CHAPTER clxxvi.

A.D. 1894.

An Act to authorise the reconstruction of Glasgow Bridge the erection of a weir or tidal dam across the River Clyde the construction of tramways and for other purposes. [17th August 1894.]

WHEREAS powers were conferred on the Glasgow Police Commissioners by the Glasgow Bridge Act 1892 to take down the existing Glasgow Bridge and to erect a new bridge in substitution therefor according to the plans and sections deposited with reference to that Act:

And whereas those powers have not been exercised and it has since been ascertained that considerable expenditure will be saved by constructing the bridge in accordance with the plans and sections deposited with reference to this Act and it is expedient to erect the same in lieu of the bridge authorised by the Act of 1892:

And whereas it is expedient and will be for public advantage that a weir or tidal dam and other works should be erected on the River Clyde to the east of Albert Bridge and that the provisions in this Act contained should be made for defraying the cost of the erection and maintenance thereof:

And whereas it is expedient that the Lord Provost magistrates and council of the city and royal burgh of Glasgow (in this Act called "the Corporation") should be authorised to construct the additional tramways in this Act mentioned:

And whereas it is expedient that the Corporation should be authorised to close and stop up portions of Garriochmill Road and Garrioch Road within the city and to appropriate and use as part of the Glasgow Botanic Gardens the solum thereof as herein-after provided:

And whereas it is expedient that the Police Commissioners and the Corporation should be authorised to borrow further sums of money for the purposes of this Act:

A.D. 1894.

And whereas it is expedient that the other powers in this Act contained should be conferred on the Corporation and the Police Commissioners:

And whereas plans and sections and additional plans and sections showing the lines and levels of the works authorised by this Act and also books of reference thereto respectively containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands 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 and such plans and sections and additional plans and sections and relative books of reference are herein-after respectively referred to as the deposited plans sections and books of reference and additional deposited plans sections and books of reference as the case may be:

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 it 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:—

PART I.—PRELIMINARY.

Short title.

1. This Act may be cited as the Glasgow Bridge &c, Act 1894 and the Glasgow Police Acts 1866 to 1892 the Glasgow Bridges &c. Act 1886 and this Act may be cited as the Glasgow Police Acts 1866 to 1894.

This Act is divided into parts as follows:—

Part I.—Preliminary.
Part II.—Glasgow Bridge.
Part III.—Weir or Tidal Dam.
Part IV.—Tramways.
Part V.—Parks.
Part VI.—General.

Incorporation of Acts.

2. The Lands Clauses Acts and so much of the Railways Clauses Consolidation (Scotland) Act 1845 as relates to roads and the temporary occupation of lands near the railway are (except where expressly varied by this Act) incorporated with and form part of this Act.

The twelfth and thirteenth sections of the Harbours Docks and Piers Clauses Act 1847 and the sections thereof relating to bye-laws are incorporated with and form part of this Act and in

construing the said sections as incorporated with this Act the expression harbour dock or pier used in that Act means the works by this Act authorised.

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 expressions "the promoters of the undertaking" "the commissioners" and "the company" mean respectively the Police Commissioners or the Corporation or the Parks and Galleries Trustees as the case may require and the expressions "the railway" and "the undertaking" mean respectively the works by this Act authorised.

Further interpretation.

4. The following words and expressions in this Act have the meanings hereby assigned to them (that is to say) :—

"The city" means the city and royal burgh of Glasgow ;

"The Corporation" means the lord provost magistrates and council of the city ;

"The Police Commissioners" means the Glasgow Police Commissioners acting under the Glasgow Police Acts 1866 to 1892 the Glasgow Bridges &c. Act 1886 and the Roads and Bridges (Scotland) Act 1878 ;

"The Parks and Galleries Trustees" means the Corporation acting in the execution of the Glasgow Public Parks Act 1878 and any Acts amending the same ;

"The Improvement Trustees" means the Corporation acting in the execution of the Glasgow Improvements Acts 1866 1871 and 1880 ;

"The Water Commissioners" means the Commissioners acting under the Glasgow Corporation Waterworks Acts 1855 to 1892 ;

"The Gas Commissioners" means the Corporation acting in the execution of the Glasgow Corporation Gas Acts 1869 to 1891 ;

"The Clyde Trustees" means the trustees of the Clyde Navigation incorporated under the Clyde Navigation Consolidation Act 1858 ;

"The sheriff" means the sheriff of the county of Lanark and includes his substitutes ;

"The Police Acts" means the Glasgow Police Acts 1866 to 1892 ;

"The Glasgow Bridge" means the new bridge by this Act authorised to be constructed ;

"The Loans Act" means the Glasgow Corporation Loans Act 1883.

A.D. 1894.

Part II.—Glasgow Bridge.

Power to reconstruct Glasgow Bridge.

5. Subject to the provisions of this Act the Police Commissioners may in lieu of or in substitution for the new bridge and tramways thereon authorised by the Glasgow Bridge Act 1892 make and maintain in the lines and according to the levels shown on the deposited plans and sections the Glasgow Bridge and tramways thereon and other works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose or for any purposes connected therewith The works herein-before referred to and authorised by this Part of this Act are—

To take down and remove the existing bridge over the River Clyde commonly called Glasgow Bridge in the city which extends from the south end of Jamaica Street in the city parish of Glasgow to the north end of Bridge Street in the parish of Govan and to remove the tramways on the said bridge and on the approaches thereto and in lieu thereof to make construct and maintain a new bridge over the River Clyde with a double line of tramway thereon connecting with the existing tramways on either side of such new bridge of the gauge of 4 feet $7\frac{3}{4}$ inches to be worked by animal mechanical electric or other power commencing by a junction with the existing tramway in Jamaica Street at a point 50 yards or thereabouts measured in a northerly direction from the face of the north abutment of the existing Glasgow Bridge and terminating in Bridge Street by a junction with the existing tramway at a point 50 yards or thereabouts measured in a southerly direction from the face of the south abutment of the existing Glasgow Bridge and to make and maintain such streets roads and approaches to the said new bridge or such alteration or deviation of streets roads or approaches tramways and other works in connexion with the same as may be necessary or expedient:

All of which works will be wholly situate in the city and royal burgh of Glasgow the city parish of Glasgow and parish of Govan and county of Lanark or county of the city of Glasgow.

