ANNO TRICESIMO TERTIO

Georgii III. Regis.

CAP. CXXIV.

An Act for rebuilding the *Tron Church* of the City of *Glaſgow*; for opening certain Streets; for removing Obſtructions in the *Trongate Street*; for building a Bridge over the River *Clyde*, oppoſite to the *Salt Market Street*; for regulating the Weight and Meaſure of Coals, and the Mode of carrying Wood and Timber on the Streets of the ſaid City; for enlarging the Gaol or Tolbooth there; and for ſelling Part of the *High* or *Calton Green*, and alſo the Glebe belonging to the *Inner High Church*, and Pariſh of *Glaſgow*.

[17th *June* 1793.]

 WHEREAS

Preamble.



WHEREAS the Tron or Laigh Church, One of the Parish Churches in the City of Glasgow, has been lately burnt down by accidental Fire, and it is necessary to rebuild the said Church either where it stood, or on some other Piece of Ground within the said City, as soon as conveniently may be, in order that the Parishioners and Inhabitants may have a Place of Publick Worship; but the same cannot be done without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, it shall and may be lawful to and for the Magistrates and Town Council of the City of Glasgow, and to their Successors in Office, by themselves, their Deputies, Agents, Workmen and Servants, and they are hereby authorized and empowered, from and out of the Common Funds of the said City, either to rebuild the said Tron or Laigh Church on its former Scite, or to build a new Church, for the Use of the Inhabitants of said Parish, in any other Part of the said City that may be found more convenient; and to purchase Ground for that Purpose, and to sell and dispose of the Ground formerly occupied by the said Tron Church, and adjacent and belonging thereto, and to apply the Price thereof as Part of the Common Funds of the said City.

Powers to rebuild the *Tron* Church;

which shall be deemed a Parish Church;

II. And in case the said new Church shall be built on a different Situation than where the said Tron Church stood, be it enacted by the Authority aforesaid, That the said new Church shall, after being finished, become and be deemed the Parish Church of the Parish to which the said Tron Church was appropriated, without any Action at Law or Sentence of any Court, any Law or Practice to the contrary notwithstanding.

and to treat for the Purchase of the Bowling Green;

III. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and in the Power of the said Magistrates and Town Council to treat and agree with the Owners of that Piece of Ground situated on the East Side of Candlerigg's Street within the said City, now used as a Bowling Green, for the absolute Purchase thereof, and to pay for the same out of the Common

Funds of the said City; and either to build thereon the said new Church, or to use the said Bowling Green for any other publick Purpose: Provided always, That the said Owners do consent and agree to sell the same.

and for Owners to sell and convey.

IV. And be it enacted by the Authority aforesaid, That it shall and may be lawful to the Owners of said Bowling Green, and they are hereby authorized and empowered, to sell and convey the said Ground to the said Magistrates and Town Council, freed and relieved from any Right or Claim of Servitude by the Inhabitants or Community of the said City to have the said Ground kept and used as a Bowling Green, any Usage or other Thing to the contrary notwithstanding.

Powers to open certain Streets, &c.

V. And whereas the late Increase of Buildings and Inhabitants of the said City has rendered it necessary and expedient to open certain new Streets and Passages, to remove certain Obstructions in Trongate Street, and to enlarge the Common Gaol or Tolbooth within the said City: And whereas the Grounds of Meadowflatt, with the Houses built thereon, belonging to the Community of the said City, are now under Tack or Lease for Nine Years to James Wilson and John Cleland, and it would be a great Benefit to the Inhabitants of the said City that the said Grounds were converted into Building Lots, that Streets were opened and paved, and Common Sewers made through the same from the Grounds of Ramshorn to Buchanan Street, and that a Street were opened and paved from the North End of Buchanan Street to run in a straight Line with the said Street till it joins the Turnpike Road leading from Glasgow to Garscube Bridge, which last mentioned Street must necessarily pass through a small Corner of Ground belonging to John Campbell of Blythswood Esquire; and that the Streets after-mentioned and described were opened and paved, that is to say, a Street to run from or near to a House called Saint Nicholas's Hospital, in Stable Green, Port Street, or from or near to a Tenement in the said Street belonging to Robert Campbell Seceding Minister in Stirling, in a straight Line Westward till it crosses the Line of John Street, and from thence Southward in a straight Line with John Street till it joins that Street; and also that Brunswick Street should be continued in a straight Line Southward till it joins Trongate Street, and in a straight Line Northward till it joins George Street, all in the said City: And whereas the Common Gaol or Tolbooth of the said City being small and incommodious, it is become necessary to enlarge the same

either by taking in the Tenement in High Street, belonging to the Community, and to the Heirs of Peter Paterson Writer, Messieurs Ure and M'Gilchrist Merchants, and the Heirs or Creditors of John Cooper Taylor, or their Disponees, which Tenement lies contiguous to the said Gaol, or by pulling down the said Tenement altogether, and building in Addition to the said Gaol on the Area thereof: And whereas it would tend greatly to the Improvement of Trongate Street, that the Steeple of the Tron Church, and the Houses adjoining thereto, belonging to William Aitken and Messieurs Bell and Boyd Merchants, were taken down, and the Space occupied by them was added to the said Trongate Street: Be it therefore enacted by the Authority aforesaid, That, from and after the passing of this Act, it shall and may be lawful to and for the Magistrates and Town Council of the City of Glasgow, and their Successors in Office, by themselves, their Deputies, Agents, Workmen, and Servants, and they are hereby authorized and empowered to make, pave, and complete the Streets before mentioned and described; to purchase and pull down the said Tenement in High Street, if necessary, and to enlarge the Gaol of the said City, and also to sell, feu, and dispose of the aforesaid Grounds of Meadowflatt, for building, and to open Streets, and make Common Sewers through the same, notwithstanding the Tacks or Leases before mentioned; and also to take down the said Tron Steeple, and the said Houses belonging to William Aitken and Messieurs Bell and Boyd, and to add the Space occupied by them to Trongate Street.

