



ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

Cap. xxxii.

An Act for explaining and amending Three Acts for building a Bridge across the River *Clyde*, from the City of *Glasgow* to the Village of *Gorbals*; and for repairing, widening, and enlarging the Old Bridge across the said River, from the said City to the said Village; and for other Purposes therein mentioned.

[28th *May* 1827.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His Majesty King *George* the Second, intituled *An Act for improving the Navigation of the River Clyde to the City of Glasgow, and for building a Bridge across the said River, from the said City to the Village of Gorbals*: And whereas another Act was passed in the Eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for making and widening a Passage or Street from the Saltmarket Street in the City of Glasgow to Saint Andrew's Church in the said City; and for enlarging and completing the Churchyard of the said Church; and for making and building a convenient Exchange or Square in the said City; and also for explaining and amending an Act passed in the Thirty-second Year of His late Majesty, for improving the Navigation of the River Clyde to the City of Glasgow, and for building a Bridge across the said River, from the said City to the Village of Gorbals*: And whereas another Act was passed in the Fourteenth Year of the Reign of His late Majesty

[Local.] King

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c. 103.

King George the Third, intituled *An Act for explaining and amending the Act first before recited, and Part of the Act second before recited, and for repairing, widening, and enlarging the Old Bridge across the River Clyde, from the City of Glasgow to the Village of Gorbals*: And whereas the said Acts have been put in Execution by the Trustees therein named and appointed; but from the great Increase of late Years in the Population of the City of *Glasgow* and Suburbs, the Bridge erected across the *River Clyde* opposite to *Jamaica Street*, under the Authority of the said recited Acts, has been found too narrow, and it is expedient and would be conducive to the Convenience and Advantage of the Proprietors and Inhabitants of the said City, if the said Bridge were widened and enlarged, and the Ascent thereto reduced; but as these Purposes cannot be accomplished without the 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 said recited Acts, and all and every the Powers, Provisions, Exemptions, Penalties, Forfeitures, Payments, Remedies, Matters, and Things therein contained, save and except such as are varied, altered, or repealed, shall be as good, valid, and effectual for carrying this Act into Execution as if the same had been repeated and re-enacted in the Body of this Act.

Former Acts
continued in
force.

Power to
appoint ad-
ditional
Trustees.

II. And be it further enacted, That in addition to the Trustees appointed by the said recited Acts, the Commissioners of Supply of the County of *Renfrew* shall have Power, at a General Meeting to be held within ~~Three Months after the passing of this Act, and after Advertisement in at least Two of the Glasgow Newspapers,~~ to elect Eight Persons to be Trustees for the Purposes of this Act, such Persons possessing Lands within the said County valued in the Cess Books at One hundred Pounds Scots of valued Rent or upwards; and in like Manner the Commissioners of Supply of the County of *Ayr* shall have Power at a General Meeting, called and held as before directed, to elect Two Persons, qualified as before directed, to be Trustees for the Purposes of this Act; such Trustees, when elected by the Counties of *Renfrew* and *Ayr* respectively, to retain their Offices till the Thirtieth Day of *April* thereafter, on which Day annually, or on such Day as the said respective Commissioners of Supply shall hold their annual Meeting in such Year, a new Election of Trustees shall take place by these Counties respectively, for the ensuing Year; and in case the said Commissioners of Supply of the said Counties respectively shall at any Time fail to elect additional Trustees as herein before and after provided, then the Trustees under the before-recited Acts shall, by themselves, be empowered, and they are hereby authorized and empowered, to carry this present Act into Execution.

Power to
widen and
to reduce
Ascent to
Bridge op-
posite Ja-
maica Street.

III. And be it further enacted, That from and after the passing of this Act, the Trustees appointed by the said recited Acts, together with such Trustees as may be named by the Commissioners of Supply of the Counties of *Renfrew* and *Ayr*, respectively, as additional Trustees in Manner before directed, or, in the Event

of the said additional Trustees not being elected as before and after provided, then the Trustees appointed by the said recited Acts themselves shall be and they are hereby empowered and authorized, by themselves, their Deputies, Agents, Workmen, Servants, or Assigns, to widen, enlarge, maintain, and repair, from Time to Time, and at all Times hereafter, the said Bridge across the River *Clyde*, from the City of *Glasgow* to the Barony of *Gorbals*, opposite to *Jamaica Street* in the said City, in such Form and Manner as the said Trustees shall judge necessary and expedient for the commodious Passage of Horses, Cattle, Carriages, Waggon, and Carts along the said Bridge, provided the said Bridge, when so widened, shall not exceed Fifty Feet in Breadth within the Parapet Walls; and to take and occupy such Part of the adjacent Banks of the said River as may be necessary for such Widening and Enlargement of the said Bridge; and also to erect, build, and construct all necessary and proper Abutments, Ramparts, Weirs, Wings, Walls, Banks, Ways, and other Works for laying and securing the Foundation, and for the Use, Support, and Preservation of the said Bridge; and also to make, widen, and improve all proper direct Streets, or lateral Streets, Passages, and Communications to the said Bridges, and running parallel to the River, as the said Trustees shall judge necessary, not exceeding One hundred Feet in Breadth and Two hundred Yards in Length from the Centre of the said Bridges; and, in particular, to reduce the Acclivity or Ascent to the said Bridge, by lowering the Carriageway of the same, as far as practicable with Safety and Convenience, and raising the Level of the Approaches thereto, in such Manner and to such Extent as the said Trustees may judge reasonable in the Circumstances, and expedient for the Public; Indemnification being always made for any Loss or Damage that may be thereby occasioned to the Owners or Occupiers of any Ground, Houses, or other Property, as herein-after enacted.