For the protection of the Clyde Trustees.

6. For the protection of the Clyde Trustees and the navigation under their charge the following provisions shall have effect:—

(1.) The Glasgow Bridge shall be constructed of a width of 80 feet between the parapets and of seven arches of the same respective contours and spans and with the same respective headways as the existing Glasgow Bridge The centre of the centre arch of the Glasgow Bridge shall be in line with the centre of the centre opening of the Caledonian Railway Viaduct across the

River Clyde leading to the Central Station Glasgow The bridge shall be constructed in such line within the limits of deviation shown on the deposited plans as shall be agreed upon by the convener for the time being of the Statute Labour Committee of the Police Commissioners and the deputy-chairman for the time being of the Clyde Trustees :

(2.) Plans and specifications of all the works and operations of the Police Commissioners authorised and proposed as aforesaid to be executed on the river Clyde or on the property of the Clyde Trustees including all temporary works shall from time to time be submitted to the Clyde Trustees at least two weeks before commencing the operations and so far as such works and operations affect the harbours or the navigation of the River Clyde they shall be carried on at the sight and to the reasonable satisfaction of the engineer for the time being of the Clyde Trustees and in such manner as to preserve open the navigation to and from the Upper Harbour of Glasgow by means of at least one arch in each bridge suitable for the various classes of vessels presently using the Upper Harbour of Glasgow and for the Clutha Landing Stage immediately to the west of the existing Glasgow Bridge :

(3.) On the completion and opening for traffic of the Glasgow Bridge the Police Commissioners shall remove the temporary bridge constructed under the Glasgow Bridge Act 1892 and that in such manner as in no way to obstruct or impede the navigation to and from the Upper Harbour of Glasgow :

(4.) After the completion of the works and operations authorised by this part of this Act and the removal of the temporary bridge constructed under the Glasgow Bridge Act 1892 the Police Commissioners shall to the reasonable satisfaction of the engineer for the time being of the Clyde Trustees rebuild and restore to the like condition as at present all the quays sheds landing stages quay stairs gas and water pipes and other property and appliances of the Clyde Trustees which may have been removed or affected by or in consequence of such works or operations except in so far as the site of the same may be occupied by the site of the Glasgow Bridge as rebuilt or as compensation may have been paid in respect thereof :

(5.) While the works and operations by this Act authorised are in progress and during the existence and removal of the temporary bridge constructed under the Glasgow Bridge Act 1892 the Police Commissioners shall take all necessary and proper measures for placing and maintaining lights perches buoys and other marks upon or near the piers and cutwaters of the

A.D. 1894.

respective bridges and upon or near any temporary erections or appliances which they may place in or above the waterway of the River Clyde and for giving due notice of any obstruction danger or interruption which may be occasioned by their works or operations to the free passage of vessels approaching or passing under any of the bridges and for efficiently lighting the arches or openings under the respective bridges and in the event of their failing or neglecting to comply with these provisions or any of them the Police Commissioners shall be responsible for any loss or damage which may be occasioned through such failure or neglect:

(6.) The Police Commissioners shall so carry on their works and operations as to interfere as little as possible with the Clutha Landing Stage immediately to the west of the existing Glasgow Bridge and shall in no case remove such landing stage to a greater distance than 30 feet to the west of its present site and in the event of such removal being found necessary they shall restore it to its former position as soon as their works and operations permit:

(7.) Any difference which may occur between the Police Commissioners and the Clyde Trustees or their respective engineers under the provisions of this Part of this Act (except as herein otherwise specially provided for) shall be submitted to and determined by a neutral engineer agreed on by the parties or named by the Sheriff of Lanarkshire on the application of either party:

(8.) The Clyde Trustees shall not incur or be under any obligation or responsibility whatever in respect of the operations and works of the Police Commissioners whether these shall be approved of by them or not and the Police Commissioners shall indemnify free and relieve the Clyde Trustees from all claims for loss or damage of every description (if any) which may arise or be made against the Clyde Trustees in connexion with such operations and works:

(9.) All questions as to what compensation shall be payable by the Police Commissioners to the Clyde Trustees in respect of lands taken and of the right servitude and privilege of using the lands and quays belonging to the Clyde Trustees required for the extension of the site of the Glasgow Bridge and generally in respect of all claims for damage to or for any interruption of the navigation traffic or works of the Clyde Trustees removal or alteration of quays sheds landing stages loss of revenue or otherwise caused by the execution of the works and operations authorised as aforesaid or by the

Glasgow Bridge Act 1892 shall from time to time be determined by John Ure merchant Glasgow arbiter nominated by the Clyde Trustees whom failing by any other member of the Clyde Trustees for the time being to be nominated by them and Thomas Cumming merchant Glasgow arbiter nominated by the Police Commissioners whom failing by any other member of the Statute Labour Committee of the Police Commissioners for the time being to be nominated by them and in the event of the said arbiters differing in opinion by any oversman whom they may appoint Provided always that in determining such compensation the said arbiters or oversman shall consider the questions submitted on their merits in a just fair and equitable manner and not upon strictly legal grounds and that they or he shall take into account whatever obligation (if any) may have been undertaken by the Clyde Trustees to give any portion of the lands required for widening the existing Glasgow Bridge without payment and whatever consideration (if any) may have already been given to them in respect of widening the existing Glasgow Bridge and that the total amount of such compensation shall not exceed the sum of ten thousand pounds.

