CHAPTER clvi.

An Act to authorise the Trustees of the Clyde Navigation to construct a new road with tramways thereon in part substitution for certain roads and tramways authorised by the Clyde Navigation Act 1883 to construct a graving dock to abandon some of the works authorised by that Act to revive and extend the period limited by that Act for the compulsory purchase of lands and to extend the period limited for the completion of the railway authorised thereby to vary a certain agreement with and relative obligation to the Vale of Clyde Tramways Company and for other purposes. [4th August 1890.]

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WHEREAS by the Clyde Navigation Consolidation Act 1858 (herein-after called the Act of 1858) the Trustees of the Clyde Navigation (herein-after called the Trustees) were incorporated and empowered to carry into effect the provisions of that Act and further powers were conferred on the Trustees by Acts passed in the years 1864 1868 1870 1873 1878 1883 1884 1887 and 1888:

And whereas it is expedient that the Trustees should be authorised to construct and maintain the new road and tramways herein-after described in part substitution for certain roads and tramways authorised by the Clyde Navigation Act 1883 (herein-after called the Act of 1883):

And whereas it is expedient that the Trustees should be authorised to construct and maintain the graving dock herein-after described and to levy rates for the use thereof:

And whereas it is expedient that the Trustees should be authorised to abandon the construction of portions of roads and tramways and other works authorised by the Act of 1883:

And whereas it is expedient that the periods limited by the Act of 1883 and extended by the Clyde Navigation Act 1887 (herein after called the Act of 1887) for the compulsory purchase of lands

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houses and other property for the purposes of the railway authorised by the Act of 1883 should be revived and extended and that the time limited by the last-mentioned Act for the completion of that railway should be extended:

And whereas by the Act of 1883 the Trustees were authorised to stop up and appropriate a portion of the Renfrew Road with the tramways thereon and to construct roads or streets and swing bridges with tramways thereon in substitution for the portion of the Renfrew Road and the tramways thereon to be so stopped up and appropriated:

And whereas the Vale of Clyde Tramways Company (hereinafter called the tramways company) opposed the Bill for the Act of 1883 on various grounds and inter alia in respect that no provision was made for compensating the tramways company for the increased cost of maintenance and working and general inconvenience which would be caused to them by the substitution of the roads swing bridges and works intended to be authorised by the Bill for the existing tramways of the company:

And whereas during the progress of the Bill through the House of Commons the committee of that House to whom the Bill was referred required provision to be made for the construction of an alternative road on the eastern southern and western sides of the docks with double lines of tramways thereon with junctions with the tramways on such roads so as to form a continuous communication by tramway round the docks proposed to be constructed without the intervention of swing bridges:

And whereas the tramways company being advised that the said new road with tramways thereon was not such a road as could be satisfactorily used by them petitioned against the Bill in the House of Lords objecting to the alterations on the Renfrew Road and also to the new road and again complaining that no provision was made for compensating them for the increased cost of maintenance and working and general inconvenience which the roads and tramways proposed by the Bill would throw upon them:

And whereas in the result a certain agreement dated the twenty-ninth day of June one thousand eight hundred and eighty-three was made between the Trustees and the tramways company by which inter alia the company agreed to waive the obligation put on the Trustees to construct such double line of tramways on the alternative road provided as aforesaid and the Trustees agreed to pay to the company on the commencement of the diversion of the then existing line of tramways and in full of all claims competent to the company against the Trustees the sum of ten thousand pounds and provisions were also made with regard to subsidiary matters all of

which other than the obligation in respect of the money payment aforesaid were given effect to in the Act of 1883:

And whereas by a deed of ratification and obligation granted by the Trustees to the tramways company dated the ninth day of October one thousand eight hundred and eighty-three set forth in Schedule A to this Act the agreement before recited was confirmed under seal:

And whereas the Trustees have not commenced the diversion of the Renfrew Road:

And whereas in consequence of the diversion of that road by this Act authorised it is equitable that provision should be made for varying and determining of new the money payment to be made by the Trustees to the tramways company in manner herein-after provided:

And whereas it is expedient that further powers should be conferred on the Trustees as by this Act provided:

And whereas plans and sections showing the lines and levels of the intended roads or streets and tramways thereon and graving dock and other works authorised by this Act and also books of reference containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the land required or which may be taken for the purposes or under the powers of this Act were duly deposited with the principal sheriff clerk of the county of Lanark at his office in Glasgow and are herein-after respectively referred to as the deposited plans sections and books of reference:

And whereas the purposes of this Act cannot be effected without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be enacted by the Queen'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 as follows (that is to say):—

Short title.