and to treat and agree for Purchases;

VI. And for enabling the said Magistrates and Town Council, and their Successors in Office, to effect the several Purposes aforesaid; be it further enacted, That they and their Successors shall have full Power and Authority to treat and agree with the said James Wilson and John Cleland, for purchasing their Tacks or Leases of the said Ground, with the said John Campbell Esquire of Blythswood, for purchasing the small Corner of Ground before mentioned, through which One of the aforesaid Streets, through the Grounds of Meadowflatt will pass, and also severally to treat and agree with the Owners and Occupiers, and all others interested therein, for the Purchase of such Lands, Houses, Tenements, and other Hereditaments as may be occupied by the other Streets before described, particularly with John M'Aulan late Bailie of Glasgow, Ebenezer Robertson Watchmaker at Grahamston Fiar, and his Mother Widow Wilson Liferenter, John M'Ewan Weaver, John Tennant Maltman and late

Deacon Convener of the Trades, the Heirs of John Allan Gardener, William Campbell Gardener, the Heirs of Peter Gibſon Writer, Henry Mackie Exciſe Officer, the Corporation of Taylors, the Heirs of Robert Paul Gardener, the Corporation of Weavers, John Hamilton Grocer, John Cooper Stockingmaker, the Patrons and Preceptor of Saint Nicholas's Hoſpital, the Trades Houſe of Glaſgow, William Campbell Gardener, and Robert Campbell Seceding Miniſter in Stirling Proprietors or reputed Proprietors of the Houſes, Lands, Tenements, and Hereditaments to be occupied by the aforeſaid Street, running from Stable Green, Port Street, to John Street, and alſo with John and Robert Tennant Maltmen, John and Mathew Perſten Maltmen, Dougald Ballantine, Robert Smith, and the other Partners of the Company known by the Name of The Building Company, Monteath and Dunmore Merchants, George Brown Merchant, John Auchincloſs Merchant, Robert Lees Merchant in Greenock, Andrew Craig Ironmonger, or Merchant, Widow Dick, and Thomas Hart Proprietors or reputed Proprietors of the Houſes, Lands, Tenements, and Hereditaments to be occupied by the aforeſaid Extenſions of Brunſwick Street, and alſo with the Heirs of Peter Paterſon Writer, Ure and M'Gilchriſt Merchants, and the Heirs or Creditors of John Cooper Taylor, or their Diſponees, Proprietors or reputed Proprietors of the ſaid Tenement in High Street, for the aforeſaid Addition to the Gaol, and alſo with the ſaid William Aitkin and Bell and Boyd Proprietors or reputed Proprietors of the Buildings contiguous to the ſaid Steeple, propoſed to be comprehended in Trongate Street, or with the Heirs or Diſponees of all or any of the aforeſaid Perſons, or with any other Perſon or Perſons, Body or Bodies Corporate, Politick, or Collegiate, who are or may be Proprietors or Leſſors of the ſaid Lands, Tenements, or Hereditaments, or with the Owners or Occupiers of any other Lands, Houſes, Tenements, or Hereditaments which may be occupied by the aforeſaid intended Streets and Addition to the Gaol: Saving and reſerving always to the ſaid Magiſtrates and Town Council, and to the ſaid William Aitken, the full Force and Effect of a Contract entered into between Gilbert Shearer and Company (Authors of the ſaid William Aitken), and the ſaid Magiſtrates and Town Council, for the Purchaſe of the ſaid William Aitken's Property before deſcribed, bearing Date the First Day of March One thouſand ſeven hundred and ninety-one, and recorded in the Regiſter of Seiſins for the City

of

of Glaſgow the Third Day of the ſame Month and Year.

and to pull down Buildings;

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

and to defray the Expences.

VIII. And be it enacted, That the ſaid Magiſtrates and Town Council, and their Succeſſors in Office, ſhall be, and they are hereby authorized and empowered to pay for the ſaid Tacks or Leaſes, Lands, Tenements, and other Hereditaments, and for paving, making, and completing the ſaid Streets and Common Sewers, and enlarging the ſaid Gaol, out of ſuch Sums of Money as they ſhall raiſe by voluntary Contributions, or out of the Common Stock, Funds, and Revenues of the Corporation and Community of the ſaid City.

Bodies Politick, &c. empowered to ſell and convey.

IX. And be it further enacted, That it ſhall and may be lawful for all Bodies Politick, Corporate, or Collegiate, Truſtees, Heirs of Entail, Tutors or Curators for Infants, Minors, Ideots, Furious or other Perſons, Married Women, and to and for all and every other Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any of the ſaid Tacks or Leaſes, Lands, Houſes, Tenements, or other Hereditaments, whether by Title held in Fee Simple or under Entail, to ſell and convey to the ſaid Magiſtrates and Town Council, all or any ſuch Tacks or Leaſes, Lands, Houſes, Tenements, or other Hereditaments, or any Part thereof, for the Purpoſes aforeſaid; and that all Contracts, Agreements, Sales, or other Conveyances ſo made, ſhall be valid to all Intents and Purpoſes, any Law, Statute, Uſage, or any Matter or Thing to the contrary notwithſtanding; and that all Truſtees, Heirs of Entail, Tutors or Curators, Corporations, Proprietors, Incumbrancers, and all other Perſons are and ſhall be hereby indemnified for what they ſhall do by virtue of or in purſuance of this Act.