IV. And be it further enacted, That when and as often as a Vacancy occurs by the Death, Absence, or Removal, or Refusal to act of any of the Persons hereby authorized to be appointed by the Counties of *Renfrew* and *Ayr*, respectively, as additional Trustees for carrying the present Act into Execution, it shall be lawful to and in the Power of the Conveners, or, in their Absence or Neglect, of any of the Deputy Lieutenants of the said Counties respectively, and he or they, or any one of them, are hereby authorized to call a General Meeting of the Commissioners of Supply of the said Counties respectively, in order that such Vacancy may be filled up with all convenient Dispatch.

Power to fill up Vacancies among the additional Trustees.

V. And be it further enacted, That the said Trustees shall hold a stated annual Meeting at *Glasgow*, within the Council Chambers, on the Second *Tuesday of April*, and that Six Days previous Intimation by public Advertisement in at least Three of the *Glasgow* Newspapers shall be held good and valid Intimation to the said Trustees of the said stated Annual Meeting, and of all other Meetings of the Trustees held in virtue and in pursuance of the present Act; the Majority of the said Trustees being always a legal Quorum; and it shall be lawful to and in the Power of the said Trustees at such Meetings to

Meetings of Trustees, and Power to appoint Committees of Management.

appoint

appoint Committees of Management, who shall or may be authorized by the said Trustees to do, order, and perform all Acts, Matters, or Things which the Trustees appointed by this Act are by the said recited Acts or this Act entitled to do, order, or perform, and all such Acts, Matters, and Things by the said Committees from Time to Time so done shall be as good, valid, and effectual as if the same were done by the Whole of the said Trustees.

Bodies Politic and others empowered to sell.

VI. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Trustees, or other Guardians for any Person or Persons, or for Public or Private Foundations or Establishments, Heirs of Entail, Tutors or Curators for Infants, Minors, Idiots, fatuous or furious Persons, for Persons absent from *Scotland*, and others, and to and for all and every other Person or Persons whomsoever, who are or are not under any Disability or Incapacity whatsoever, and are or shall be seised, possessed of, interested in, or entitled to any of the Grounds, Houses, or other Property required for the Purposes of this Act, to sell and convey the same to the said Trustees; and 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.

Property may be valued by a Jury.

VII. Provided always, and be it enacted, That if any Person or Persons, Bodies Politic, Corporate, or Collegiate, Trustee or Trustees, Guardian or Guardians, Heir of Entail, Tutor or Tutors, Curator or Curators, or other Person or Persons aforesaid, Owners or Occupiers of any Grounds, Houses, or other Property required for the Purposes of this Act, 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 Trustees to enter upon, use, or take the same for the Purposes of this Act, they shall be bound and obliged to state in Writing, within Forty Days after being required by a Writing delivered to him, her, or them personally, or in case of his, her, or their Absence, to his, her, or their known or reputed Agent or Representative, to do so, the Sum or Sums which they demand as Damage or Recompence for the Ground or other Subjects or Property taken or to be taken for the Purposes of this Act; and if the said Trustees at any Time within Two Calendar Months after the Sum or Sums demanded are stated, shall declare their Agreement to pay such Sum or Sums, then the Party so demanding shall be bound to accept thereof as in full, and the said Trustees shall be bound to pay; and if the said Trustees shall decline to pay the Sum or Sums so demanded, the said Trustees 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 *Lanark* or his Substitute, and they or either of them are and is hereby authorized and required, upon Application from the said Trustees, to summon and return Thirty substantial and disinterested Persons, resident within the County of *Lanark*; and the said Sheriff Depute or his Substitute shall appoint a Day and Place for proceeding in the said Matter, of which Ten Days previous Notice in Writing shall be given to the Owners and Occupiers

piers of such Grounds, Houses, or other Property, 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 the said Thirty Persons are hereby required to appear at such Time and Place as may be appointed by the said Sheriff Depute or his Substitute for proceeding in the said Matter, and as shall be appointed in his Warrant or Warrants, Precept or Precepts, to that Effect; and at the Time and Place so appointed, the Sheriff Clerk of the County of *Lanark* or his Deputy or his 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, or such of them as shall be present, 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 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 and the said Jury 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 Inquiry 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 inquire into 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 Grounds, Houses, or other Property, 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 Trustees, 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

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Depute

Depute or his Substitute at the making or pronouncing of the same, and shall be recorded in the Sheriff Court Books of *Lanark*, 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 to serve on 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, if demanded, 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.

Provision as
to Expences
of Juries.

VIII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered for or on behalf of the said Trustees, as a Recompence or Satisfaction for any such Lands, Tenements, or Heritages as aforesaid, or for any such Estate, Right, or Interest therein, or for any Damages that may have been sustained by any Person or Persons as aforesaid, all the Costs and Charges incurred in summoning, empanelling, and returning such Jury, taking such Inquisition, and the Attendance of Witnesses, and recording the Verdict or Judgment thereon, shall be borne by the said Trustees out of the Monies to be raised by virtue of this Act; and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Fourteen Days after Demand thereof made from the said Trustees, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Trustees, or of any Goods or Chattels of the Treasurer or Treasurers of the said Trustees, (unless such Treasurer or Treasurers shall pay such Costs and Charges out of the Monies by virtue of his Office received by him, or in his Hands or keeping, which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the County of *Lanark*, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on behalf of the said Trustees, as such Recompence or Satisfaction as aforesaid, all the Costs and Charges incurred as aforesaid shall be borne in equal Proportions by the Party or Parties refusing or neglecting to treat or agree as before mentioned, and by the said Trustees; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Trustees, the Costs and Charges so incurred shall be borne by the said Trustees in Manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of the said Costs and Charges, the same shall be settled and ascertained by any Justice of the Peace for the said County of *Lanark*, not interested in the Matter in question,

question, who is hereby authorized and required to examine into and settle the same, and to appoint a Time and Place for Payment thereof; and where the Costs shall be payable by the Party or Parties having had any such Disagreement or Dispute with the said Trustees as aforesaid, the Amount thereof, having been first paid by the said Trustees, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise, if such Costs or Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Trustees from the Party or Parties liable to the Payment thereof, by Action in any competent Court in *Scotland*, together with full Costs of Suit.