1. This Act may be cited as the Clyde Navigation Act 1890 This Act and the other Acts herein-before mentioned relating to the Clyde Navigation may be cited as the Clyde Navigation Acts 1858 to 1890.

Incorporation of general Acts.

2. The following Acts and portions of Acts are (except where expressly varied by this Act) incorporated with and form part of this Act (that is to say):—

The Lands Clauses Acts;

Part II. (relating to extension of time) of the Railways Clauses Act 1863;

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The Harbours Docks and Piers Clauses Act 1847 with the exception of the clauses with respect to lifeboats with respect to keeping a tide and weather gauge and with respect to buoys lighthouses and beacons provided that the said excepted clauses shall come into operation with respect to the harbour as herein-after defined if and when the Board of Trade so require and also with the exception of sections twenty-five twenty-six and thirty :

And in construing the said Acts as incorporated with this Act the expressions "the company" "the undertakers" shall respectively mean and include the Trustees.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or partially incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction :

The expression "the Trustees" means the Trustees of the Clyde Navigation incorporated by the Act of 1858 ;

The expression "the harbour" means the Harbour of Glasgow as defined by the Act of 1883 and as extended by the Clyde Navigation Act 1884 ;

The expression "the river" means the River Clyde as defined in the Act of 1858.

Power to construct works.

4. Subject to the provisions of this Act the Trustees may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described and may enter upon take and use such of the land delineated on the said plans and described in the deposited books of reference as may be required for the purposes of this Act.

Description of works.

The works herein-before referred to and authorised by this Act are—

(1) A road commencing by a junction with the Road No. 2 authorised by the Act of 1883 at a point thereon seventy-four yards or thereabouts measured in a southerly direction from the south side of Elphinstone Street Govan at the junction of that street with Whitefield Road and terminating by a junction with the Road No. 1 authorised by that Act at a point thereon fifty-four yards or thereabouts measured in a north-westerly direction from the west side of Maclean Street Govan at the junction of that street with Renfrew Road The road shall not be deviated to the southward to a greater extent than ten feet from the lines shown on the deposited plans :

(2) A double line of tramway five furlongs nine chains and seventy-seven one-hundredth parts of a chain in length of the

gauge of four feet seven and three-quarter inches to be laid upon and along the whole length of the said intended road and connecting at the western end of such intended tramway with the tramways authorised by the Act of 1883 to be laid upon and along the said Road No. 2 and at the eastern end of such intended tramway with the tramways authorised by that Act to be laid upon and along the said Road No. 1 authorised by that Act:

(3) A graving dock commencing on the west side of the entrance to the docks authorised by the Act of 1883 and terminating at or near the east side of Maxwell Street Govan.

Accessory works.

5. The Trustees may upon any land belonging to or to be acquired by them construct execute make or provide all necessary accesses works and conveniences connected with or required for the construction maintenance and use of the works before described or some of them Provided that the Trustees shall not erect any buildings or fences at a distance less than thirty feet from the centre line of the Renfrew Road.

Power to deviate.

6. Subject to the provisions of this Act the Trustees in constructing the works by this Act authorised may deviate laterally from the lines thereof delineated on the deposited plans to any extent not exceeding the limits of deviation defined on the said plans and may deviate vertically from the levels of the said works as defined on the deposited sections to any extent not exceeding in the case of the road and tramway two feet and in the case of the graving dock seven feet Provided that for the purpose of enabling the Trustees to carry the Tramway No. 1 authorised by the Act of 1883 under the new road by this Act authorised the Trustees in constructing such road may deviate vertically from the levels thereof shown on the deposited sections to any extent not exceeding fifteen feet but so that the gradients of the new road shall not be steeper at any point than one in one hundred The Trustees shall not construct any overhead bridges across the said road.

