the said Committee may adjourn their Meetings from Time to
Time as they shall think proper.

Election of
Directors in
case of
Death, &c.

XIV. And be it further enacted, That in case of the Death or Resigna-
tion of any One or more of the said Six Directors it shall and may be
lawful to the Remainder of the 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 or Place of the said Director or Directors so deceasing, or de-
clining to act.

XV. 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 from Time to Time to assemble and meet together at any Place or Places in or near *Greenock*, for the Direction and Management of the Affairs of the said Company; and that any Three 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 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: 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, subject to the Approbation of the said Committee of Management or their Quorum aforesaid; and also provided, that Notice of each Meeting of the Committee, in Writing or in Print, signed by the Clerk, shall be given to each Member thereof at least Five 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 Two Members of the Committee.

Quarterly Meetings of Directors.

Three to be a Quorum.

Sub-Committees may be appointed.

XVI. 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, 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, 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,

Treasurer and Clerk and other Officers to be appointed.

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 First Day of *October* in every Year, the First Balance being made on the First Day of *October* One thousand eight hundred and twenty-six; and the same being so balanced shall be examined, and shall be docketed and signed by a Quorum of the said Committee of Management, at a Meeting to be held for that Purpose at or previous to the Twentieth Day of *October* yearly, and shall be produced at the General Meeting of the said Company of Proprietors to be held on the First *Friday* of *November* One thousand eight hundred and twenty-six, and every 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 Ten Days subsequent to the said first *Friday* of *November* in each Year as aforesaid.

Committee
not answer-
able for
Officers.

XVII. 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 Omissions 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.

Clerk and
Treasurer not
to be the
same Person.

XVIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person or Persons who may be appointed their Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, the Treasurer or Treasurers for the Purposes of this Act, or to appoint any Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers; or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, the Clerk or Clerks to the said Company; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall accept the Office of Treasurer, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or other Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of this Act, or if any such Treasurer or Treasurers shall hold or accept any Place or Office of Trust or Profit under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds, to any Person or Persons who shall sue for the same,
to

to be recovered with full Costs of Suit in the same Way in which any of the Penalties by this Act imposed may be sued for and recovered.

XIX. 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, to contract for and purchase, or take in feu all such Lands, Tenements and Heritages, Springs, Rivulets, Waterfalls, and other 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 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, 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
may contract
for Lands,
&c.

XX. 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 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, and also a full and true Account or Minute of every Contract, Bargain, and Agreement which shall be entered into by them respectively for or on behalf of the said Company, and of all and singular their respective Orders, Transactions, and Proceedings whatsoever, in and about the Affairs and Business of the said Company; but no Money shall be issued or paid by the Treasurer of the said Company, for or on account of the said Company, otherwise than as shall be directed by the Committee of Management.

Committee
to keep
Books.

XXI. 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, 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, and for the well and orderly using of the said intended Undertaking, and the Reservoirs, Aqueducts, Bridges, Tunnels, Cuts or Runs, 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 Superintendance in all Respects, and

Committee
may make
Bye-laws.

[Local.]

30 B

from

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 proper 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.

Appeal from
Orders made
in pursuance
of Bye-laws.

XXII. 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 *Renfrew*, who shall hear and determine the said Complaint, or if he or they think proper, may adjourn the Hearing thereof; and the said Sheriff Depute or any of 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 further Satisfaction to be made to the Party injured as he or they shall judge reasonable; and the Determination of such Sheriff Depute or Substitutes shall be final and conclusive, without being subject to Advocation, Suspension, or Reduction, any Law or Statute to the contrary notwithstanding.

Committee
may make
Calls.

XXIII. 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 *Twenty per Centum* on the Amount of each Share, and so that no such Calls be made but at the Distance of Four 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.

In case of
Neglect of
Payment.

XXIV. 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

into the Hands of the Treasurer of the said Company, at such Time and Place in the Town of *Greenock* as shall be appointed for that Purpose by the Committee of Management making such Call, and of which Notice shall be given as herein-before directed; and 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 so appointed, 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 Three 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 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 to be thereafter called for as aforesaid, and for the Space of Three 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 *Greenock*, and in One or more of the Newspapers published in *Glasgow*, 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

their Executors, Administrators, Successors, and Assigns, and the said Company, with regard to the future carrying on and Management of the said Undertaking.

Procedure in
Actions for
Calls.