IX. And be it further 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 herein-after directed, it shall then, and not before or otherwise, be lawful to and for the said Trustees, and to and for their Agents and Workmen, to take Possession and dispose of such Ground, Houses, or other Property for the Purposes of this Act, in such Manner as the said Trustees shall see fit and expedient; and the said Trustees shall be indemnified therein, and be entitled to take such Possession of the Premises so required and to be disposed of under the Authority of this Act, and eject all others therefrom, without the Warrant of any Judge, provided that Notice shall be given to the Tenants and Occupiers Forty 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.

On Payment or Tender, Possession may be taken.

X. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Grounds, Houses, or other Property 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 Grounds, Tenements, Heritages, or other Property, in the

Application of Compensation when exceeding 200*l*.

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 of 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.

Where less
than 200l.
and above
20l.

XI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Grounds, Tenements, or Heritages, or other Property 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 Grounds, Tenements, and Heritages, or other Property so purchased, taken, or used, or of his 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 Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees, or any Three or more of them, (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 thereon may be applied in any Manner herein-before directed, so far as the Case may be applicable.

When less
than 20l.

XII. 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 Grounds, Tenements, or Heritages, so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees or any Three or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Tutors and Curators,
to

to and for the Use and Benefit of such Person or Persons so entitled respectively.

XIII. Provided always, and be it further enacted, That nothing contained herein, or in the Schedule to this Act annexed, shall extend or be construed to extend to be a Declaration or Acknowledgment that any Body or Bodies Corporate or Collegiate, or Person or Persons, from whom the said Trustees are by this Act authorized to purchase or acquire any Grounds, Houses, or other heritable Subjects, or any Interest in any Grounds, Houses, or other heritable Subjects, have a Right or Title thereto; and all such Body or Bodies, Person or Persons, shall be bound, and are hereby required to show a good and sufficient Title before demanding Indemnification or interrupting the Execution of this Act.

Not to be held as Admission of Rights.

XIV. 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 Grounds, 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 Trustees, or in case they are dissatisfied, to the Satisfaction of the Sheriff Depute of the County of *Lanark* for the Time; 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 Trustees 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, 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 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 aforesaid.

In case of not making out Title.

XV. 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

Where Question shall arise as to the Right to Money.

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the Authority of the Court of Session, in pursuance of this Act, for the Purchase of any Grounds, Tenements, or Heritages, or any Estate, Right, or Interest in any Grounds, 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 Grounds, 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 Expenses of Purchases to be paid by Trustees in Cases of Incapacity.

XVI. 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 of so much of such Prices or other Expences as the Court shall deem reasonable, to be paid by the said Trustees, who shall from Time to Time pay such Sums of Money for such Purchases as the said Court shall direct.

Clerk and Treasurer to be different Persons.

XVII. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint any Person who has been or may be appointed the Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or of his Partner, the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person, being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees other than that of Treasurer,

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 be recovered with full Costs of Suit by summary Action in the Court of Session.

XVIII. And be it further enacted, That every Officer and other Person who shall be appointed by virtue of this Act, shall from Time to Time, when thereunto required by the said Trustees, by Notice in Writing to him or them respectively given, or left at his or their usual Place of Abode, or within Seven Days next afterwards, make out and deliver to the said Trustees, or to such Person or Persons as they shall appoint to inspect and examine the same, a true and perfect Account in Writing, under his or their Hand, of all Monies which shall have been by him or her had, collected, or received, and how and to whom, and for what Purposes, the same, and every Part thereof, hath been disposed of, together with the Vouchers and Receipts for such Payments; and every such Officer or Person shall and is hereby required to advance all such Monies as upon the Balance of such Accounts shall appear to be owing from him or her to the said Trustees, to such Person or Persons as the said Trustees shall appoint to receive the same; and if any Officer or Person shall neglect or refuse to render or deliver such Account as aforesaid, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required, in Manner and within the Time aforesaid, or shall neglect or refuse, on such Requisition as aforesaid, to deliver up to the said Trustees, or to such Person or Persons as they shall appoint, all Books, Papers, Writings, Matters and Things in his or their Custody or Power relating to the Execution of this Act, or which they shall have disposed of without the Consent of the said Trustees, then and in every such Case, Complaint being made by the said Trustees where such Neglect or Default shall happen, or by any other Person or Persons on their Behalf, of any Neglect or Refusal to any Justice of the Peace for the County where the Officer or Person so neglecting or refusing shall live or reside, such Justice is hereby authorized and required by Warrant under his Hand to cause such Officer or Person to be brought before him, and upon his or her appearing or not being to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Trustees might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath or Oaths of any Witness or Witnesses, or upon the said Account, if produced, it shall appear to such Justice that any of the Monies which shall have been collected or received by virtue of this Act shall be in the Hands of or owing from such Officer or Person to the said Trustees, the said Justice may and he is hereby authorized, for Nonpayment thereof within such Time as such Justice shall direct, by Warrant under his Hand, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person respectively; and if no Goods and Chattels can be found to answer and satisfy the said Monies, and the Charges of making, taking, keeping, and selling such Distress, or if such Officer or Person shall not appear (without having sufficient Excuse) before the said Justice at the Time and Place appointed for that Purpose,

Officers to
account.