Period for compulsory purchase of land.

7. The powers of the Trustees for the compulsory purchase of land for the purposes of the works authorised by this Act shall cease after the expiration of three years from the passing of this Act.

Additional land for purposes of undertaking.

8. In addition to the lands acquired and held or to be acquired and held by the Trustees under the powers of the recited Acts and this Act the Trustees may by agreement purchase any quantity of land not exceeding ten acres for the purposes of the Trustees authorised by the recited Acts and this Act but nothing in this Act

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or the recited Acts shall exempt the Trustees from any indictment action or other proceeding for nuisance in the event of any nuisance being caused by them upon any lands acquired under the powers of this section.

Power to sell surplus lands.

9. The Trustees may sell and dispose of any land acquired by them under the powers of this Act and which may not be required for the purposes of this Act or of their undertaking on such terms and conditions at such times and for such price or consideration as the Trustees may fix and such price or consideration shall be applied in reduction of money borrowed under the authority of the recited Acts and in addition to and not in substitution for any obligation to provide or set aside a sinking fund for repayment of borrowed money.

Power to take easements by agreement.

10. Persons empowered by the Lands Clauses Acts to sell and convey or release land may if they think fit subject to the provisions of those Acts and of this Act grant to the Trustees any easement servitude right or privilege (not being an easement of water) required for the purposes of this Act in over or affecting any such land and the provisions of the said Acts with respect to land and feu duties or ground annuals as far as the same are applicable in this behalf shall extend and apply to such easements servitudes rights and privileges as aforesaid respectively.

For the protection of frontagers on Govan Road.

11. Any owner or occupier of premises abutting on the Govan or Renfrew Road named in Schedule B to this Act claiming within two years after the shutting up of the portion of the said road rendered unnecessary by the alteration of roads by this Act authorised that he has been or will be injuriously affected or has suffered or will suffer loss or damage by or in consequence of such alteration of roads (and which would not be otherwise compensated for under the provisions of the Lands Clauses Acts) may proceed to arbitration in accordance with the provisions of those Acts and if the arbiters or oversman shall determine that such owner or occupier has been or will be injuriously affected or has suffered or will suffer loss or damage as aforesaid such owner or occupier shall receive from the Trustees such compensation as the arbiters or oversman may determine.

Portion of Renfrew Road with tramways thereon to be stopped up on completion

12. When and so soon as the Trustees shall have completed to the reasonable satisfaction of the surveyor for the time being of the Govan commissioners and the engineer of the tramways company respectively as herein-after provided the road and tramways thereon by this Act authorised and the portions of Roads Nos. 1 and 2

authorised by the Act of 1883 and not by this Act authorised to be abandoned with the tramways thereon so that there will be from the respective points of junction of the tramways of the Trustees authorised by the Act of 1883 with the tramways on Renfrew Road two continuous lines of tramway and the same have been certified as fit for traffic by the Board of Trade and not sooner the Trustees may exercise the powers conferred upon them to stop up permanently and appropriate for the purposes of their undertaking the portion of Renfrew Road with the tramways thereon between a point twenty-two yards or thereabouts northward from the north-west corner of Whitefield Road to a point twenty-three yards or thereabouts north-westward from the north-west corner of Maclean Street at its junction with Renfrew Road.

of new roads and tramways thereon.

13. The Trustees may stop up permanently and appropriate for the purposes of their undertaking the portion of Three Ell Road from its junction with Maxwell Street to its junction with the Renfrew Road.

Power to stop up Three Ell Road.

14. If it shall be necessary in the execution of any of the works by this Act authorised to make any alteration or deviation of the present or future sewers or drains of the burgh of Govan or any of such sewers or drains such alteration or deviation shall be made by and at the expense of the Trustees in the lines and on the levels and in the manner required by and to the satisfaction of the surveyor for the time being of the commissioners of police of the said burgh or in case of difference between the said surveyor and the engineer for the time being of the Trustees in the lines and on the levels and in the manner to be determined by and to the satisfaction of an engineer to be appointed by the sheriff of the county of Lanark on the application of the Trustees or of the commissioners of police of the said burgh.

Alteration of sewers and drains in burgh of Govan.