And

And if it shall happen that any such Owner, Proprietor, Occupier, Trustee or Trustees, Heirs of Entail, or Tutors or Curators, Bodies Politick, Corporate, or Collegiate, or any other Person or Persons interested as aforesaid, after Twenty-one Days Notice given to them, if they reside within the County of Lanark, personally, or at their Dwelling Place, or if they reside without the said County, left with some Tenant or Tenants in Possession of such Tacks or Leases, Lands, Houses, Tenements, and Hereditaments respectively, shall neglect or refuse to treat, or shall not agree for the Purchase of such Tacks, Lands, Houses, Tenements, or Hereditaments, or any Part or Parts thereof, or for their Interest therein, or by reason of Absence or other Circumstance shall be prevented from treating, or shall not produce and evince a clear Title to the Premises they are in Possession of, or to the Interest they claim, to the Satisfaction of the said Magistrates and Town Council; then, and in every such Case, it shall and may be lawful to and for the Magistrates and Town Council to apply by Petition to the Sheriff Depute of the County of Lanark, or to his Substitute at Glasgow, setting forth this Act, and that the Parties interested have refused or neglected to treat or contract, or are prevented from treating or contracting, for the Purchase of the said Tacks or Leases, Lands, Houses, Tenements, and Hereditaments, or have not produced or evinced a clear Title to the Premises they are in Possession of, or to the Interest they claim, and therefore praying him to fix and ascertain the just Amount and Value of such Tacks or Leases, Lands, Houses, and Hereditaments respectively; and it shall and may be lawful to the said Sheriff Depute or Substitute, and he is hereby empowered and required, upon receiving such Petition, to order a Notice thereof to be given by Advertisement in all the Glasgow Newspapers, and also a particular Notice to be given to the Owners or Occupiers of the said Tacks or Leases, Lands, Houses, Tenements, or Hereditaments, if they reside within the County of Lanark, personally, or by leaving at their Dwelling Houses, or if they reside without the said County, at the Dwelling House of One of the Tenants or Occupiers of the Premises respectively, a full Copy of the said Petition, with an Order to give in their Answers or Objections if they any have, within Ten Days after such Notice; after which Time is elapsed it shall and may be lawful for the said Sheriff Depute or Substitute, and he is hereby empowered and required, to issue his Precept or Precepts for summoning and impannelling a competent Number of substantial and disinte-

If they refuse to treat and agree,

Magistrates and Town Council may apply to the Sheriff.

Sheriff to summon a Jury,

interested Persons, Proprietors of Lands, Houses, or other Hereditaments within the said City of Glasgow, in Number not less than Twenty nor more than Thirty, each of them seised in an Estate valued at Twenty Pounds Sterling of yearly Rent in the Cess or Stent Roll of the said City; which Persons so to be summoned and returned are hereby required to come and appear before the said Sheriff Depute or Substitute, at such Times and Places as in the said Precept or Precepts shall be directed and appointed, of which Time and Place for meeting the Jury, the said Parties interested shall have Notice given them by Advertisement in all the Glasgow Newspapers, at least Six Days previous to the said Meeting; and out of such Persons so to be summoned and returned, the Sheriff Depute or Substitute shall appoint a Jury of Fifteen Persons, before whom the said Magistrates and Town Council and the Parties interested may bring a Proof by habile Witnesses for estimating and ascertaining the just and real Value and Price to be paid by the said Magistrates and Town Council for the said Tacks or Leases, Lands, Tenements, Houses, or other Hereditaments, including such Damages as may be suffered by the Proprietors of Ground or their Tenants, by throwing down their Fences, laying their Grounds open or otherwise, with Power to the said Sheriff Depute or Substitute, to issue his Order, and to compel the Parties interested, and all other Persons having in their Custody and Possession any Title Deeds or other Papers containing the Rights of, or relative to the Premises, to exhibit and produce the same in Judgement before the said Jury; and the said Sheriff Depute or Substitute is hereby empowered and required, before proceeding to take the Evidence, to administer an Oath to the Jury to return a true Verdict, and to take down in Writing the Depositions of the Witnesses to be given by them upon Oath, and to adjourn from Time to Time until the Proof shall be concluded by both Parties, and afterwards the Jury shall return their Verdict in Writing, either from their own proper Knowledge in case no Proof be adduced, or upon the Evidence adduced, to be judged of by them, ascertaining the Value of the said Tacks or Leases, Lands, Tenements, Houses, or other Hereditaments, in such Manner as to them shall seem just, and also to distinguish and ascertain in their said Verdict, the Recompence or Damages to be paid to the Tenants and Occupiers of such Lands, Tenements, Houses, and other Hereditaments, or any other Persons having a particular Estate, Term, or Interest in the Premises, for his, her, or their respective

to ascertain Purchase Monies, &c.