or,

or, if appearing, shall refuse or neglect to make out and deliver to the said Justice such Account in Writing as aforesaid, or to produce and deliver up to such Justice the several Vouchers and Receipts relating to such Account, or to deliver up to him all such Books, Papers, Writings, Matters, and Things as aforesaid, to be by him delivered over to the said Trustees, then, and in any of the Cases aforesaid, the said Justice is hereby authorized and required, by Warrant under his Hand, to commit such Officer or other Person to the Common Gaol or House of Correction for the said County, Burgh, or Place where he or she shall live or reside, there to remain without Bail until he or she shall have delivered in and settled such Account as aforesaid, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Monies that shall appear to have been in the Hands of or owing from him or her to the said Trustees, and the reasonable Charges of such Distress and Sale, if any, as shall in that respect have been made, or till he or she shall have compounded with the said Trustees for such Monies and Charges, and paid the Composition Money to the said Trustees, or such Person or Persons as they shall appoint to receive the same, and which Composition the said Trustees are hereby empowered to make, and shall have delivered up as aforesaid such Books, Papers, Writings, Matters, and Things as aforesaid, or have given to the said Trustees Satisfaction in respect thereof: Provided always, that no Person who shall have been committed for Want of sufficient Distress only, shall be detained in Prison for any longer Time than Six Calendar Months; and provided also, that if the Money shall remain due from such Officer or Person, the Commitment of him to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety or Sureties, but such Officer or Person and his Surety or Sureties shall remain liable to the Payment thereof in the same Manner as if such Officer or Person had not been committed to Prison.

Power to
rebuild
Bridges.

XIX. And be it further enacted, That in the Event of either of the Bridges authorized to be repaired or built and maintained by the said recited Acts, *videlicet*, the said Bridge opposite to *Jamaica Street*, and the Old Bridge opposite to *Stockwell Street*, the latter of which has lately been repaired and widened by means of Ironwork, becoming unsafe or dangerous for Passengers, from natural Decay, or being destroyed by Floods, or other accidental Causes, it shall be in the Power of the said Trustees, and they are hereby authorized, from Time to Time, to rebuild or construct of new, either or both of the said Bridges, upon such improved Plan, and of such Dimensions, as may be judged by the said Trustees to be proper and expedient; and to make and form suitable Approaches to the said Bridges, and of such Width, not exceeding One hundred Feet, as may appear expedient, and also to take and occupy such Parts of the adjacent Banks of the said River, and of the adjacent Streets, as may be necessary for the said Purposes: Provided always, that the Breadth of each Bridge shall not exceed Sixty Feet, and the Expence of rebuilding or constructing of new each of the said Bridges shall not exceed Thirty thousand Pounds.

XX. And

XX. And be it further enacted, That the said Trustees shall have Power and are hereby authorized to repair and maintain, and from Time to Time to erect at or near the said Bridges, such Gates and Toll Houses as may appear to them to be expedient, and from Time to Time to alter the Situation of such Gates and Toll Houses; and the said Bridges, Approaches thereto, Gates, and Toll Houses shall be vested in the said Trustees, for the Purposes of the said recited Acts and of this Act: Provided always, that in case more than One such Gate or Toll House shall be erected at or near either of the said Bridges, it shall not be lawful for the said Trustees to take Tolls or Pontage at more than One of such Gates on each of the said respective Bridges, but a Pass Ticket to be given at any One of such Gates (which the Collector is hereby required to furnish), shall entitle any Person receiving the same to pass Toll-free on the same Day at any other Gate erected by the said Trustees at or near the Bridge on which such Pass Ticket shall be so given.

Power to maintain Gates and Toll Houses.

XXI. And be it further enacted, That the said Trustees shall and they are required to put up, or cause to be put up, and afterwards to be continued, at every such Toll Gate, a Table painted in distinct and legible Black Letters on a Board with a White Ground, containing at the Top thereof the Name of the Gate at which the same shall be put up, and also a List of all the Pontages or Tolls payable at such Gate, distinguishing the several Pontages or Tolls to be paid by virtue of this Act, and to renew such Board whenever any of the Letters or Figures thereof shall be worn out, defaced, or obliterated.

Trustees to put up a Table of Tolls.

XXII. Provided always, and be it enacted, That it shall not be lawful for the said Trustees to demand or take, or cause to be demanded or taken, any Pontage or Toll for or in respect of any Horse, Mule, Ass, or other Beast, at the said Gates, but for and during such Time as the Board so painted as aforesaid shall remain affixed at such Gate.

Tolls only payable while Board remains.

XXIII. And be it further enacted, That if any Dispute shall arise about the Amount of the Toll or Pontage due, or the Expence of keeping or selling any Articles poided for Nonpayment of any of the Tolls or Pontages, it shall be lawful for the Toll Collector, or the Person poiding, to retain such Articles, or the Money arising from the Sale thereof (as the Case may be), until the Amount of the Tolls or Pontages due, and the Expences of keeping and selling the Articles as aforesaid, be ascertained by the Sheriff Depute or Substitute of the County of *Lanark*, or any Justice of the Peace of the said County, who, upon Complaint made, shall in a summary Manner determine the Amount of the Tolls due, and shall adjudge such Expences to either Party as to the said Sheriff or Justice shall appear right and proper.

For settling Disputes concerning Tolls.

XXIV. And be it further enacted, That every Toll Collector appointed by the Trustees on the said Bridges shall place on some conspicuous Part of the Front of the Toll House his or her Christian and Surname, painted in Black on a Board with a White Ground, each of the Letters of such Name to be at least Three

Toll Collectors to put up their Names on the Front of the Toll Houses.

[Local.]