Repeal of powers to construct bridge &c. under Act of 1892.

7. Subject to the provisions of this Act the powers of the Police Commissioners for the construction of the bridge and tramways thereon authorised by the Glasgow Bridge Act 1892 are hereby repealed.

Power to make subsidiary works.

8. For the purposes of the construction of the said new bridge and the works in connexion therewith the Police Commissioners may also alter to an extent not exceeding two feet the levels of the existing roadways and approaches to the existing Glasgow Bridge and the tramways thereon and may make and maintain new approaches to and ways from and out of such bridge or such alterations or deviations of approaches or other works in connexion with the same as may be necessary or expedient and may make and maintain all such temporary approaches landing places and works as shall be necessary for and during the construction of the new bridge and the approaches thereto.

The Police Commissioners may for the purposes of this Act temporarily take and use the roadway pavement or footway of any public street road or lane shown on the deposited plans and described in the deposited books of reference.

Limits of lateral and vertical deviation.

9. In the construction of the Glasgow Bridge and the other works in connexion therewith the Police Commissioners may deviate from the lines dimensions and spans thereof shown on the deposited

A.D. 1894.

plans to any extent not exceeding the limits of deviation defined on those plans and they may deviate from the levels shown on the deposited sections to any extent not exceeding two feet upwards.

Period for compulsory purchase.

10. The powers of the Police Commissioners for the compulsory purchase of lands for the purposes of this Part of this Act shall cease after the expiration of three years from the passing of this Act.

Period for completion of works.

11. If the works authorised by this Part of this Act are not completed within seven years from the passing of this Act then on the expiration of that period the powers by this Act granted for making and completing such works or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Appropriation of funds.

12. Notwithstanding anything contained in the Caledonian Railway (Gordon Street Station Connecting Lines) Act 1875 and the Glasgow Bridges &c. Act 1886 and the Glasgow Bridge Act 1892 the Police Commissioners may apply the Caledonian Fund with any accumulation thereof as the same is defined in the Glasgow Bridges &c. Act 1886 or any balance thereof in and towards defraying the expense of the works by this Part of this Act authorised.

New tramway to be part of tramway undertaking of Corporation.

13. From and after the completion of the portion of tramway by this Part of this Act authorised such portion shall for all purposes be and be deemed a part of the tramway undertaking of the Corporation and the Corporation shall be subject to all the rights duties and liabilities affecting the tramways of the Corporation in respect of such portion of tramway as if the same had been authorised by the Acts relating to the Glasgow tramways.

Application of sections 18 19 and 22 of Glasgow Bridge Act 1892.

14. Sections 18 19 and 22 of the Glasgow Bridge Act 1892 shall apply to the works authorised by this Part of this Act in the same manner and to the like extent as if the works had been authorised by that Act.

Power to levy assessments and borrow money.

15.—(1.) The powers to levy assessments and to borrow and reborrow money conferred by the Roads and Bridges (Scotland) Act 1878 shall apply to the works authorised by this Part of this Act in the same way as if the works were executed under the powers of that Act.

(2.) For the purposes of the Loans Act the power by the Roads and Bridges (Scotland) Act 1878 and this Act granted to the Police Commissioners to borrow money shall be deemed a borrowing power within the meaning of section 7 of the Loans Act and to have been transferred to and vested in and to apply to and be exercisable by the Corporation as if that borrowing power had been a borrowing

power of the Police Commissioners at the commencement of the Loans Act and the provisions of that Act shall be applicable and shall apply to the borrowing powers so granted to the Police Commissioners. A.D. 1894.

Agreement with Corporation of Rutherglen and T. B. Seath confirmed.

16. The memorandum of agreement between the Police Commissioners and the provost magistrates and council of the royal burgh of Rutherglen and Thomas Bollen Seath set forth in the First Schedule to this Act is hereby confirmed and made binding on the parties thereto.

Part III.—Weir or Tidal Dam.

Power to construct weir or dam.

17. Subject to the provisions of this Act the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the works herein-after described with all proper approaches works and conveniences connected therewith and may enter upon take and use such of the lands delineated on the said plans and described in the deposited books of reference as may be required for that purpose The works herein-before referred to and authorised by this Part of this Act are—

A weir or tidal dam consisting of a foot-bridge or platform with movable sluices commencing at a point on the right bank of the River Clyde in the city parish of Glasgow 400 feet or thereabouts measuring up the right bank of the river in an easterly direction from the northern end of the eastern parapet of the Albert Bridge and terminating at a point on the left bank of the River Clyde in the parish of Govan 340 feet or thereabouts measuring up the left bank of the river in an easterly direction from the southern end of the eastern parapet of the said Albert Bridge :

The Corporation may from time to time erect and set up hydraulic and other machinery with all necessary conveniences gates sluices locks channels walls piers roads footways and other works buildings and conveniences in connexion with such weir or tidal dam.

Power to dredge and deepen the River Clyde.

18. Subject to the provisions of this Act the Corporation may excavate dredge deepen alter or improve the bed shore and banks of the River Clyde at or near the site of the said weir or tidal dam and other works.

Power to deviate.

19. Subject to the provisions of this Act the Corporation in constructing the works by this Part of this Act authorised may deviate laterally from the lines thereof delineated on the deposited

A.D. 1894.

plans to any extent not exceeding the limits of deviation defined on those plans and they may deviate vertically from the levels of the said works as defined on the deposited sections to any extent not exceeding two feet No such deviation shall be made within those limits of deviation so as to diminish the navigable space of the River Clyde without the previous consent of the Board of Trade or otherwise than in such manner as shall be expressly authorised by the Board of Trade.