XXV. 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 alledge 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 such or 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.

Calls to be
paid before
Sale.

XXVI. 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 the whole and entire Sum of Money which shall have been previously called for upon each Share so sold or transferred.

Company
may borrow
Money.

XXVII. 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, either to borrow or 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 Twenty 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.

XXVIII. 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*,

Proprietors may sell.

I *A. B.* of _____ in consideration of _____
 I 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 *Shaws-water* Joint Stock Company, being
 One Share [*or so many Shares, as the Case may be*] in the said Under-
 taking, to hold to the said *C. D.* of _____ Executors,
 Administrators, and Assignees, 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 subscribed these Presents, written by
 at _____ the _____ Day of _____, before these
 Witnesses _____ and _____

Form of Conveyance.

And on every such Sale, the said Assignment or Deed of Conveyance (being executed by the Seller or Sellers, or the Purchaser or Purchasers of such Shares) shall be indorsed by any Two 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 entered into 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.

Conveyance to be recorded.

XXIX. 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

Shares to be numbered and registered;

and Certificate granted to Proprietor.

[Local.]

30 C

Evidence

Evidence of the Title of such Proprietor, his, her, or their Successors, Executors, Administrators, and Assigns, to the Share or Shares therein specified.

Registered
Shareholders
liable in
Calls, &c.

XXX. 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 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 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 enable any Person to recover any Share or Shares forfeited to the said Company, or to make the said Company liable to the Payment of the Dividends to any other Person or Persons 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.

Plan deposit-
ed to be open
to Inspection.

XXXI. And whereas a Map or Plan of the proposed Reservoirs, Aqueducts, and the Water, Waterfalls, and other Works, and of the Lands and Grounds on and through which the same are situated or lead, and the Grounds to be occupied by Mills and Machinery as aforesaid; together with a Book of Reference, containing Lists of the Names of the Owners and Occupiers of the Lands on and through which it is intended to form such Reservoirs and other Works, and to lead such Aqueduct or Aqueducts, have been deposited with the Clerk of the Peace for the County of *Renfrew*; 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 Two Shillings and Sixpence for every Two hundred and fifty 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 or other Works, 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, without the Con-

sent in Writing of the Owner or Owners of the Lands or Streams on or with which such Deviation is to be made, being first had and obtained thereto.

XXXII. 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 said Book of Reference, 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 *Renfrew*, to be named at a Meeting of the Quarter Sessions of the said County, and be certified by a Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake.

Misnomers
not to pre-
vent pro-
ceeding.

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 Rivulets or Streams of Water, Springs, Lands, Tenements, or Heritages, which they may require, as well for the making and constructing the necessary Reservoirs, Compensation Reservoirs, Aqueducts, Waterfalls, Leads, Bridges, Tunnels, Cuts, and Runs, and for laying Pipes at the *Whinbill*, as for Sites or Situations for the Formation and Erection of Mills, Dams, Leads, Printfields, Bleachfields, Manufactories, Machinery, or other Works, along the Course of the said Aqueduct, Cut, or Run, from the said Reservoirs, along the whole Course from the Reservoir at *Cornalees* to the Place or Places where such Aqueduct, Cut, or Run falls into the Sea at or near *Greenock*, and for supplying with Water the Town of *Greenock* and Neighbourhood thereof, or for any other of the Purposes of this Act, with any Body Politic, Corporate, or Collegiate, Heir or Heirs of Entail in possession, 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, or Persons under any legal Incapacity whatever, not only for and in behalf of themselves, their Heirs and Successors, but also for and on behalf of the respective Persons interested, whether Infants, Minors, Substitutes of Entail or Issue unborn, or 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 all such 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 Rivulets, Springs, Brooks, Lands, Grounds, Houses, or other Premises required for the Purposes of this Act, to sell and convey the same to the said Company, or other-

Company
may acquire
Streams,
Lands, and
Heritages.

wise

wise to agree with them for the Use thereof for the Purposes aforesaid; and all Contracts, Agreements, Sales, and Conveyances, made, entered into, or executed, in respect of such Rivulets, Streams, Springs, Lands, Tenements, or Heritages so hereby authorized to be purchased, shall be valid and effectual in Law to all Intents and Purposes; and it shall and may be lawful to and for the said Company to hold such Rivulets, Streams, Springs, Lands, Tenements, and Heritages so purchased, any Law or Statute to the contrary notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Heirs of Entail in possession, and all other Persons whomsoever, so conveying as aforesaid, are hereby indemnified for what they shall respectively do in virtue or in pursuance of this Act.