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Inches

Inches in Length, and of a Breadth in proportion, and that such Board shall remain at such Toll House during the whole of the Time that the Person whose Name shall be expressed thereon shall be on Duty thereat, and every Toll Collector shall place on the Front of the Toll House the printed Schedule or Table herein-before directed to be provided by the said Trustees; and if any Toll Collectors shall not place such Board or Schedule or Table respectively, and keep the same there during the Time such Person shall be such Toll Collector, or shall demand or take a greater or less Toll or Pontage than such Collector shall be authorized to do, or shall demand or take a Toll or Pontage from any Person who shall be exempt from the Payment thereof, and who shall claim such Exemption, or shall refuse to permit any Person to read such Board, Schedule, or Table, or shall refuse to tell his or her Christian and Surname to any Person who shall demand the same on being paid the Tolls or Pontages, or shall give a false Name, or shall refuse or neglect to give a Ticket denoting the Payment of the Tolls, or, upon the legal Toll or Pontage being paid or tendered, shall unnecessarily detain or wilfully obstruct any Passenger from passing through such Toll Bar, or shall make use of any scurrilous or abusive Language to any Surveyor, Traveller, or Passenger, or offend against the Provisions of this Act, such Person shall forfeit and pay any Sum not exceeding Five Pounds for such Offence.

Exemption
from Tolls.

XXV. And be it further enacted, That no Toll or Pontage shall be demanded or taken on the said Bridges for any Horses or Carriages attending His Majesty or any of the Royal Family, or returning therefrom.

Further
Exemptions.

XXVI. And be it further enacted, That no Toll or Pontage shall be demanded or taken at any Gate from any Person for any Horse or other Beast of Draught or Burden, or Carriage of whatever Description, employed or to be employed in carrying the Mails of Letters and Expresses under the Authority of His Majesty's Postmaster General, either when employed in carrying, fetching, or guarding such Mails or Expresses, or in returning back from conveying the same, except in so far as such Horse or other Beast of Draught or Carriage are specially made liable to the Payment of Tolls and Duties by virtue of an Act made in the Fifty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act to repeal the Exemption from Tolls granted for or in respect of Carriages with more than Two Wheels carrying the Mail in Scotland, and for granting a Rate for Postage as an Indemnity for the Loss which may arise to the Revenue of the Post Office from the Payment of such Tolls*; nor shall any Toll be demanded or taken for the Horse of any Officers or Soldiers on their March or on Duty, or for any Horse or other Beast in any Waggon, Cart, or other Carriage employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying the Arms or Baggage of any such Officers or Soldiers, or employed in carrying or conveying, or returning empty from carrying or conveying, having been employed only in carrying or conveying any sick, wounded, or disabled Officers or Soldiers; or for any Waggon, Cart, or other Carriage whatsoever,
nor

nor for any Horse or other Beast of Draught drawing the same, employed in conveying any Ordnance, or Barrack, or Commissariat, or other public Stores of or belonging to His Majesty, or for the Use of His Majesty's Forces, or returning empty from having been so employed; or for any Carriage conveying Volunteer Infantry; or for any Horse furnished by or for any Person belonging to any Corps of Yeomanry or Volunteer Cavalry or Infantry, and rode by him, and going to or returning from any Place appointed for and on the Days of Exercise, Inspection, or Review, or on other public Duty, provided that such Person shall be dressed in the Uniform of his Corps, and shall have his Arms, Furniture, and Accoutrements according to the Regulations of such Corps at the Time of claiming the Exemption; or for any Horse or Beast of Draught drawing any Cart or Carriage whatever employed only in carrying or conveying Criminals or Vagrants sent by Warrants or legal Passes, or returning empty after having been so employed.

XXVII. And be it further enacted, That the said Trustees shall be and they are hereby empowered, from Time to Time, if they see Occasion, to appoint such a Number of fit and able-bodied Men as they shall think proper, to be armed and clothed in such Manner as the said Trustees shall direct, to be employed as Watchmen, Guards, or Patroles upon the said Bridges, and to the Extent of Twenty Yards from the Extremities thereof, and from Time to Time to remove any of such Watchmen, Guards, or Patroles, and to appoint others in their Room, and from Time to Time to cause to be erected and repaired the necessary Watch Houses, and to make such Rules, Orders, and Regulations in relation to the said Bridges and Approaches thereto, and for the better governing the said Watchmen, Guards, or Patroles, and for the watching and guarding the said Bridges, and keeping the Peace thereon, as the said Trustees shall think proper.

Power to
appoint
Watchmen,
&c.

XXVIII. And be it further enacted, That it shall be in the Power of the said Trustees and they are hereby authorized from Time to Time to provide and erect such a Number of Lamps, Lamp Posts, and Lamp Irons, as may be necessary for lighting, in a suitable Manner, the said Two Bridges, and Public Passages and Approaches thereto, and to light, and to enter into Contracts for lighting such Lamps, either by Means of Oil, or with Lights known by the Name of Gas Lights, or such other Lights of an improved Kind as they may find expedient, and for the said Purpose to place or lay in any Part of the said Bridges such Gas Pipes or other Pipes and Apparatus as may be requisite: Provided always, that the Lighting of the said Bridges shall be confined to the Parapet Walls thereof, and to the Toll House or Toll Houses, and Gate or Gates, erected or to be erected thereon.

Power to
erect Lamps
and light
the Bridges.