15. For all purposes the road by this Act authorised shall form part of the Renfrew Road and shall be managed and maintained by the Govan commissioners or the authority for the time entitled and liable to manage and maintain the Renfrew Road.

New road to form part of Renfrew Road.

16. The tramways by this Act authorised shall be in substitution for the existing tramways on the portion of Renfrew Road between the points herein-before described authorised by the Act of 1883 to be stopped up and appropriated by the Trustees and shall as respects the power to be employed for moving carriages or trucks thereon and for tolls and all other purposes form part of the undertaking of the tramways company and the provisions of the Vale of Clyde Tramways Act 1871 the Vale of Clyde Tramways Act 1876

Tramways to be in substitution for portion of tramways to be stopped up and to form part of undertaking of tramways company.

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and the Vale of Clyde Tramways Act 1888 and any other Acts relating to that company shall apply to the tramways by this Act authorised and to the construction maintenance and management thereof.

Trustees to form a road to connect Craigiehall Street with new road.

17. The Trustees shall within four years from the passing of this Act form a road or street sixty feet in width in the line of Craigiehall Street to connect that street with the road by this Act authorised Provided that if further powers are required from Parliament to enable the Trustees to comply with the provisions of this section they shall make application to Parliament at their own cost for the requisite authority within two years from the passing of this Act.

Two graving docks authorised may be abandoned.

18. The Trustees may abandon the construction of the two graving docks authorised by the Act of 1883.

Portions of authorised works may be abandoned.

19. The Trustees may abandon the construction of the roads or streets with the tramways thereon and swing or draw bridges authorised or provided by the Act of 1883 and respectively described in sections five and seven of that Act namely:—

(1) The Road No. 1 with the tramways thereon and the swing or draw bridge across the connecting basin in connexion with said Road No. 1 with the exception of that portion of such road and of the tramways thereon extending from a point thereon fifty-four yards or thereabouts measured in a north-westerly direction from the west side of Maclean Street Govan at the junction of that street with Renfrew Road to the authorised termination of the Road No. 1 on Renfrew Road near Maclean Street;

(2) The Road No. 2 with the tramways thereon and the swing or draw bridge across the said connecting basin in connexion with the said Road No. 2 with the exception of that portion of that road and the tramways thereon extending from its commencement on Renfrew Road near the junction of that road with Whitefield Road to a point on the Road No. 2 seventy-four yards or thereabouts measured in a southerly direction from the south side of Elphinstone Street Govan at the junction of that street with Whitefield Road;

(3) The Road No. 3 with the tramways thereon;

(4) So much of Dock No. 2 and works connected therewith authorised by the Act of 1883 as may be rendered unnecessary by or may be inconsistent with the formation of the new road and the other works by this Act authorised.

Compensation for damage to land by entry for purposes of works abandoned.

20. The abandonment by the Trustees under the authority of this Act of any works shall not prejudice or affect the right of the owner or occupier of any land to receive compensation for any damage occasioned by the entry of the Trustees on such land for the purpose of surveying and taking levels or probing or boring to ascertain the nature of the soil or setting out the line of the work and shall not prejudice or affect the right of the owner or occupier of any land which may have been temporarily occupied by the Trustees to receive compensation for such temporary occupation or for any loss damage or injury which may have been sustained by such owner or occupier by reason thereof or of the exercise as regards such land of any of the powers contained in the Harbours Docks and Piers Clauses Act 1847 or the Act of 1883.

Compensation to be made in respect of works abandoned.

21. Where before the passing of this Act any contract has been entered into or notice given by the Trustees for the purchasing of any land for the purposes of or in relation to any portions of the works authorised to be abandoned by this Act the Trustees shall be released from all liability to purchase or to complete the purchase of any such land but notwithstanding full compensation shall be made by the Trustees to the owners and occupiers or other persons interested in such land for all injury or damage sustained by them respectively by reason of the purchase not being completed pursuant to the contract or notice and the amount and application of the compensation shall be determined in manner provided by the Lands Clauses Acts for determining the amount and application of compensation paid for lands taken under the provisions thereof.

Extending period for compulsory purchase of lands.