Company
may construct
Reservoirs,
Aqueducts,
&c.

XXXIV. And be it further enacted, That it shall and may be lawful for the Purposes of this Act, and the said Company or their Committee of Management are hereby authorized, having previously obtained the Consent in Writing of the several Owners and Occupiers of the Lands, Streams, and other Heritages, to be entered upon, taken, or used for the Purposes of this Act, to make, form, and construct and maintain a Reservoir or Reservoirs at and upon the Lands or Farm of *Cornalees*, belonging to Sir *Michael Shaw Stewart* Baronet, the Lands of *Shaws* and *Killokend*, belonging to *Angus Darrock* of *Gourock*, Esquire, the Lands of *Garvock*, belonging to *William Charles Hamilton* Esquire of *Garvock*, all in the Parishes of *Inverkip* or *Greenock*, and Shire of *Renfrew*; and to supply the said Reservoir or Reservoirs by the Stream or Rivulet called *Shaws Water*, or *Shaws Burn*, and its tributary Streams and Springs, and thereafter to conduct the Water to be collected in the said Reservoir or Reservoirs, and such Water as may descend from the higher Grounds, by One or more Aqueducts, Trenches, Tunnels, Conduits, Cuts, or Runs, passing along the Heights of *Dunrod* and *Murdieston*, to the *Whinbill*, on the Estate of *Greenock*, in the Parish of *Greenock* and Shire aforesaid, belonging to the said Sir *Michael Shaw Stewart*, where another Reservoir or Reservoirs may be formed, and thereafter descending either directly to the Sea, or the *Deling Burn*, *Cartsdyke Burn*, and *West Burn*, or one or other or all of them, and along with these Burns falling into the Sea, together with all the necessary Conduits, Trenches, Mounds, Bridges, Tunnels, Dams, Embankments, Sluices, Leads, Pipes, and other Works, in, through, and upon the Property acquired or to be acquired by the said Company, as marked upon the said Plan, and to be used and occupied for the said Aqueducts, Tunnels, Trenches, Leads, Conduits, Pipes and others, and also for the Scites or Situations of the Mills, Manufactories, Printfields, and Works to be supplied with Water under the Powers of this Act; and also for supplying the said Town and Harbours of *Greenock* with Water, in such Manner as shall be necessary for so supplying such Mills, Manufactories, and other Works; and when needful, to alter, repair, and maintain or enlarge and improve such Works; and to make and cut such Catchwater Drains as may appear necessary for conducting the Flood Waters from the said Burn or its tributary Streams into the said Reservoir or Compensation Reservoirs, and the Waters from the higher Grounds into the said Aqueduct, making Satisfaction always to the Owner or Owners, Occupier or Occupiers of the Grounds through which such Catchwater Drains may be made; and also to lay Pipes from the said Reservoirs at the *Whinbill* to the different Mills and other Works to be erected, and to the Town and Harbours and Neighbourhood of *Greenock*, and in and through

through the Streets, Lanes, Passages, and Places of the said Town of *Greenock*, for the Purpose of supplying Water to such Person or Persons as may be desirous to be supplied with Water by the said Company, and may agree with them to that Effect; and to make and construct in and through the said Streets, Lanes, Passages and Places, all such Tunnels, Drains, and Sewers as may be needful for the said Purpose.

XXXV. And be it further enacted, That if in treating with any Person being the Proprietor of or interested in any of the Streams, Brooks, Springs, or other Waters to be taken or used for the Purposes of this Act, it shall be deemed necessary or expedient to make any Compensation Reservoir or Reservoirs for securing Supplies of Water to such Proprietor or other Person, it shall and may be lawful for the said Company to make, form, construct, and maintain any such Compensation Reservoir or Reservoirs: Provided always, that the Consent in Writing of the Person or Persons on whose Lands, and by means of whose Streams, Brooks, Springs, or other Waters, such Compensation Reservoir or Reservoirs is or are to be formed shall be first had and obtained thereto.

Power to
make Com-
pensation
Reservoirs.