XXIX. And be it further enacted, That if any Person or Persons shall wilfully take away, break, or throw down any Lamp or Lamps which now are or hereafter shall be set up within the Limits of this Act, or shall wilfully extinguish the Light or Lights within the same, or damage the Iron or Appurtenances thereof, it shall and may be lawful for

Penalty for
breaking
Lamps wil-
fully.

for any Person who shall see such Offence committed to seize, and also for any other Person to assist in seizing, the Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey to and deliver such Offender or Offenders at the Police Office of the said City, or of the Barony of *Gorbals*, or at the Police Office or Lock-up House established or to be established at the Harbour of the *Broomielaw*, or to deliver him, her, or them into the Custody of a Police or other Peace Officer, in order to be secured and conveyed before any One of the Magistrates officiating at any of the said Police Offices or Lock-up House respectively; and if the Party or Parties accused of such Offence, whether apprehended as aforesaid, or cited for the same after Commission thereof, shall be convicted thereof, either by his, her, or their own Confession, or by legal Evidence according to the Law of *Scotland*, such Offender or Offenders shall forfeit and pay any Sum not exceeding Five Pounds Sterling for every Offence, and moreover shall make Satisfaction for the Damages done; and in case such Offender or Offenders shall not immediately on Conviction pay such Forfeiture and make such Satisfaction, such Magistrate is hereby empowered to commit him, her, or them to the Gaol or Bridewell of the said City, for a Space not exceeding Three Calendar Months.

Satisfaction to be made for breaking Lamps accidentally.

XXX. And be it further enacted, That in case any Person or Persons shall accidentally break, throw down, or damage any of the said Lamps, or the Irons or Appurtenances thereof, it shall and may be lawful for any One of the said Magistrates to award such Sum or Sums of Money, by way of Satisfaction for such Damages, as such Magistrate shall think reasonable, provided the said Sum shall not exceed the real Damage sustained by such Accident, besides the Expence incurred in recovering the same; and in case of Neglect or Refusal of the said Person or Persons to pay such Sum or Sums of Money so awarded, to cause the same to be levied by Distress and Sale of his, her, or their Goods and Effects; the Surplus, if any, to be paid to such Person or Persons.

Power to sweep and clean the Bridges.

XXXI. And be it further enacted, That the said Trustees shall have Power and they are hereby authorized to cause the Carriage Road and Foot Pavements of the said Bridges, and the Public Passages and Approaches thereto, to the Extent of Twenty Yards from the Extremities of the said Bridges, to be regularly swept and cleaned by Scavengers appointed for the Purpose; to contract with Persons to sweep and clean the said Bridges and Approaches thereto, to the Extent aforesaid, if they think fit; to cause all Soil and Filth to be regularly swept from the said Bridges and Approaches thereto, to the Extent aforesaid, and collected into Heaps, and to be immediately removed to such Places as they shall direct; and to sell and dispose of the said Soil and Filth to such Persons as may be willing to purchase the same, the Price to be applied to the Purposes of this Act.

Power to apply present Balance of Tolls, and to continue

XXXII. And whereas there remains a Balance in the Hands of the Treasurer of the Trustees under the said recited Acts, applicable under the said recited Acts to the Maintenance of the said Bridges, of the Works for the Support thereof, and of the Approaches thereto, and

and to the Creation of a Fund for the Maintenance thereof in all Time coming; be it further enacted, That the said Trustees shall have Power and they are hereby authorized to apply the said Balance to the Purposes of the said recited Acts and of this Act, and to continue to demand, levy, and recover the Tolls and Pontage Duties granted by the said recited Acts, and to apply the said Tolls and Pontage Duties to the Purposes of the said Acts and of the present Act, until the same are accomplished, and particularly towards defraying the Expence of widening and enlarging the said Bridge opposite to *Jamaica Street*, and of reducing the Ascent thereto as aforesaid.

present Tolls and Pontages for the Purposes of this Act.

XXXIII. Provided always, and be it enacted, That nothing herein contained shall prejudice or affect an Action of Count and Reckoning which certain of the Commissioners acting under the said recited Acts have lately raised before the Court of Session against the Trustees under the said Acts, the same being hereby reserved entire.

Action of Count and Reckoning reserved.

XXXIV. And be it enacted, That it shall and may be lawful for the said Trustees, if they think fit, to let or farm out, by public Auction, the whole Tolls and Pontage Duties authorized to be levied by the said recited Acts and by this Act, or such Descriptions and Parts thereof as may appear proper: Provided always, that the Period for which the said Tolls and Pontage Duties shall be so let or farmed out shall not exceed Three Years at one Time.

Power to let or farm out Duties.

XXXV. And be it further enacted, That at a General Meeting, assembled for the special Purpose, by Fourteen Days previous Notice in Three or more of the *Glasgow* Newspapers, the said Trustees shall have Power, and they are hereby authorized, for the Purposes of the present Act, to borrow and take up at Interest from Time to Time, on the Credit and Security of the said Tolls and Pontage Duties, any Sum or Sums of Money not exceeding Twenty thousand Pounds Sterling, and to assign and make over the Tolls and Duties granted and authorized to be levied by the said recited Acts and by this Act, or such Portions thereof as they think proper, in Security for the Repayment of the said Sums of Money with Interest: Provided always, that it shall be in the Power of the said Trustees, as often as any Part of the Debt so contracted shall be repaid to the Creditor or Creditors having Right thereto, and demanding the same, to borrow such Sum or Sums as may be necessary to replace the Sum or Sums so repaid, but so that the total Sum borrowed shall at no one Time exceed the said Sum of Twenty thousand Pounds Sterling.

Power to borrow Money.

XXXVI. And whereas, the Amount of the Revenue derived from each of the said Bridges being ascertained from Experience to be about equal, it has been found more convenient and advantageous to let and farm out the said Tolls and Duties, for passing along the said Two Bridges, together, jointly, and *in cumulo*; and it is expedient that Persons paying the said Tolls and Duties for passing along one of the said Bridges, should have it in their Power, as under the said

Power to let Tolls of both Bridges together, and to apply the Produce indiscriminately.