Period for compulsory purchase.

20. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Part of this Act shall cease after the expiration of three years from the passing of this Act.

Period for completion of works.

21. If the works authorised by this Part of this Act are not completed within five years from the passing of this Act then on the expiration of that period the powers by this Part of this Act granted for making and completing such works or otherwise in relation thereto shall cease except as to so much thereof as is then completed.

Sluices to be lifted and kept up at certain times.

22. The sluices of the weir or tidal dam shall be lifted and kept up above the soffits of the arches at all times when the water in the river shall be at a level equal to or higher than the level of impounded water shown on the deposited plans:

Provided that in the event of any passenger or trading vessels requiring to pass the weir or tidal dam the Corporation shall if so required by the master or person in charge of any such vessel at any time within half-an-hour before or after high-water of neap tides lift up the sluices to admit of the passage of such vessels.

For protection of the royal burgh of Rutherglen and Messieurs T. B. Seath and Company.

23. For the protection of the royal burgh of Rutherglen as owners and of Messieurs T. B. Seath and Company shipbuilders Rutherglen as lessees of Rutherglen Shipbuilding Yard or their assignees the following provisions shall have effect:—

(1.) The arches carrying the footbridge or platform of the weir or tidal dam shall be constructed of not less spans and headway than are shown on the deposited plans and sections and the bed of the river on each side of the weir or tidal dam shall be deepened to the extent shown upon such plans and sections:

(2.) Whenever it shall be necessary for launching any vessel built or repaired in the Rutherglen Shipbuilding Yard or for permitting of the passage of any vessel to or from such yard that the water of the river should not be held up in whole or in part by the sluices of the weir or tidal dam the Corporation shall on receiving not less than forty-eight hours' notice in

writing from Messieurs T. B. Seath and Company or the lessees for the time being of such yard specifying the particular tide during which the accommodation is required and the principal dimensions and draught of the vessel so passing to or from such yard so regulate the working of those sluices that for the space of two tides or for such shorter period as may be required the water shall not be held up at a higher level than that specified in such notice:

(3.) The Corporation shall during the construction of the weir or tidal dam maintain a fairway in the river at the site of such weir or tidal dam not less than fifty-five feet in width:

(4.) The Corporation shall immediately after commencing the construction of the weir or tidal dam pay to the said Messieurs T. B. Seath and Company the sum of two hundred and fifty pounds in respect of the alteration of the slip or gridiron at their shipbuilding yard rendered necessary in consequence of the impounding of the water in the river by the said weir or dam.

Contribution by Clyde Trustees to expense of works.

24. The Clyde Trustees may at any time after the passing of this Act out of any money which they have in their hands or which they have power to raise by virtue of any Acts relating to the Clyde Navigation on being satisfied that the interests of the navigation of the river are likely to be benefited by the erection of the weir or tidal dam by this Part of this Act authorised pay to the Corporation the sum of two thousand five hundred pounds towards the cost of erecting the weir or tidal dam and if they are satisfied after its erection that the interests of the navigation of the river have been thereby benefited the further sum of two thousand five hundred pounds or if no previous payment shall have been made then such sum not less than two thousand five hundred pounds nor more than five thousand pounds as the Clyde Trustees shall deem reasonable these payments being made upon such conditions with reference to the working of the sluices of the weir or tidal dam and the regulation of the navigation of vessels past the same as may be agreed upon between the Corporation and the Clyde Trustees.

Byelaws.

25. Subject to the provisions of this Act the Corporation may from time to time make byelaws for the management use and protection of the weir or tidal dam and other works by this Part of this Act authorised and for the regulation of boats barges and vessels passing through the same and of passenger traffic across the footbridge or platform in connexion therewith or for any other purposes of this Act Provided that such bye-laws shall before coming into operation be confirmed by the Secretary for Scotland after such notice thereof as he shall direct and after hearing any person

A.D. 1894.

objecting thereto Such byelaws shall be so framed as to allow the magistrates before whom any penalty imposed thereby is sought to be recovered to order the whole or part only of such penalty to be paid or to remit the whole penalty.

Assessments.

26. Subject to the provisions of this Act the works authorised by this Part of this Act shall form one undertaking with the Clyde embankments undertaking authorised by the Glasgow Corporation Act 1890 and the assessment by that Act authorised to be levied shall be applicable to the purposes of this Part of this Act as well as to the purposes of that Act.

Borrowing powers.

27. Section 16 of the Glasgow Corporation Act 1890 authorising the Corporation to borrow money for the purposes of that Act shall be read and have effect as if the sum of ninety thousand pounds were therein mentioned instead of the sum of fifty thousand pounds and as if the works by this Part of this Act authorised had been authorised and constructed under the Glasgow Corporation Act 1890.

Application of money borrowed.

28. Money borrowed by the Corporation under the Glasgow Corporation Act 1890 as amended by this Act shall be applied in payment first of the costs charges and expenses incurred by the Corporation preliminary to and incidental to the preparing applying for obtaining and passing of this Part of this Act or otherwise in relation thereto and secondly in and for the purchase of lands and construction of the works authorised by this Part of this Act and in carrying the Glasgow Corporation Act 1890 and this Act into execution and not otherwise but they shall not apply any money borrowed or any other money of the nature of capital to the maintenance of works or other purposes to which revenue is properly applicable.

Part IV.—Tramways.

Power to make tramways.