XXXVI. And be it further enacted, That it shall not be lawful for the said Company to permit any Aqueduct, Cut, or Course to be formed for the Conveyance of any Water, or to dispose of any Water to any Person or Persons between the Reservoir at *Cornalees* and the Reservoir at *Murdieston*, and the *Whinbill*.

No Cut to be
made be-
tween Cor-
nalees, Mur-
dieston, and
the Whinbill.

XXXVII. And be it further enacted, That nothing herein contained shall prejudice the Rights of the Persons, interested in any of the Lands or Water to be taken for the Purposes of this Act, to the Fishings to which such Persons have Right, but such Right of fishing shall remain and be enjoyed by the Person or Persons on whose Lands any of the said Reservoir or Reservoirs shall be made or formed by virtue of the Powers of this Act.

Right of
fishing saved.

XXXVIII. 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, Cuts, Runs, or Courses, Dams, Embankments, Sluices, and other Works, and for maintaining 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 several Works; which may be got in carrying on the same, or out of the Lands of any Person or Persons adjoining any Part of the said Works: Provided always, that the said Company shall not be entitled to take Clay, Stone, or other such Materials for the Purposes of this Act, without the Consent in Writing of the Owner or Owners thereof first had and obtained.

Company
may take
Materials.

XXXIX. Provided also, and be it enacted, That the Ascent to every Bridge to be made over any of the said Aqueducts, Cuts, or Runs, shall not be

Ascent of
Bridges over
the Aque-
ducts.

[*Local.*]

30 D

more

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.

Upon legal
Tender
Works to
proceed.

XL. And be it further enacted, That upon Payment or legal Tender and Consignation of such Sum or Sums of Money as shall have been contracted or agreed for between the Parties, in the Manner herein-before provided for the Purchase of any Lands, Water, or other Heritages or Premises to be taken for the Purposes of this Act, or as a Compensation for Damages as herein-before mentioned, to the Proprietor or Proprietors of such Lands, Heritages, or Premises, or to such other Person or Persons as shall be interested therein, or entitled to receive such Money or Compensation respectively, or if the Person or Persons so entitled or interested, or any of them, shall not be able to make a good Title thereto, to the Satisfaction of the said Company, or cannot be found, or shall refuse to receive the same, or execute such Conveyance, then upon the Payment of the said Sum or Sums of Money into the Bank of *Scotland*, the Royal Bank of *Scotland*, or the *British* Linen Company, as the Case may be, in the Manner by this Act directed, for the Use of such Person or Persons so interested or entitled as aforesaid, then and in all or any of the said Cases, as often as the same shall happen, it shall be lawful for the said Company and their Agents, Workmen, and Servants, immediately to enter upon such Lands, Heritages, or Premises respectively, and then and thereupon such Lands, Heritages, or Premises, together with the Yearly Profits thereof, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the sole Property of the said Company and their Successors to and for the Purposes of this Act for ever; and such Payment, Tender, Investment, or Deposit shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to whom the same shall be or ought to have been made, but also shall extend to and be deemed and construed to bar the Terce of the Wife of every such Person, and all Estates Entail and other Estates of every other Person whomsoever therein: Provided nevertheless, that before such Payment, Tender, Investment, or Deposit aforesaid shall have been made, it shall not be lawful for the said Company or any Person acting under their Authority to take, divert, dig, or cut the Streams, Springs, Lands, or Grounds of the Person or Persons entitled to such Payment, for the Purposes of this Act, without the Consent in Writing of such Person or Persons respectively.

Valued Rent
not dimi-
nished.

XLI. And be it further enacted, That the Vendor or Vendors, and all Persons interested in the Lands so sold to the Company as Superiors, Freeholders, or otherways, shall be entitled to the same Rights and Privileges for the remaining Parts of these Lands; and the Lands remaining unsold shall be held to be of the same old Extent or valued Rent, as if such Sales to the Company had never been made.

Application
of Compens-
ation Money
when exceed-
ing 200l.

XLII. 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, 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

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 or upwards, 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.

XLIII. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, Heritages, or other Premises 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, 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 Directions 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 Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three 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.

When less than 200l.

XLIV. Provided always, 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

When less than 20l.

be

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 Three 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.

In case of
not making
out Titles.

XLV. 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 Three 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 Heritages (describing them), subject to the Order, Controul, and Disposition of the Court of Session; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part or Parts thereof, by Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making 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.

When Questions arise touching the Title to any Money.

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

was or were lawfully entitled to such Lands or Heritages, or to some Estate or Interest therein.