[*Local.*]

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recited

recited Acts, to return by the other Bridge in the Course of the same Day without paying any additional Toll; be it enacted, and it is hereby further enacted, That the said Trustees shall have Power, and they are hereby authorized, to let the Tolls and Pontage Duties granted and continued by the present Act, together, jointly, and *in cumulo*, and to apply the Produce thereof indiscriminately to the Purposes of the said Acts and of this Act, until the Debt hereby authorized to be contracted be discharged, and the said other Purposes accomplished.

Application
of Tolls and
Pontages.

XXXVII. And be it further enacted, That the Money arising from the Tolls and Pontage Duties granted by the before-recited Acts, and continued by this Act, shall be applied, in the First Place, in defraying the Expences incurred in applying for and obtaining this Act; in the Second Place, in defraying the annual Expences of repairing and maintaining, and of lighting and cleansing the said Bridges and Approaches thereto; in the Third Place, in paying the annual Interest of the Sum or Sums which may be borrowed under the Authority of this Act for the Purposes thereof, and in repaying the Principal Sum or Sums so borrowed, and generally in carrying the before-recited Acts and this Act into Execution.

Reduction
of Tolls, or
Accumulation
of Fund for
Maintenance
of Bridges.

XXXVIII. And be it further enacted, That after the said Sums of Money, Principal and Interest, shall be satisfied and paid, it shall be in the Power of the said Trustees, and they are hereby authorized and required, either to reduce the said Tolls and Duties to such an Amount as shall be sufficient for defraying the annual Expenditure necessarily incurred in repairing and maintaining, and in watching, lighting, and cleansing the said Bridges and Approaches thereto, or to continue the said Tolls and Pontage Duties, and to accumulate the Surplus thereof beyond the said annual Expenditure into an aggregate Sum; until the same shall amount to a Fund not exceeding Ten thousand Pounds, of which the annual Produce shall be sufficient for the Maintenance of the said Bridges, Works, and Approaches thereto, and for watching, lighting, and cleansing the same, in all Time coming.

Cessation of
Tolls.

XXXIX. And be it further enacted, That as soon as the annual clear Surplus of the said Tolls and Pontage Duties shall have produced a Fund, as aforesaid, adequate to all the Purposes specified in the said recited Acts and in this Act, the said Tolls and Pontage Duties shall from thenceforth cease and determine, and the Passage along both and each of the said Bridges shall from thenceforth be declared free, in Terms of the said recited Acts.

Eventual
Resumption.

XL. Provided always, and be it further enacted, That in the Event of the annual Produce of the said Fund so accumulated and set aside proving inadequate to defray the necessary annual Expenditure incurred in repairing, maintaining, watching, lighting, and cleaning the said Bridges and Works, and Approaches thereto, or in the Event of either or both of the said Bridges becoming dangerous to Passengers, from natural Decay, or falling, or being destroyed from Floods, or other accidental Causes, it shall be in the Power of the said Trustees,

Trustees, and they are hereby authorized, to resume the Exaction, Levying, and Recovery of the said Tolls and Pontages, and to continue the same until a Fund shall be realized in Manner aforesaid, of which the annual Produce shall be adequate to the said annual Expenditure, and until the Sum or Sums which it may be necessary to borrow, for the Purpose of rebuilding, constructing of new, or repairing both or either of the said Bridges, shall be satisfied and repaid, Principal and Interest.

XLI. And be it further enacted, That the Persons named and appointed by the said recited Acts, and also the resident Bailie of the Barony of *Gorbals* for the Time being, and the Preses for the Time being of, or any Person to be appointed by, the Feuars of the Four Districts of the said Barony, shall be Commissioners for annually examining, auditing, docqueting, and discharging the Accounts kept by the said Trustees, of the Receipts and Disbursements of the said Tolls and Pontages, in Manner prescribed by the said recited Acts; an Abstract of which Accounts shall be published annually in Three of the *Glasgow* Newspapers.

Commissioners to audit Accounts.

XLII. And whereas an Act was passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for amending Three Acts for enlarging the Harbour of Glasgow, and improving the Navigation of the River Clyde to the said City, and for other Purposes therein mentioned*; and the Trustees thereby appointed are authorized and empowered to carry on certain Operations requisite for opening and maintaining a Communication and safe and easy Navigation for Vessels loaded with Coals or other Commodities, passing from the higher Parts of the said River *Clyde* to the Harbour at the *Broomielaw*; be it therefore enacted, That any Bridge or Bridges to be erected, widened, or repaired by the Trustees acting in Execution of this Act, shall, if required by the Trustees under the said Act of Parliament, be so constructed as not to present any Obstruction to such safe and easy Communication; and in the Event of a Difference of Opinion in this respect, between the said Trustees hereby appointed and those appointed by the said Act, such Difference of Opinion shall be referred to the Decision of Two Civil Engineers, One to be chosen by each Party, whom the said several Trustees are hereby empowered and required respectively to name, and who shall have Power to choose an Oversman; and the said Engineers or Oversman shall, on considering the Nature of the Traffic or Vessels in use of plying, or most likely to be in use of plying, on the said Upper Navigation, and such relevant Matter as shall be laid before them, have Power and are hereby authorized to order and adjudge all or any Part of the Plan of the said Bridges, as they may find Occasion, to be altered or removed, in such Way as they or he shall be satisfied is necessary and proper to be done in the whole Circumstances of the Case.

Provision for Protection of Navigation.

XLIII. Provided always, and be it enacted, That nothing herein contained shall diminish or abridge, or be construed to diminish or abridge, the Rights or Privileges of the Community and of the Magistrates and the Town Council of the Royal Burgh of *Rutherglen*,

Further Provision as to Protection of Navigation.

glen, or their Successors in Office, or the Right or Privilege of any Person or Persons whomsoever, to the Use and Navigation of the said River, from the Harbour at the *Broomielaw* of *Glasgow* upwards to the higher Parts of the said River.