22. The powers of the Trustees under the Act of 1883 as extended by the Act of 1887 for the compulsory purchase of land for the purposes of the railway authorised by the Act of 1883 are hereby revived and extended and shall continue in force until the expiration of two years from the second day of August one thousand eight hundred and ninety.

Extending period for completion of railway.

23. The time limited for the completion of the railway authorised by the Act of 1883 is hereby extended and enlarged and shall continue in force until the expiration of three years from the second day of August one thousand eight hundred and ninety-one If the railway shall not be completed within the period limited by this Act then on the expiration of that period the powers by the Acts of 1883 and 1887 and by this Act granted to the Trustees for making and completing the railway or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Power to apply corporate funds

24. The Trustees may apply to the purposes of this Act to which capital is properly applicable any moneys which they now

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to purposes of Act.

have in their hands or which they have power to raise by virtue of any Acts relating to the navigation and which may not be required for the purposes to which they are by any such Acts made specially applicable.

Rates for graving dock.

25. The Trustees may levy on and in respect of all vessels entering or using the graving dock by this Act authorised and in respect of cranes weighing machines and other conveniences erected or provided thereon or in connexion therewith the same rates and rents as the Trustees are by the recited Acts authorised and entitled to levy in respect of any other graving dock quays or wharfs or in respect of any other cranes weighing machines and other conveniences erected or provided by the Trustees and all such rates and rents on and in respect of vessels or on and in respect of cranes weighing machines and other conveniences shall be paid by the owner agent master consignee or other person in charge of such vessels or using the said cranes weighing machines or other conveniences respectively and the provisions contained in sections twenty twenty-one and twenty-two of the Clyde Navigation Amendment Act 1868 are hereby made applicable to the graving dock by this Act authorised.

Restriction on taking houses of labouring class.

26. The Trustees shall not under the powers by this Act granted without the consent of the Secretary for Scotland take ten or more houses which after the passing of this Act have been or on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers :

For the purposes of this section the expression "labouring class" means and includes mechanics artisans labourers and others working for wages hawkers costermongers persons not working for wages but working at some trade or handicraft without employing others except members of their own family and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the families of any of such persons who may be residing with them.

Partial repeal of section 23 of Act of 1883.

27. Subsections eight nine thirteen and fourteen of section twenty-three of the Act of 1883 are hereby repealed.

Subsections one to seven inclusive and ten to twelve inclusive of that section are also hereby repealed except so far as they relate to the portions of the roads numbers one and two authorised by the Act of 1883 which are not by this Act authorised to be abandoned and the tramways to be laid on such portions of roads respectively.

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In lieu of the said provisions wholly or partially repealed as aforesaid the following provisions shall apply to the new road authorised by this Act and to the tramways to be laid thereon (herein-after called the new road and tramways) :— Provisions as to new road and tramways.

(1) The new road shall be at least sixty feet in width between the fences ; Width of road.

(2) The gradients of the new road shall not be steeper at any point than one in one hundred ; Gradients.

(3) The new road shall be constructed under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the Govan commissioners and in case of difference between such surveyor and the Trustees such difference shall be determined by an arbiter to be appointed by the sheriff of the county of Lanark on the application either of the Trustees or of the Govan commissioners ; Mode of construction.

(4) The new road and tramways shall be so constructed that a space of not less than ten feet six inches shall intervene between the footpaths on such road and the nearest rail of the tramways ; Road.

(5) The tramways to be laid on the new road shall be constructed by the Trustees so as to be fit for the use of mechanical power thereon and shall be suitable in every respect for the working of the tramways company's traffic and shall be of the same character and as substantial in every respect and the materials shall be of as good quality as the existing tramways all to the reasonable satisfaction of the engineer of the tramways company and in all respects in accordance with the provisions of the Acts of Parliament relating to that company in so far as applicable thereto and any orders or regulations of the Board of Trade in force for the time being with reference to the construction of tramways The Trustees shall also maintain the said tramways and the road on which they are laid measuring inwards from twenty-one inches on the outside of each of the outer rails for one year from the time the portion of the present road is stopped up as authorised by the Act of 1883 and this Act to the reasonable satisfaction of the engineer of the tramways company Provided always that if any difference arise between the Trustees and that company with reference to any of the matters provided for in this section the same shall from time to time be determined by an arbiter to be appointed on the application of either party by the Board of Trade ; Regulating construction of tramways.