Sheriff to swear Jury and Witnesses.

respective Interests therein; which Determination shall be final and binding upon all Parties, who shall be obliged to perform to each other their respective Parts of the same; and a Copy thereof shall be fairly written on Paper or Parchment, and shall be signed by the Foreman of the Jury, and the said Sheriff Depute or Substitute, and shall be entered in the Records of the Sheriff Court of the County of Lanark, kept at Glasgow; and the same, or Extracts thereof, shall be deemed and taken as good and lawful Evidence in all Courts of Law and Equity whatever. Verdict of Jury to be final.

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

XI. And be it further enacted, That upon Payment of such Sum or Sums of Money so to be settled and ascertained as aforesaid, to the lawful Owners and Proprietors of the said Tacks or Leases, Lands, Houses, Tenements, or other Hereditaments, or judicial Tender thereof made to him, her, or them respectively, by a Minute in the said Process before the Sheriff for ascertaining the said Value, whether Appearance be made in the Process for Upon Payment, &c. of Purchase Monies, Magistrates and Town Council may proceed.

the Party or Parties interested or not, or in case they shall not be able to evince their Title to the Premises, to the Satisfaction of the Sheriff Depute or Substitute, or that the Subjects are encumbered or entailed, so that the Price of the same cannot be legally paid to the Parties interested, then upon Payment and Consignation thereof, with the Approbation and Warrant of the said Sheriff Depute or Substitute, into any of the Banking Companies in Glasgow, or into the Royal Bank or Bank of Scotland, for the Use of the Parties interested, there to remain till it shall be issued by Order of the said Sheriff Depute or Substitute, and upon Notice of such Payment or Consignation, if the Party or Parties interested have made Appearance in the said Process, by proper Evidence being adduced of the said Payment or Consignation, or if the Party or Parties interested have not made such Appearance, and reside within the County of Lanark, upon such Notice being made to them personally, or at their Dwelling Houses, but if they reside without the said County, then at the Dwelling House of some Tenant or Occupier of the Premises, by a Notary Publick, and Witnesses and Evidence being adduced of the said Payment or Consignation, then, and in any of these Cases, it shall be lawful for the said Sheriff Depute or Substitute, to decern and adjudge the full Right and Property of the Tacks or Leases, Lands, Houses, Tenements, and other Hereditaments respectively, to belong to the Magistrates and Town Council of the City of Glasgow, for and on Behalf of the Community and Corporation of the said City, as fully and freely as if the respective Proprietors had disponed and conveyed, or had resigned the same to and in favour of the said Magistrates and Town Council; and it shall then, and not before, or otherwise, be lawful to and for the said Magistrates and Town Council to enter upon the Premises, and to convert and dispose of the same for the Purposes of this Act.

Purchase Monies when consigned to be placed out at Interest.

XII. And be it further enacted, That all Sums of Money to be paid and consigned by the said Magistrates and Town Council, with the Approbation, and by Warrant of the said Sheriff Depute or Substitute as above directed, into any of the Banking Companies in Glasgow, or into the Royal Bank, or Bank of Scotland, in case of insufficient or unsatisfactory Titles, shall forthwith, by Order and Direction of the said Sheriff Depute or Substitute, as above directed, be lent out on proper Security, and for such Interest as can be got for the same, there to remain until the Point of Right shall be settled in due Course

Course of Law, or until the said Sheriff Depute or Substitute shall, upon the Application of any of the Parties concerned, think fit from Time to Time to order the said Money to be raised in order to be lent out again in Manner aforesaid, or in case of Entails, until the Court of Session shall order the said Price to be lent out and secured as herein-after directed, with Power to the said Sheriff Depute or Substitute, if he sees fit, to order Payment of the Annual Rent to the Person who shall be in Possession of the Premises as Proprietor or Heritable Creditor respectively, at the Time the Verdict shall be returned by the Jury in Manner aforesaid.

Mesne Profits how to be applied.

XIII. Provided always, and be it further enacted, That all and every Person and Persons who would be entitled to recover the Mesne Profits of the Premises against the Person or Persons in Possession, in case the same had not been so vested in the said Magistrates and Town Council, shall be entitled to recover the Sum or Sums to arise from such Interest as aforesaid, by Action of Debt, or otherwise, against the Person or Persons who shall receive the same; and the said Magistrates and Town Council shall be quieted in the Possession of the said Tacks or Leases, Lands, Houses, Tenements, and other Hereditaments, for the Purposes aforesaid, and shall be indemnified, and not be answerable or accountable in any Court of Law or Equity for the Money so deposited and lent out or applied, any otherways than according to the Tenor, Purport, and true Meaning of this Act.

After Seven Years, Sheriff to issue his Warrant for Payment of consigned Monies to Occupiers, &c.

XIV. And be it further enacted, That in case there shall be no Challenge for Seven Years from and after the Consignation of the Price of such Premises as aforesaid, it shall and may be lawful for the said Sheriff Depute or Substitute, to issue his Warrant in Writing for Payment as well of such Price as of all Interest that shall be due thereupon to the Person or Persons who were in Possession as Proprietor or Proprietors of or heritable Creditor on such House or Houses, Tacks or Leases, Lands, Tenements, and other Hereditaments, at the Time the Value thereof was settled and ascertained as aforesaid, or to their lawful Heirs or Assigns; and all and every Person or Persons whomsoever, not making such Challenge within such Time as aforesaid, and not prosecuting their Right, Claim, or Demand with Effect within the Space of Seven Years after such Challenge as aforesaid, shall be for ever barred of all Right, Title, Use, Equity, Property, Claim, or Demand whatsoever, whether in Possession, Reversion, Remainder, or Expectancy,

pertaney, into, upon, or out of the said Premises and every Part thereof; and the said Magistrates and Town Council and their Successors, and those claiming by, from, or under them, shall be quieted in the Possession of all such Lands, Tenements, Hereditaments, and Premises, any Law, Statute, Usage, Matter, or Thing to the contrary notwithstanding.