29. Subject to the provisions of this Act and of Parts II. and III. of the Tramways Act 1870 so far as extended and applied to and as varied by this Part of this Act the Corporation may make form lay down work use and maintain the tramways herein-after described in the lines and according to the levels shown on the additional deposited plans and sections with all proper rails chairs plates wires poles conduits tubes ropes engines engine-houses subways manholes shafts sleepers junctions points turntables works and conveniences connected therewith The tramways herein-before referred to and authorised by this Act are—

A tramway No. 1 3 furlongs 6·59 chains in length wholly double line situate in the parish of Govan commencing by a

junction with the existing tramways in Paisley Road at a point opposite the centre line of Crookston Street at its junction with Paisley Road thence proceeding in an easterly direction along Paisley Road and King Street (Tradeston) to Bridge Street and thence proceeding in a northerly direction into and terminating in Bridge Street by a junction with the existing tramways at a point opposite or nearly opposite the entrance door of the premises No. 25 Bridge Street:

A tramway No. 2 3 furlongs 3·74 chains in length wholly double line situate in the barony parish of Glasgow commencing by a junction with the existing tramways in Dumbarton Road at a point opposite the western end of the northern side of Saint Vincent Street at its junction with Dumbarton Road thence passing into and proceeding in an easterly direction along Saint Vincent Street to Bothwell Street (otherwise Bothwell Circus) and thence proceeding into and terminating in Bothwell Street (otherwise Bothwell Circus) by a junction with the existing tramways at a point opposite the western end of the last building on the northern side of Bothwell Street (otherwise Bothwell Circus) at its junction with Saint Vincent Street:

The tramways will be situate in the parish of Govan and the barony parish of Glasgow in the city and county of the city of Glasgow.

Period for completion of tramways.

30. The tramways shall be completed within three years from the passing of this Act and on the expiration of that period the powers by this Part of this Act granted to the Corporation for executing the same or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Extending to this Act certain sections of the Glasgow Corporation Act 1893.

31. The provisions of sections 2 4 8 to 13 15 to 18 21 to 28 30 to 35 and 48 of the Glasgow Corporation Act 1893 shall extend and apply to the tramways by this Part of this Act authorised.

Repeal of section 5 of Glasgow Corporation Act 1891.

32. Section 5 of the Glasgow Corporation Act 1891 the marginal note whereof is "For the protection of telegraph and telephone wires" is hereby repealed and in lieu thereof be it enacted as follows:—

Restrictions in the use of electricity.

(1.) The Corporation shall in the use of electric power under the provisions of the Glasgow Corporation Act 1891 and this Act employ either insulated returns or uninsulated metallic returns of low resistance:

(2.) The Corporation shall take all reasonable precautions in constructing placing and maintaining their electric lines and circuits and other works of all descriptions and also in working their tramway undertaking so as not injuriously to affect by

A.D. 1894.

fusion or electrolytic action any gas or water pipes or other metallic pipes structures or substances:

(3.) The powers by the Glasgow Corporation Act 1891 and this Act conferred with respect to the use of electric power shall be exercised only in accordance with regulations to be prescribed by the Board of Trade (herein-after referred to as "the prescribed regulations") and any regulations which may be added thereto or substituted therefor respectively by any Order which the Board of Trade may and which they are hereby empowered to make from time to time as or when they may think fit for regulating the employment of insulated returns or of uninsulated metallic returns of low resistance for preventing fusion or injurious electrolytic action of or on gas or water pipes or other metallic pipes structures or substances and for minimising as far as is reasonably practicable injurious interference with the electric wires lines and apparatus of other parties and the currents therein whether such lines do or do not use the earth as a return:

(4.) If the Corporation use electric power contrary to the provisions of this Act or to any of the prescribed regulations or to any regulations added thereto or substituted therefor by any Order made by the Board of Trade under the authority of this Act they shall for every such offence be subject to a penalty not exceeding ten pounds and also in the case of a continuing offence to a further penalty not exceeding five pounds for every day during which such offence continues after conviction thereof Provided always that whether any such penalty has been recovered or not the Board of Trade if in their opinion the Corporation in the use of electric power under the authority of this Act have made default in complying with the provisions of this Act or with any of the prescribed regulations or with any regulations which may have been added thereto or substituted therefor as aforesaid may by Order direct the Corporation to cease to use electric power and thereupon the Corporation shall cease to use electric power and shall not again use the same unless with the authority of the Board of Trade and in every such case the Board of Trade shall make a special report to Parliament notifying the making of such Order:

(5.) The Corporation shall take all reasonable and proper precautions in constructing placing and maintaining their electric lines circuits and other works of any description and in using their electric lines circuits and other works so as not injuriously to interfere with the working of any wire line or apparatus from time to time used for the purpose

A.D. 1894.

of transmitting electric power or of telegraphic telephonic or electric signalling communication or the currents in such wire line or apparatus Provided always that the Corporation shall be deemed to take all such reasonable and proper precautions as aforesaid if and so long as they adopt and employ at the option of the Corporation either such insulated returns or such uninsulated metallic returns of low resistance and such other means of preventing injurious interference with the electric wires lines and apparatus of other parties and the currents therein as the Board of Trade shall direct and in giving such directions the Board shall have regard to the expense involved and to the effect thereof upon the commercial prospects of the tramway undertaking Provided also that at the expiration of a period of two years from the passing of this Act nothing in this sub-section shall operate to give any right of action in respect of or to protect any electric wires lines or apparatus or the currents therein unless in the construction erection maintaining and working of such wires lines and apparatus all reasonable and proper precautions including the use of an insulated return have been taken to prevent injurious interference therewith and with the currents therein by or from other electric currents If any difference arises between the Corporation and any other party with respect to anything in this section contained such difference shall unless the parties otherwise agree be determined by the Board of Trade or at the option of the Board by an arbitrator to be appointed by the Board and the costs of such determination shall be in the discretion of the Board or of the arbitrator as the case may be :

(6.) Nothing in this section shall apply to the use of electric power entirely contained in and carried along with the carriages used on the tramways :

(7.) Nothing in this section shall apply to the use of any electric line circuit or work of any company corporation or person authorised by Act of Parliament or provisional order confirmed by Parliament to supply energy for electric lighting purposes so far as such use is limited to such purposes :

(8.) The expression "the Corporation" in this section shall include the lessees and the licencees and any person owning working or running carriages over any tramway of the Corporation.