(6) As soon as the tramways company commence to use for traffic the tramways to be laid on the new road the Trustees shall close and keep closed against public traffic of all kinds

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and use by the public the portion of Renfrew Road with the tramways thereon which they are authorised to stop up and appropriate by the Act of 1883 and this Act;

(7) No railway to be made by the Trustees shall cross the tramways on the level;

(8) No curve upon any part of the said road shall have a radius of less than eighty feet measuring to the centre of the road or less than the radii respectively shown on the deposited plans.

Varying agreement with tramways company.

28. The before-recited agreement and relative deed of obligation with and by the Trustees and the tramways company are hereby varied and in lieu of the obligation to pay the sum of ten thousand pounds before recited the Trustees shall pay to that company within one month after the date on which the Royal Assent is given to this Act the sum of twelve thousand pounds with interest thereon at the rate of four per centum per annum from the date of the Royal Assent to this Act until payment in full satisfaction and discharge of all claims for compensation for increased expense and inconvenience which the new road and tramways hereby authorised may cause to them and for all loss and damage of every description which the tramways company may have sustained or may sustain in any manner of way by reason of the Trustees operations authorised by their Act of 1883 or their Act of 1887 or by this Act and on payment of such sum of twelve thousand pounds and interest being made the said obligation to pay ten thousand pounds shall be cancelled and discharged saving nevertheless and reserving the provisions in favour of the company contained in this Act.

Saving rights of tramways company.

29. Except as in this Act otherwise expressly provided nothing herein contained shall prejudice interfere with or affect the rights powers and authorities of the tramways company.

Power to enter into agreements with railway companies.

30. The Trustees on the one hand and the Caledonian and the Glasgow and South-western Railway Companies or either of them on the other hand may from time to time enter into and carry into effect agreements with respect to the maintenance and user of the railway authorised by the Act of 1883.

Reserving Merchant Shipping and general Acts.

31. Subject to the provisions of this Act nothing contained in this Act shall exempt the harbour or the river or the Trustees from the provisions of the Merchant Shipping Acts or of any general Act relating to harbours or to dues on shipping or on goods carried in ships now in force or which may be passed during the present or any future session of Parliament or from any future revision and alteration under the authority of Parliament of the rates and tolls authorised by the recited Acts or this Act.

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Expenses of Act.

32. All costs charges and expenses of and incident to the preparing for obtaining and passing of this Act or otherwise in relation thereto shall be paid by the Trustees out of the rates authorised to be levied or the money authorised to be borrowed by the recited Acts.

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SCHEDULES referred to in the foregoing Act.

SCHEDULE A.

Ratification and Obligation by the Trustees of the Clyde Navigation in favour of the Vale of Clyde Tramways Company.

We the Trustees of the Clyde Navigation incorporated by the Act 21st and 22nd Victoria chapter 149 considering that we promoted a Bill in the present session of Parliament intituled "An Act to authorise the Trustees of the "Clyde Navigation to construct docks quays roads tramways a railway and "other works at and connected with the Harbour of Glasgow and the River "Clyde and to borrow money and for other purposes" And whereas inter alia power was taken by the said Bill to shut up a portion of the Renfrew Road with the tramways thereon and construct certain roads or streets and swing bridges with tramways thereon in substitution of the portion of Renfrew Road and tramways thereon to be shut up And whereas the Vale of Clyde Tramways Company incorporated by the Vale of Clyde Tramways Act 1871 herein-after called "the tramway company" the proprietors of the tramways on the portion of the Renfrew Road proposed to be shut up conceived that they would be injured by the execution of the works immediately above mentioned and petitioned against the said Bill in the House of Commons And whereas on the said Bill being referred to a select committee of that House the tramway company appeared and opposed the said Bill And whereas the said committee of the House of Commons after taking evidence found the preamble of the said Bill proved subject to our giving an alternative road round our proposed works with lines of tramway thereon to secure against the tramways on the substituted portion of Renfrew Road being entirely blocked and accordingly there was inserted in the said Bill as amended in the said committee of the House of Commons a clause (7) containing an obligation on us the said Trustees to provide and make a road (called in the Bill "the New Road") on the eastern southern and western sides of the docks with double lines of tramways thereon with junctions with the tramways on such roads so as to form a continuous communication by tramway round the docks proposed to be constructed without the intervention of swing bridges And whereas the tramway company conceived that the said new road with tramways thereon was not such a road as could usefully be used by them and they lodged a petition against the Bill in the House of Lords objecting to the alterations on Renfrew Road and also to the new road and complaining that no provision was made for compensating them for the greatly increased cost of maintenance and working and general inconvenience which the roads and tramways proposed by the Bill would throw upon them