Purchase Monies how to be recovered by those entitled.

XV. Provided nevertheless, and be it further enacted, That any Person or Persons barred of any Right, Title, Estate, Interest, Claim, or Demand whatsoever, in, to, or out of the said Lands, Tenements, and Hereditaments by virtue of this Act, shall be at Liberty to bring any Action or Actions of Debt for Money had and received to his or their Use, against any Person or Persons, or the legal Representative of any Person or Persons who received the Purchase Money arising from the Sale of the said Lands, Tenements, Hereditaments, and Premises aforesaid; and that in every such Action the respective Pursuers, on Proof of such Title as would have enabled them to recover such Lands, Tenements, or Hereditaments, or any Part thereof, or any Estate or Interest in the same, shall recover the said Purchase Money, or so much thereof as shall be equivalent to their Interests in the said Premises, together with such Interest as shall be equivalent to the mesne Profits of the Premises which they would have been entitled to recover in case this Act had not been made.

Purchase Monies to be laid out to the same Uses.

XVI. Provided also, and be it enacted, That when such Lands, Houses, Tenements, or other Hereditaments under Entail, are purchased for the Purposes aforesaid, the Price of the Premises (if it amount to Twenty Pounds Sterling, or upward) shall, by Authority of the Court of Session, be laid out upon Lands, or other heritable Security, and the Rights and Securities devised and taken to the same Series of Heirs, and with the same Conditions as are contained in the original Title Deeds of the Subjects under Entail, purchased for the Uses aforesaid, or to as many thereof as shall be then existing and capable of taking Effect.

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

XVII. Provided always, and be it further enacted, That in case the said Sum or Sums of Money so assessed by the said Jury, and ordered and adjudged by the said Sheriff Depute or Substitute, to be paid to the Owners, Occupiers, and others, for their respective Interest in the Premises aforesaid, shall not be paid, tendered, or consigned as herein directed within Six Calendar Months next after the same shall have been so assessed, ordered, and adjudged, then, and in such Case, the Verdict of the said

said Jury, and the Order and Adjudication of the said Sheriff Depute or Substitute, shall not be binding on the said Parties, Owners, Occupiers, and others, but shall continue binding upon the said Magistrates and Town Council, any Thing herein to the contrary notwithstanding.

Notice to be given to Owners, &c.

XVIII. Provided also, and be it enacted, That previous Notice shall be given to the Tenants and Occupiers of such Tacks or Leases, Lands, Houses, Tenements, and other Hereditaments, as are to be so converted and disposed of, Forty Days at least before the Term of Whitsunday, with regard to Houses, and Forty Days at least before Candlemas, with regard to Lands and Garden Grounds, at which the said Tenants or Occupiers are to be removed by warning them as is usual and competent by the Law of Scotland.

Powers to sell Glebes on Payment of Ground Annual Duties.

XIX. And whereas it would be beneficial to the Community of the said City, and to the Minister of the Inner High Church and Parish of Glasgow, that the Glebe belonging to that Benefice lying within the Royalty of the said City, were converted into Building Ground, and Streets and Passages were opened through the same; be it therefore enacted by the Authority aforesaid, That, from and after the passing of this Act, it shall and may be lawful to and for the Minister of the said Inner High Church and Parish for the Time being, with the special Approbation and Consent of the said Magistrates and Town Council, and of the Presbytery of Glasgow, and the said Minister is, with such Approbation and Consent, hereby authorized and empowered, from Time to Time to lay out the said Glebe into Lots for building, and to open such Streets and Passages through the same as may be necessary and proper for that Purpose, and to sell and dispose of the said Lots by Contracts of Ground Annual, for Payment of such perpetual yearly Duties of Ground Annual as can be obtained for the same, and that the said Contracts of Ground Annual shall be sufficient, legal, and valid Titles of Property to the Purchasers of the said Lots, their Heirs and Disponees, any Law or Custom to the contrary notwithstanding: Provided always, That the full Value of the said Lots shall be paid by perpetual yearly Duties of Ground Annual, properly and legally secured upon the Ground itself, and the Buildings to be erected thereon; and that no Part of the Price paid by the Purchasers of the said Ground shall be made in, or consist of, Grassums, or Advance or Entry Money; and also, that the Consent of the said Magistrates and Town Council, and Presbytery,

bytery, shall be had and obtained in Writing in due and competent Form, to all and each of the said Contracts of Ground Annual.

Ground Annual Duties how to be applied.

XX. And be it enacted, That the Duties of Ground Annual arising from the Sale of the said Glebe, shall belong to and make Part of the Benefice of the Minister of the said Inner High Church and Parish in all Time coming, in lieu of the Rents, Mails, Duties, and Profits of the said Glebe which now belong to and make Part thereof.

Powers to sell Part of *Calton Green*.

XXI. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Magistrates and Town Council, and their Successors in Office, to sell for Building Lots that Part of the High or Calton Green belonging to the Community of the said City, which lies adjacent or contiguous to the Street or Road leading from Glasgow to Ruglen, and to apply the Price, Rents, and Profits arising from such Sales as Part of the Common Funds of said Community: Provided always, That the Grounds so to be sold and disposed of, shall not exceed Seventy Yards in Breadth from North-east to South-west from the said Street or Road.