For preventing Obstructions and Nuisances on the Bridges.

XLIV. And be it further enacted, That if any Person or Persons shall, by or with any Line upon the said Bridges, tow any Barge, Boat, or other Vessel through any of the Arches thereof, or shall lash or tie, or make fast any Cord, Rope, or Cable to the Balustrade, Cornice, Piles, or any other Part of the said Bridges, or any of them, or shall moor, stay, or fasten, or cause or procure to be moored, stayed, or fastened, any Barge, Boat, or Vessel within the Distance of One hundred Yards from the said Bridges, on either Side thereof, without the Consent of the said Trustees first had and obtained, or in case any Person or Persons shall pass a Line over the said intended Bridges, to the Annoyance or Hinderance of Passengers, Carriages, or Cattle going over the same; or if any Person or Persons shall haul or draw, or cause to be hauled or drawn, upon any Part of such Bridges, any Timber, Stone, or other Thing, otherwise than upon wheeled Carriages, or shall suffer any Timber, Stone, or other Thing which shall be carried principally or in part upon wheeled Carriages to drag and trail upon such Bridges, to the Prejudice thereof; or of any Person driving any Horse or other Beast on the said intended Bridges, carrying any Iron Bar or Rod, Basket or Pannier, or any other Matter or Thing, shall place such Bar or Rod, Basket or Pannier, Matter or Thing, so that the same or any of them shall project more than Thirty Inches from the Side of such Horse or other Beast, or so as in any Manner to obstruct or impede the passing of any Person, or any Horse, Beast, or Carriage travelling along the said Bridges; or if the Driver of any Waggon, Cart, or other Carriage, shall on the said intended Bridges ride on the Shafts, or in or upon any Part of such Waggon, Cart, or other Carriage, without Reins, or on any of the Horses or Cattle drawing the same; or if any Person riding any Horse or Beast, or driving any sort of Carriage, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Passenger; or if any Person or Persons shall wilfully hinder, obstruct, or prevent the free Passage of the said Bridges, or any of them, or any of the Footways thereof; or if the Driver of any sort of Carriage whatsoever, meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side, or shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, on the said Bridges, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, on the said Bridges, or shall suffer any Stage-coach, Postchaise, or other Carriage let to hire, to remain longer than may be necessary for the taking up or setting down of any Passenger; or if any Person shall make or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, or Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework, every Person so offending in any of the aforesaid Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing as aforesaid, as the Case may be, (in any Instance where the Person actually

actually offending cannot afterwards be found,) shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful to the Toll Keeper or Toll Keepers, or any Person to be appointed by the said Trustees, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever.

XLV. And be it further enacted, That if the said Trustees, or any Body Politic or Corporate, or any Person or Persons whomsoever, shall at any Time drain or convey, or suffer to be drained or conveyed, or to run or flow, any Washings or other Waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Manufacture or Process of making or procuring Gas, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, or Well, situate, arising, or being in or adjoining to the said Bridges, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, or Springhead, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in each and every such Case the said Trustees, or Body Politic or Corporate, or Person or Persons whomsoever, as the Case may be, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, to be sued for and recovered with full Costs of Suit in Manner hereinafter mentioned, and the Whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same is sued for during the Existence of such Annoyance, Nuisance, Injury, Damage, Act, or Thing, or within Twelve Calendar Months after the same shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall be sued for or recovered or not), in case any of the said Washings or other Waste Liquids, Substances or Things shall be drained, conducted, or conveyed, or caused or suffered to run or flow in Manner aforesaid, into any River, Brook, running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Nuisance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Trustees, Body Politic or Corporate, or other Person or Persons as aforesaid, and the said Trustees, Body Politic or Corporate, or other Person or Persons as aforesaid, shall refuse or neglect, within Twenty-four Hours after such Notice shall have been given, to stop, hinder, or prevent all and every such Washings, Waste Liquids, Substances, or Things from being drained, conducted, or conveyed, or from running or flowing, and every such Annoyance, Nuisance, Act, or Thing from being done or continued as aforesaid, then and in every such Case the said Trustees, Body Politic or Corporate, or other Person or Persons as aforesaid, as the Case may be, so refusing or neglecting, shall forfeit

Penalty for conveying Washings into any River, Stream, &c.

[*Local.*]

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and

and pay the Sum of Two Pounds for each and every Day such Washings, Waste Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow, or such other Annoyance, Act, or Thing shall be done or caused to be done as aforesaid.

Bridges
within the
Burgh of
Glasgow.

XLVI. And be it further enacted, That in all Questions whatsoever occurring under this Act, or in any way in regard to the said Bridges, the same shall be wholly deemed to be within the Royalty of the Burgh of *Glasgow*; and the Jurisdiction of the Magistrates of the said Burgh is hereby declared to extend over the Whole thereof, in the same Way as if the same had been wholly within the said Burgh.

Appeal.

XLVII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any thing done in pursuance of this Act, for which no particular Relief has been already provided, it shall and may be lawful to and for such Person or Persons, within Three Calendar Months after the Matter complained of shall be done, but not afterwards, to appeal to the Court of Session, the Appellant giving the Defender or Defenders Fourteen Days Notice of such Appeal; and the said Court is hereby authorized to call the Parties before them, and to determine the Matters in Dispute, and their Judgments therein shall be final and conclusive, without being subject to any Review whatever.

Public Act.

XLVIII. 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.

SCHEDULE referred to in this Act.

Parts of the Banks of the River Clyde, between the River and the Street in Front of Carlton Place, and between the River and the Street to the West of Carlton Place, upon the South Bank of the River; and also between the River and *Clyde* Street and Part of the Broomielaw Quay, on the North Bank of the River.

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