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

Court may order Payment of Expences.

XLVIII. And be it further enacted, That it shall and may be lawful for said Company, or their Committee of Management, to treat and contract with any Person or Persons who may be desirous of acquiring, upon the Course of the said Aqueduct, Cut, or Run from the said Reservoir at the *Whinbill* to the Sea, a Scite or Situation, Scites or Situations, for the Erection of any Mill, Manufactory, Corn, Wool, Flax, or Cotton Work, or other Work or Building for the Construction of Machinery to be driven by Water, or any Ground for Print Fields, Bleach Fields, and other Works requiring a Supply of Water, and either to sell absolutely or feu such Scite or Situation, Scites or Situations, and Grounds, at such Prices or Feu Duties as may be agreed upon between such Person or Persons and the said Company, and to grant Conveyances or Feu Rights to the Purchasers in Terms of the Sales or Contracts previously made, and under such Stipulations and Conditions, and for Payment of such Feu Duties as shall have been previously agreed to, and which shall specify and describe the Extent and Boundaries of the Ground thereby conveyed, and the Uses to which the same is to be applied.

Company may dispose of Situations for Mills, &c.

XLIX. And be it further enacted, That it shall and may be lawful for the said Company to contract with and undertake to supply and to supply with Water all and every such Person or Persons as may erect Mills, Manufactories, Bleach Fields, Print Fields, or other Works or Machinery requiring a Supply of Water, along the Course of the said Aqueduct, Cut, or Run, or near the same, and that at such Rate or Duty for such Water as may be agreed upon by and between such Person or Persons and the said Company: Provided always, that the said Company may, in all Contracts to be entered into by them in virtue of this Act, provide against the Liability of the said Company for Damage or Loss arising in consequence of a Failure of the Supply of Water by inevitable Accident, or the like.

Company may contract to supply Water to Mills, &c.

L. And be it further enacted, That such of the Inhabitants of the said Town of *Greenock*, and Places adjacent, as shall be desirous of having Water conveyed to their Houses or other Premises, or to the Harbours; may and they are hereby authorized and empowered at their own Expence (having first obtained the Consent in Writing under the

Company may supply Water to Houses, &c.

[Local.]

30 E

Hands

Hands of such Person or Persons as shall be authorized by the said Company or Committee of Management to give such Consent) to open the Ground, Roads, or Streets between the Reservoir, Aqueducts, Cuts, Runs, or 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, Aqueducts, Cuts, Runs, or Pipes belonging to the said Company, in any Street, Passage, or Place within the said Town of Greenock and Places adjacent, or at the said Harbour, 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, or repairing and restoring such Streets and Grounds to the same Situation as when they commenced their Operations, and paying to the said Company yearly, half-yearly, or quarterly, such Sum or Sums as shall be agreed upon mutually between them for such Water, and in case of Absence or Refusal to treat, the Damages shall be ascertained by Two Justices of the Peace of the said County, to be recovered in manner herein-after directed.

Company may supply Mills, &c. not on the Line of the Aqueduct.

LI. And be it further enacted, That it shall and may be lawful to the said Company to treat and contract for a Supply of Water, from the said Reservoir at the *Whinhill*, and to supply such Water to any Person or Persons desiring the same, for the Use of any Mills, Manufactories, Machinery, Bleach Fields, Print Fields, or other Works not situated or erected upon the Course of the said Aqueduct, Cut, or Run laid down on the said Map or Plan deposited as aforesaid, and that for such Price or Rent as shall be mutually agreed upon between such Person or Persons and the said Company: Provided always, that in making the Aqueduct, Cut, or Run, or laying the Pipe for the Supply of such Water, the Consent in Writing of the Occupier and Owner of the Ground through which such Aqueduct, Cut, or Run is to be made, or such Pipe is to be laid, shall be first had and obtained thereto.

Persons not to make Aqueducts, &c. without Consent.

LII. And be it further enacted, That if any Person or Persons shall make or cause to be made any Aqueduct, Cut, or Run, or lay or cause to be laid any Leaden or other Pipe to communicate with any Reservoir, Aqueduct, Cut, Run, or Pipe belonging to the said Company, or any Aqueduct, 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 Forty Shillings every Day the said Aqueduct, Cut, Run, or Pipe shall have so remained; and the said Company shall have right to stop, fill up, or cut off the same: Provided always, that such Persons as shall have laid any such Pipes as aforesaid, shall be at liberty to remove and take away the same, and the Cocks thereto belonging.