Powers to weigh Coals.

XXII. And whereas the Coals consumed in the said City of Glasgow and Royalty thereof, are at present delivered from the Collieries, where they are raised, in Carts or Waggons, the Measure whereof is not equal nor properly fixed and ascertained, by which the Carters and other Persons driving the said Coals have an Opportunity to impose on the Inhabitants of the said City and Royalty by selling or disposing of Part of their Loading on the Road, and yet charging the same Prices as if they delivered the full Loading received at the Collieries, which Practice is equally injurious to the Inhabitants and to the Proprietors or Lessees of the said Collieries: For Remedy whereof be it enacted, That, from and after the passing of this Act, all Carters, Waggoners, and other Persons (who shall drive or convey Coals from any Collieries which may supply the said City or Royalty thereof with Coals, or from any Landing Place or Places on the Forth and Clyde Navigation, or Monkland Canal) are hereby strictly enjoined and required to drive and deliver the Coals brought by them into the said City or Royalty to be consumed by the Inhabitants, or to be shipped at the Harbour of the Broomielaw, either in single Carts or Waggons containing Twelve Hundred Weight each, or in double Carts or Waggons containing Twenty-four Hundred Weight

Weight each of Coals, and in no other Quantities whatever, and to allow the said Coals to be weighed by the Person or Persons to be appointed to weigh the same in the Manner herein-after directed; and if upon being weighed the said Coals shall be deficient more than Fifty Pounds Weight in any single Cart or Waggon, or more than One hundred Pounds Weight in any double Cart or Waggon of the aforesaid Weights respectively, (which Deficiency shall be ascertained by the Oath or Oaths of such Person or Persons so appointed), every Carter or other Person so offending shall, at the Discretion of any One or more of the Magistrates of the said City before whom he shall be brought, either forfeit the said Coals to the Person complaining or informing, or shall forfeit and pay any Sum (not exceeding the Value of the said Coals) as the said Magistrate or Magistrates shall judge adequate to the Offence; and in case such Offender or Offenders shall not immediately upon Conviction pay such Penalty or Penalties, the said Magistrate or Magistrates is and are hereby authorized and required to commit such Offender or Offenders to Prison for any Time not exceeding Three Days, unless the said Penalties, with the Expence of prosecuting for the same, shall be sooner paid and satisfied.

Proviso as to Coals driven for private Use, &c.

XXIII. Provided always, and be it enacted, That nothing herein contained shall extend, or be understood to extend, to prevent any Person or Persons who drive Coals for their own Use with their own Horses and Carts, or who drive Coals through the City not to be consumed therein, or to be shipped as aforesaid, from putting such Quantities of Coals on their Carts and Waggons as they or their Employers shall direct or think fit and proper; and also, that it shall be lawful to and in the Power of any Person or Persons to supply the Inhabitants with any lesser Quantities of Coals than those before specified, if the said Coals shall either have been originally brought into the City in the Quantities before specified, or shall have been put up in Bags or Sacks at the Collieries from which they are brought in the said lesser Quantities in which they are to be sold.

Weighing Machines to be erected.

XXIV. And be it enacted, That the said Magistrates and Town Council, and their Successors in Office, are and shall be authorized to erect, or cause to be erected, within such Parts of the said City or Royalty as they shall judge convenient, proper Machines for weighing the Coals brought into the said City and Royalty, to be therein consumed, or to be shipped at the Harbour of the Broomielaw, and to appoint fit Persons to take Charge

of said Machines, and of weighing said Coals, who are hereby directed to weigh the same when required, upon receiving Two-pence Sterling for each single Cart, and Three-pence Sterling for each double Cart or Waggon; and any Person or Persons so appointed, who shall refuse or neglect to weigh the said Coals when thereto required, shall forfeit and pay the Sum of Five Shillings Sterling for each Refusal or Neglect, to be levied and recovered in Manner before directed: Provided always, That the said Fees (with Sixpence Sterling to the Person complained of) shall be paid by the Person or Persons complaining, if the Load of Coals shall be equal to or exceed the Weights herein-before specified, and that the said Fees, together with the Penalties aforesaid, shall be paid by the Person or Persons complained of, if the Load of Coals shall be under the Weight herein-before specified.

Expences of weighing.

Powers, if necessary, to make further Regulations.

XXV. Provided always, and be it enacted, That if upon Trial it be found, that the Regulations before specified for the Sale of Coals within the said City and Royalty, do not answer the intended Purposes, then it shall and may be lawful to and for the said Magistrates and Town Council, or their Successors in Office, to order Coals brought into the said City and Liberties, to be sold and delivered by Weight, without regard being had to the Size or Contents of the Carts or Waggons in which they are conveyed, under such Regulations as to the said Magistrates and Town Council, and their Successors in Office, shall seem necessary and expedient.

Regulations as to the Carriage of Timber.

XXVI. And be it enacted by the Authority aforesaid, That, from and after the passing of this Act, all Timber or Logs of Wood exceeding the Length of Twenty-five Feet, conveyed on the Streets, Squares, Lanes, Passages, Roads, or other Parts in the said City or Royalty, shall be conveyed and carried in such Manner that the said Timber or Logs of Wood shall not project or extend over the Sides of the Carriages on which they are loaded, nor occupy more of the said Streets, Squares, Lanes, Passages, or Roads, than is occupied by the Carriage or Carriages on which they are placed, and that the Breadth within the Wheels of such Carriages shall not exceed Six Feet; and all Persons who shall, from and after the passing of this Act, convey or carry any Timber or Logs of Wood on the said Streets, Squares, Lanes, Passages, Roads, and other Places, in any other Way or Manner than herein-before directed, shall forfeit and pay Five Shillings Sterling for every such Offence; and in case such Offender or Offenders shall not immediately pay such

Penalty, it shall and may be lawful to and for the said Magistrates, or any One of them, to commit him or them to Prison, for any Time not exceeding Three Days, unless the Penalty and Charges occasioned by the Recovery thereof shall be sooner paid and satisfied.