Part V.—Parks.

Stopping up of portions of Garriochmill

33. Whereas under the provisions of the City of Glasgow Act 1891 the Parks and Galleries Trustees have taken over as a public

A.D. 1894.

and Garrioch Roads.

park the Glasgow Botanic Gardens and have acquired or are about to acquire for the purpose of enlarging those gardens the area of ground between Kelvin Drive and the River Kelvin opposite the said gardens And whereas that ground is intersected by the public roads known as Garriochmill Road and Garrioch Road and cannot be properly utilised in connexion with the Botanic Gardens unless those roads so far as intersecting the same are subject to the provisions of this Act closed and stopped up:

Therefore the following provisions shall have effect:—

On and after the construction and opening for traffic of the bridge across the River Kelvin with the accesses thereto mentioned in the agreement contained in the Second Schedule to this Act the Parks and Galleries Trustees may close and stop up the portion of Garriochmill Road extending from a point 22 yards or thereabouts westwards from the west side of Queen Margaret Bridge to a point 62 yards or thereabouts south-eastward from the western termination of that road at the ford on the River Kelvin near Kirklee and the portion of Garrioch Road extending from its junction with Garriochmill Road to a point 85 yards or thereabouts south-eastward from its junction with Kelvin Drive and may without price or consideration appropriate and use as part of the Glasgow Botanic Gardens the solum of the portions of those roads so authorised to be closed and stopped up Provided always that the Parks and Galleries Trustees shall provide a roadway for foot passengers along the north bank of the River Kelvin on or near the present line of Garriochmill and Garrioch Roads and shall keep the same open to the public during such hours as the Glasgow Botanic Gardens are so open The portions of roads authorised to be closed and stopped up and to be so appropriated and used are situated within the parish of Maryhill the city and the county of Lanark or the county of the city of Glasgow and are shown on the deposited plans.

Agreement between the Corporation the Glasgow Police Commissioners the Caledonian Railway Company and the North Kelvinside Feuing Company Limited confirmed.

34. The memorandum of agreement between the Corporation and the Police Commissioners and the Caledonian Railway Company and the North Kelvinside Feuing Company Limited set forth in the Second Schedule to this Act is hereby confirmed and made binding on the parties thereto.

Saving clause.

35. Nothing in this Act or in the agreement contained in the Second Schedule to this Act shall be deemed to confer upon the Corporation or upon the Caledonian Railway Company any right which they or either of them do not now possess to construct a bridge over the River Kelvin Nothing in this Act or in the said agreement shall prejudice or affect an action now pending in the

Court of Session in Scotland with reference to the said matters at the instance of the Trustees of the Kelvinside Estate Company against the Corporation and the Caledonian Railway Company.

Parks and Galleries Trustees may purchase lands of Camphill.

36. The Parks and Galleries Trustees may purchase by agreement and the Royal Incorporation of Hutchesons' Hospital in the city of Glasgow may sell to the Parks and Galleries Trustees the lands of Camphill in the parish of Cathcart and county of Lanark or the county of the city of Glasgow extending to 57 acres 3 roods 38½ poles or thereabouts bounded on the west by Pollokshaws Road on the north and north-east by the lands of Queen's Park and on the south-east and south partly by Langside Road and partly by Langside Avenue including two small detached pieces of ground situated at Langside and Crossmyloof and the pertinents of said lands of Camphill Such Royal Incorporation shall after paying off all debts and other charges applicable to such lands apply the moneys received by them in respect of such sale in accordance with the provisions of the Hutchesons' Hospital Act 1872.

Part VI.—General.

Power to take easements &c. by agreement.

37. Persons empowered by the Lands Clauses Acts to sell and convey or release lands may if they think fit subject to the provisions of those Acts and of this Act grant to the Police Commissioners or the Corporation any easement or servitude (not being an easement right or privilege of water in which other than parties to the agreement have an interest) required for the purposes of this Act in over or affecting any such lands and the provisions of the said Acts with respect to lands and rentcharges or feu duties so far as the same are applicable in this behalf shall extend and apply to such grants and to such easements or servitudes rights or privileges as aforesaid respectively.

Correction of errors in deposited plans and books of reference.

38. If there be any omission mis-statement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans and additional deposited plans or specified in the deposited books of reference and additional deposited books of reference the Police Commissioners or the Corporation respectively after giving ten days' notice to the owners lessees and occupiers of the lands in question may apply to the sheriff for the correction thereof and if it appears to such sheriff that the omission mis-statement or wrong description arose from mistake he shall certify the same accordingly and he shall in his certificate state the particulars of the omission and in what respect any such matter is mis-stated or wrongly described and such certificate shall be deposited with the principal sheriff-clerk of the

A.D. 1894.

county of Lanark and with the session clerks of the several parishes and with the town clerk of the city and shall be kept by such sheriff-clerk session clerks and town clerk respectively with the other documents to which the same relates and thereupon the deposited plans and books of reference and additional deposited plans and books of reference shall be deemed to be corrected according to such certificate and the Police Commissioners or the Corporation may enter upon take and use the lands and execute the works in accordance with such certificate.

Restriction on taking houses of labouring class.

39. The Police Commissioners the Corporation and the Parks and Galleries Trustees respectively shall not under the powers of this Act purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied upon the said fifteenth day of December but have been or shall be subsequently so occupied For the purposes of this section the expression "labouring class" means and includes mechanics artisans labourers and other 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 such persons who may be residing with them.