Persons not to supply others with Water.

LIII. 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

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 Mill, Manufactory, House, or Premises of any Person so offending for any such Offence.

LIV. And be it further enacted, That every Person or Persons supplied with Water for Domestic Purposes 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 Ball-cock or other self-acting Cock to the Pipe conveying Water from the Reservoirs, Aqueducts, Cuts, Runs, 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 Ball-cock 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 Ball-cocks or other self-acting Cocks are kept in proper and sufficient Repair and Condition.

Cisterns and Stopcocks to be provided.

LV. 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 Town of *Greenock* without the Consent of the Magistrates and Council thereof; and 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 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 Town, 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 Superintendant of Police and Magistrates and Council of the said City for the Time, by Notice left at the Council Chamber of the City, or to the Clerk of 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 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,

Course of Drains not to be altered without Consent.

Streets, Roads, Pavements, Grounds, and other Things, shall not be made good as aforesaid, to be applied to the Use of the Poor of the said Town of *Greenock*; 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 Magistrates, Council, 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 which 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 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.

Penalty on
interrupting
Workmen.

LVI. And be it further 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 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.

LVII. And be it further enacted, That if any Person or Persons shall wilfully break, throw down, or damage any Works to be erected and made by virtue of this Act, or destroy, damage, or injure any Pond, Reservoir, Aqueduct, Cut, Run, Trench, Course, Pipe, Plug, or other Matter or Thing, 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; and no Person or Persons shall bathe in any Reservoir or Basin 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 Aqueducts, Cuts, Runs, or 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.

LVIII. And

LVIII. And be it further 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 Aqueduct, Cut, or Run, or Pipe or Pipes belonging to the Person making such Default, and communicating with any Reservoir or Reservoirs, Aqueduct, Cut or Run, Pipe or Pipes belonging to the said Company, to be separated from the said Reservoir or Reservoirs, Aqueduct, Cut, Run, Pipe or Pipes with which the same shall so communicate, and to cause the Water to be stopped from issuing or running into Mills, Manufactories, Houses, 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 Sequestration, 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*.

Recovery of Rates.

LIX. 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, Town, or Place within which he, she, or they may reside, there to remain for any Time not exceeding Two Calendar Months, unless the said Penalties, Forfeitures, and Expences, and all reasonable Charges, shall be sooner paid and satisfied.

Recovery of Penalties.

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

Subscriptions to be paid up.

LXI. 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 of this Act, all the Powers and Authorities given by this Act shall thenceforth cease and

Act to be null as to Works not executed within Ten Years.

determine, save only as to so much of such Works aforesaid as shall have been completed within the said Term of Ten Years.

Suits where brought.

LXII. And be it further 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 by summary Complaint before and judged of by His Majesty's Sheriff Depute or Substitute for the County of *Renfrew*, 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 in Name of Clerk.

LXIII. And be it further 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 Actions.

LXIV. And be it further 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 accrued, for which such Suit or Action shall be so brought.

Saving to Magistrates of Greenock, &c.

LXV. Provided always, and be it enacted and declared, That nothing in this Act contained shall extend or be construed to extend to take away, alter, abridge, lessen, change, or intrude upon any Jurisdiction, Powers, or Authorities of the Bailies and Town Council of the Town of *Greenock*, or Corporation thereof, or of the Trustees for bringing Water into, and lighting, cleansing, and watching the said Town, or any Rights or Privileges competent to or Property vested in them or any of them.

Notice on Company how made.

LXVI. 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 Company, the Service thereof upon the Clerk of the said 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 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.

Application of the Money to be raised.

LXVII. 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

said Aqueducts, Reservoirs, Cuts, Runs, Pipes and other Works, and other the Purposes of this Act, and to no other Use, Intent, or Purpose whatsoever.

LXVIII. And be it further 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.

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MEMORANDUM FOR THE RECORD

On 10/10/54, the following information was received from the [redacted] regarding the [redacted] of the [redacted] in the [redacted] area.

The [redacted] advised that the [redacted] was [redacted] on [redacted] at [redacted] and [redacted] on [redacted] at [redacted].

The [redacted] is [redacted] and [redacted] at [redacted] and [redacted] at [redacted].