And whereas on the Bill being referred to a select committee of that House the tramway company appeared and opposed it by counsel but while the Bill was under discussion overtures were made by the tramway company for a compromise which we entertained and which resulted in heads of Agreement being adjusted and executed on behalf of the parties in the following terms:—

"Heads of Agreement between Tramway Company and Clyde Trustees."

"First. Tramways under clause 7 to be deleted from Bill and in respect
" thereof and in lieu of all claims competent in the premises 10,000*l.* to
" be paid to tramway company on commencement of diversion of present
" line of tramways.

"Second. Tramways to be laid to satisfaction of company's engineer and
" Board of Trade and to fulfil steam traffic requirements.

"Third. To maintain bridges so as always to be fit for steam traffic as at
" present worked by the tramway company.

"Fourth. No interference with existing tramways until temporary tram-
" ways substituted and no interference with temporary tramway until
" permanent tramways completed All to satisfaction of company's
" engineer and Board of Trade.

"Fifth. In the event of committee putting it on Clyde Trustees to lay
" tramways on new road under clause 7 obligation to pay 10,000*l.* will
" determine and the company shall be entitled to apply for a compensa-
" tion clause as if this Agreement had not been made.

"(Signed) J. C. Wakefield
"Chairman of the Vale of Clyde Tramways.

"(Signed) John Ure
"Chairman of the Clyde Navigation Trust.

"Above provisions as to construction maintenance and non-interference with existing and temporary tramways to be incorporated in Bill.

"(Signed) J. Ure
"(Signed) J. C. Wakefield.

"London 29th June 1883."

And whereas the said heads of Agreement were communicated by counsel to the said select committee and the obligation on us the said Trustees to lay lines of tramway on the said new road was deleted in consequence from the Bill as passed by the committee and other clauses were inserted therein for the protection of the tramway company as provided in the said heads of Agreement And whereas the said Bill has now been passed into an Act having received the Royal Assent on the second day of August one thousand eight hundred and eighty-three And now seeing that the provisions of the said heads of Agreement except as regards the payment of the said sum of ten thousand pounds have been incorporated in the said Act and that we have been requested to ratify and confirm the said heads of Agreement under our common seal so far as concerns such payments Therefore we do

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hereby ratify and confirm the same to that extent accordingly and in consideration of the premises bind ourselves to pay to the Vale of Clyde Tramways Company and their assigns and successors the sum of ten thousand pounds on the date of the commencement of the diversion of the present line of tramways on the Renfrew Road And we consent to registration hereof for preservation and execution In witness whereof these presents written on this and the two preceding pages by William Patrick Macbean Black apprentice in the employment of McGrigor Donald and Company writers in Glasgow are (under the declaration that the words "protection of the" are interlined to be read between the words "the" and "tramway" in the thirty-ninth line of page second) executed as follows videlicet:—They are subscribed on behalf of us the Trustees of the Clyde Navigation by Thomas Watson merchant Glasgow and James Lockhart Mitchell merchant there two of our number and are sealed with our common seal all at Glasgow on the ninth day of October in the year eighteen hundred and eighty-three before these witnesses George Reith secretary and general manager to us the Trustees of the Clyde Navigation and John Hay writer Glasgow.

(Signed) Geo. Reith Witness. (Signed) Thos. Watson Trustee.
(„) John Hay Witness. („) Jas. L. Mitchell Trustee.

SCHEDULE B.

Charles C. Mowbray.		James McCall.
Manfred L. P. Jardine.		William Sutherland.
Smith and McLean.		William T. Wyllie.
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