Saving rights of the Crown in the foreshore.

40. Nothing in this Act shall authorise the Police Commissioners or the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any right in respect thereof belonging to the Queen's most Excellent Majesty in right of Her Crown and under the management of the Board of Trade without the previous consent in writing of the Board of Trade on behalf of Her Majesty (which consent the Board of Trade may give) neither shall anything in this Act contained extend to take away prejudice diminish or alter any of the estates rights privileges powers or authorities vested in or enjoyed or exerciseable by the Queen's Majesty Her heirs or successors.

Works below high-water mark not to be commenced without consent of Board of Trade.

41. The Police Commissioners or the Corporation shall not under the powers of this Act construct on the shore of the sea or of any creek bay arm of the sea or navigable river communicating therewith where and so far up the same as the tide flows and reflows any work without the previous consent of the Board of Trade to be signified in writing under the hand of one of the secretaries or

assistant-secretaries of the Board of Trade and then only according to such plan and under such restrictions and regulations as the Board of Trade may approve such approval being signified as last aforesaid and where any such work may have been constructed the Police Commissioners or the Corporation shall not at any time alter or extend the same without obtaining previously to making any such alteration or extension the like consents or approvals If any such work be commenced or completed contrary to the provisions of this Act the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the costs and charges of the Police Commissioners or the Corporation and the amount of such costs and charges shall be a debt due from the Police Commissioners or the Corporation to the Crown and shall be recoverable accordingly with costs.

Survey of works by Board of Trade.

42. If at any time the Board of Trade deem it expedient for the purposes of this Act to order a survey and examination of a work constructed by the Police Commissioners or the Corporation on in over through or across tidal lands or tidal waters or of the intended site of any such work the Police Commissioners or the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Police Commissioners or the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Police Commissioners or the Corporation.

Abatement of work abandoned or decayed.

43. If a work constructed by the Police Commissioners or the Corporation under the powers of this Act on in over through or across tidal lands or tidal waters is abandoned or suffered to fall into decay the Board of Trade may abate and remove the work or any part of it and restore the site thereof to its former condition at the expense of the Police Commissioners or the Corporation and the amount of such expense shall be a debt due from the Police Commissioners or the Corporation to the Crown and be recoverable accordingly with costs or the same may be recovered with costs as a penalty is recoverable from the Police Commissioners or the Corporation.

Provision as to temporary borrowing by Police Gas and Water Commissioners and Parks Trustees.

44. Whereas the accounts of the Police Commissioners the Parks and Galleries Trustees the Gas Commissioners and the Water Commissioners are made up for the twelve months ending on thirty-first May in each year And whereas the several assessments and rates (except the gas rates) levied by those bodies are imposed for the year beginning at Whit Sunday in each year And whereas the

A.D. 1894.

valuation roll in accordance with which those rates and assessments are imposed cannot in terms of the Acts relating to such roll be completed before the month of October and the large proportion of such rates and assessments and also of the gas rates for the summer months are not paid earlier than November or December And whereas the expenditure of such commissioners and trustees during the period intervening between the beginning of their financial year and the receipt of such assessments and rates must be met out of money borrowed for that purpose Therefore the following provisions shall have effect:—

The Police Commissioners the Parks and Galleries Trustees the Gas Commissioners and the Water Commissioners may from time to time borrow on temporary loan such sum or sums of money as may be necessary to meet their expenditure during such time as the assessments rates and revenues or any part thereof leviable or receivable by them shall not have been paid and such power to borrow temporarily shall be subject to the following conditions:—

(1.) Subject to the provision contained in the immediately following sub-section hereof the Corporation acting under the Loans Act shall exercise the power of temporary borrowing hereby granted and the interest and expenses to be charged by the Corporation acting under that Act against such commissioners or trustees in respect of such temporary borrowing shall be calculated independently of the interest and expenses of the money borrowed from the loans fund under that Act for capital purposes;

(2.) In the event of the Corporation at any time considering it to be expedient that the powers of temporary borrowing hereby granted should be exercised by such commissioners or trustees or any of them directly the Corporation may from time to time decide by resolution passed by them after special notice at any of their meetings that such powers shall be so exercisable for the period specified in such resolution and such powers shall thereafter be so exercised for that period or until such resolution is rescinded by such commissioners or trustees or any of them accordingly;

(3.) No money borrowed under the provisions of this section shall be applicable to capital expenditure;

(4.) The amount of temporary borrowing by or on account of such commissioners or trustees respectively shall not exceed two-thirds of the total amount of unpaid assessments rates or revenues at the date of such borrowing;

(5.) The money borrowed under the provisions of this section shall be repaid by the several commissioners or trustees out of the assessments rates or revenues of the financial year in respect of which it was borrowed and shall form a charge on such assessments rates or revenues;

(6.) Notwithstanding anything contained in this section such commissioners or trustees may at any time for the purpose of meeting their current expenditure temporarily over-draw their banking accounts.

Transfer of lands and heritages of Police Commissioners to Improvement Trustees.

45. The lands and ground annuals and the several rights appertaining thereto acquired and held by the Police Commissioners under the powers conferred by the Glasgow Police Act 1873 and the Glasgow Police Act 1877 to purchase and hold lands for the purpose of effecting street improvements within the city are hereby transferred to the Improvement Trustees who shall subject to the application of such portion of those lands as may be necessary for carrying out the street improvements authorised by the said Police Acts of 1873 and 1877 have the same rights and powers with reference to the said lands and ground annuals as if the same had been acquired and were held by them under the powers of the Glasgow Improvements Acts 1866 1871 and 1880 and in respect of such transfer the Improvement Trustees shall pay over to the Police Commissioners a sum equal to the value as fixed by the certificate of the city engineer for the time being of the lands and ground annuals so transferred to them which sum shall be applied by the Police Commissioners in reduction of their streets improvements debt and on payment thereof by the Improvement Trustees the said lands and ground annuals so transferred shall be freed and discharged from all burdens and other liabilities to which the same are subject other than such as appear on the titles and evidents of said lands and ground annuals.