Powers to build a Bridge;

XXVII. And whereas it will be attended with great Convenience and Advantage to the Inhabitants of the said City, and to the Country in the Neighbourhood, if a Bridge were built over the River Clyde, opposite, or nearly opposite, to the Foot of Salt Market Street; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Magistrates and Town Council, and their Successors in Office, and they are hereby authorized and empowered, by themselves, their Deputies, Agents, Workmen, or Servants, and others, to build a Bridge over the River Clyde, opposite, or nearly opposite, to the South End of the said Salt Market Street, from the Laigh Green of Glasgow, belonging to the Community of the said City, to that Part of the Lands and Barony of Gorbals belonging to Hutchinson's Hospital, in the said City, and also to make and form a Street of such Width as may to the said Magistrates and Council and their aforesaids seem necessary, from the said Bridge to the said Salt Market Street Northward, to where it joins Bridgegate Street, and to take down and remove such Houses and Buildings as may be necessary for these Purposes, particularly the Houses and Buildings at the Foot of Salt Market Street, belonging to the Heirs and Disponees of the deceased James Coulter Merchant, and to use and occupy the Area on which they now stand, with the Garden and Ground adjacent thereto, or such Part or Parts thereof as may be necessary for the said intended Street; and that it shall also be lawful to and for the said Magistrates and Council, and their aforesaids, and they are hereby authorized and empowered to make Streets, Roads, or Passages of such Width as may to them appear necessary, from the South End of the said Bridge to the High Roads leading from Glasgow to Ruglen, by Little Govan, and from Glasgow to Cathcart, and to the other Roads in the Neighbourhood of the said City on the South Side of the River Clyde, and to the Village of Gorbals, and also to do all Matters and Things necessary and convenient for erecting, supporting, and maintaining the said Bridge and banking the said River so as to prevent Injury to the said Bridge, and the flooding or overflowing of the Grounds adjacent thereto, they the said Magistrates and Town Council, and their aforesaids, making

and to make Streets and Roads.

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ing Satisfaction to the Owners and Occupiers of any Lands, Hereditaments, or Stone Quarries which shall be used, damaged, or prejudiced by building said Bridge, or taking Stones for the same, and making said Roads, Streets, Passages, and Banks in the same Manner as is specified and directed in and by an Act passed in the Thirty-second Year of his late Majesty's Reign, 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 in and by another Act passed in the Eighth Year of his present Majesty, for explaining and amending the aforesaid Act of the Thirty-second Year of his late Majesty, the Owners and Occupiers of Stone Quarries being always entitled to demand and receive from the said Magistrates and Town Council, and their aforesaids, not only the Surface Damages but the full Value of the Stones taken according to the usual Rates.

XXVIII. Provided always, and be it enacted, That the said Magistrates and Town Council shall not be obliged to pay for any Part of the Ground occupied by such Roads and Streets leading to the said intended Bridge as shall be made by the Preceptor and Patrons of Hutchinson's Hospital, and by Robert Houstoun Rae Esquire of Little Govan, through their respective Lands, but the same shall be allotted and appropriated to those Roads and Streets without being paid for by the said Magistrates and Town Council, or their aforesaids, and shall in all Time coming afterwards be held and deemed Publick High Roads and Streets to the said Bridge and City.

Regulations to prevent Floods.

XXIX. And, in order to prevent the Water of the River being gorged, or the Ground adjacent to the Bridge being overflowed or flooded, be it enacted by the Authority aforesaid, That the said Magistrates and Town Council, and their aforesaids, shall construct, and they are hereby expressly directed and required to construct the said Bridge in such Manner and Form as to discharge through its Arches a greater Quantity of Water than is discharged through the Arches of the present Two Bridges over said River, the One between the said City and the Village of Gorbals, and the other at or near to the Foot of Jamaica Street, and that the Channel or Bed of the River shall not be made narrower by the said Magistrates and Town Council than it is at present either below or above the said intended Bridge.

Money to be raised.

XXX. And whereas the said Magistrates and Town Council, the Preceptor and Patrons of Hutchinson's Hospital, the said Robert Houstoun Rae, and sundry other

Persons, have agreed to raise a Sum of Money by voluntary Subscription, towards the Expence of erecting, maintaining, and supporting said Bridge; but which Sum of Money will not be adequate to the Purposes aforesaid: Be it therefore enacted by the Authority aforesaid, That the said Magistrates and Town Council, and their Successors in Office, for the Time being, shall have full Power and Authority, and they are hereby authorized and empowered, to borrow and take up at legal or less Interest, from any Person or Persons willing to advance the same, any further Sum or Sums of Money, not exceeding One thousand Pounds Sterling, either on the Security of the Tolls and Pontages herein-after granted, together with the Tolls and Pontages granted to the said Magistrates and Town Council for passing along the Two Bridges over the River Clyde, the One between Glasgow and Gorbals, and the other at or near to the Foot of Jamaica Street, by the aforesaid Two before recited Acts, passed in the Thirty-second Year of the Reign of His late Majesty, and in the Eighth Year of the Reign of His present Majesty, and the additional Tolls and Pontages granted by another Act passed in the Fourteenth Year of the Reign of His present Majesty, for explaining and amending the said Two Acts, or on the Credit of the Publick Stock and Revenue of the said City, which Money so to be borrowed shall be applied for and towards erecting, maintaining, and supporting the said Bridges, and to the other Purposes aforesaid, and to no other Use or Purpose whatever.

Money raised to be charged on the Tolls of the Three Bridges.

XXXI. And be it enacted by the Authority aforesaid, That the aforesaid Sum of One thousand Pounds Sterling, or such Part thereof as may be borrowed for the Purposes aforesaid, together with the Interest thereof, shall be added to and become Part of the aggregate Debt chargeable upon the Tolls and Pontages levied for passing along the said Two Bridges over the River Clyde, the One between Glasgow and Gorbals, and the other at or near to the Foot of Jamaica Street, and upon the Tolls herein-after granted, all which Tolls the said Magistrates and Town Council, and their Successors in Office, are hereby authorized and empowered to ask, demand, take, and receive in Manner and during the Terms specified in the Three Acts before recited, and in this present Act, and until the aforesaid Sum of One thousand Pounds Sterling, or such Part thereof as may be borrowed, and the Interest thereof, be completely satisfied and paid from the aforesaid Tolls and Pontages, formerly and herein-after granted.

Tolls to be taken.

XXXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Magistrates and Town Council, and their Successors in Office, and all Persons commissioned and authorized by them, from Time to Time, during the Periods aforesaid, after the said Bridge opposite to the Foot of Salt Market Street is made passable, to ask, demand, take, and receive for passing along the said Bridge, the same Tolls and Pontages, and additional Tolls and Pontages, as the said Magistrates and Town Council, and their Successors in Office, are by the Three before recited Acts authorized and empowered to ask, demand, and receive for Passengers, Horses, Cattle, Carriages, and other Things passing along the aforesaid Two Bridges over the said River, the One between Glasgow and Gorbals, and the other at or near to the Foot of Jamaica Street; and to continue to ask, demand, take, and receive the said Tolls and Pontages, not only during the Time specified in the aforesaid Three recited Acts, and in this present Act, but until the aforesaid Sum of One thousand Pounds Sterling, allowed to be borrowed by this Act, or such Part thereof as may be borrowed, together with the Interest to grow due thereon, be fully paid and satisfied from the said Tolls and Pontages, authorized and empowered to be levied and taken for passing along the said Three Bridges, by the said Three before recited Acts and by this present Act.

Powers of former Acts continued and extended to this Act.

XXXIII. And be it further enacted by the Authority aforesaid, That the said Three before recited Acts, and all and every the Clauses, Authorities, Powers, Provisions, Articles, Rules, Penalties, Conditions, and Things therein contained, (excepting in so far as the same or any Part thereof are amended or altered by the present Act), shall be and continue in full Force and Effect in all Time coming, in the same Manner, and as effectually to all Intents and Purposes, as if this present Act had not been made; and that all the Clauses, Authorities, Powers, Rules, Punishments, Penalties, Conditions, Limitations, Exemptions, Exceptions, and Things aforesaid, contained in the Three before recited Acts, shall be equally applicable to, and have the same Operation and Effect for levying and recovering the Tolls and Pontages hereby granted, and in all Matters and Things relative thereto, in the same Manner, and as effectually to all Intents and Purposes, as if the said Tolls and Pontages hereby authorized to be levied had been contained in and authorized to be levied by the Three before recited Acts, any Thing in the aforesaid Three Acts or in this present Act to the contrary notwithstanding.

XXXIV. And be it enacted by the Authority aforesaid, That the same Commissioners who are named and appointed in the Three before recited Acts, shall also be Commissioners for inspecting the Accompts, Receipts, and Disbursements of the Tolls and Pontages hereby authorized to be levied for passing along the Bridge to be built at the Foot of Salt Market Street. Commissioners.

XXXV. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Magistrates and Town Council, and their Successors in Office, from Time to Time after the said Street from the said intended Bridge to the Foot of Salt Market Street shall be formed and opened, to sell or otherwise dispose of those Parts of the said Laigh Green of Glasgow, belonging to the Community of the said City, which are situated on both Sides of the said intended Street, together with the other Ground adjacent thereto, which belongs to the said Community, for building or other Purposes, and to apply the Price, Rents, and Profits arising therefrom to the Publick Stock and Revenue of the Community of said City. Powers to sell Parts of the *Laigh* or *Lower Green* for Building.

XXXVI. Provided always, and be it enacted, That the Part of the said Laigh Green, upon the East Side of the said intended Street, so to be sold or disposed of, shall not exceed One hundred Yards in Breadth from East to West. Proviso.

XXXVII. And be it enacted, That One Half of the Charges and Expences of obtaining and passing this Act, shall be paid from the common and ordinary Funds of the said City, and the remaining Part thereof, from the Funds which shall be voluntarily contributed towards defraying the Expence of building and supporting the aforesaid Bridge over the River Clyde. Charges of passing Act.

XXXVIII. And be it further enacted, That this Act shall be a Publick Act, and deemed and allowed to be taken Notice of in all Courts of Law and Equity, as a Publick Act; and all Judges, Justices, and others, are hereby required to take Notice thereof as such, without specially pleading the same. Publick Act.

FINIS.