Date of making up electric lighting accounts.

46. The date at which the accounts of the Gas Commissioners acting under the Glasgow Electric Lighting Order 1890 shall be made up shall notwithstanding anything contained in section 9 of the Electric Lighting Act 1882 be the thirty-first day of May in each year.

Saving rights of Crown under Crown Lands Act.

47. Nothing contained in this Act or to be done under the authority thereof shall in any manner affect the title to any of the subjects or any rights powers or authorities mentioned in or reserved by sections 21 and 22 of the Crown Lands Act 1866 and belonging to or exercisable on behalf of Her Majesty Her heirs or successors.

A.D. 1894.

Expenses of Act.

48. 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 out of the moneys to be borrowed or raised under the powers of this Act and out of the funds of the Corporation the Police Commissioners the Parks and Galleries Trustees the Improvement Trustees the Gas Commissioners and the Water Commissioners in such proportions as the Corporation may determine.

The SCHEDULES referred to in the foregoing Act. A.D. 1894.

FIRST SCHEDULE.

Memorandum of Agreement between the Glasgow Police Commissioners herein-after called the first party of the first part the Provost Magistrates and Town Council of the Royal Burgh of Rutherglen herein-after called the second party of the second part and Thomas Bollen Seath shipbuilder Rutherglen herein-after called the third party of the third part.

Whereas by memorandum of agreemeut dated thirty-first March eighteen hundred and ninety-two and scheduled to the Glasgow Bridge Act 1892 the first and second parties hereto entered into arrangements as to the taking down of the existing bridge over the River Clyde called Glasgow Bridge the erection of a new bridge in substitution for said existing bridge and the erection of a temporary bridge for the accommodation of the traffic during the construction of such new bridge:

And whereas said temporary bridge has now been constructed but it has since been found that considerable expenditure will be saved by the construction of the new bridge in accordance with other plans than those authorised by said Glasgow Bridge Act 1892 and the first party have agreed to abandon the construction of the new bridge as authorised by said Act and to substitute therefor another bridge in terms of a Bill being promoted in the present session of Parliament:

And whereas it has been agreed between the parties hereto as follows viz.:—

First In the construction of the new bridge proposed to be erected under the powers of the Act to be obtained by the first party in the present session of Parliament free and unobstructed passage up and down the river shall be reserved as herein-after provided.

Second The new bridge shall be constructed with the spans and headways specified in the Parliamentary plans and sections connected with the Act to be obtained as aforesaid.

Third In removing the existing and erecting the new bridge the operations shall be so carried on that there shall be at all times a continuous straight and clear waterway through one or other of the openings in the temporary bridge down to and through the railway bridge of not less than fifty-five feet span Further that there shall be a depth of water under three of

A.D. 1894.

the openings in said temporary bridge of ten feet at least at low water And further that free navigation up and down the river shall not be stopped.

Fourth Should the first party at any time intimate to the second or third party that it is not safe or proper for any ship or boat of any particular class or size to be taken up or down the river during the construction of the works no such ship or boat shall be taken up or down after such notice for such time as may be therein specified but the second and third parties respectively shall be entitled to compensation as herein-after mentioned for any loss of whatever kind which such stoppage of ships or boats may occasion to them respectively.

Fifth At least seven days' notice shall be given by the town clerk of the second party or by the tenants of the second party or by the third party to the clerk of the first party previous to any ship or boat being taken up or down the river during the construction of the said works and such ship or boat shall be taken up or down as soon thereafter as may be practicable by the second party or their tenants or lessees or by the third party.

Sixth Notwithstanding anything herein-before written the first party shall indemnify free and relieve the second party and their lessees and tenants and the third party of all claims for loss or damage of every description (if any which they may sustain or which may arise or be made against them or any of them in connexion with any stoppage of the right of free navigation up and down the river caused by the operations and works to be authorised by the Part of the said Act to be obtained as aforesaid relating to the subject matter of this agreement or any part thereof and all questions as to what compensation (if any) shall be payable by the first party under this agreement shall from time to time be determined by Robert Simpson Murray banker Rutherglen arbiter nominated by the second and third parties whom failing by any other person to be nominated by them and Thomas Cumming merchant Glasgow arbiter nominated by the first party whom failing by any other person to be nominated by them and in the event of said arbiters differing in opinion by any oversman whom they may appoint Provided always that in fixing such compensation the arbiters or oversman shall consider the questions submitted on their merits in a just fair and equitable manner and not upon strictly legal grounds.

Seventh This agreement is subject to the sanction of Parliament but if any material alteration is made therein it shall be competent to either party to withdraw from it The first party shall pay the whole expenses incurred by the second and third parties respectively in connexion with the negotiation revisal and execution of this agreement In witness whereof these presents written on this and the preceding page by John Swan McAra clerk in the office of John Lang clerk to the said Glasgow Police Commissioners are(under the declaration that the word "Lord" in the third line and the word "mentioned" partly in the forty-second and partly in the forty-third lines all of page first hereof are delete before subscription) subscribed as follows viz. By the said Thomas Bollen Seath at Langbank on the fourteenth day of April eighteen hundred and ninety-four before these

witnesses Hellen Young Seath his daughter and Thomas Stark Brown writer Glasgow by Lewis Mitchell provost and Joseph Shaughnessy one of the bailies of the said royal burgh of Rutherglen for and on behalf of the provost magistrates and town council of said burgh both at Glasgow on the eighteenth day of the month and year last mentioned before these witnesses George Gray writer in Glasgow and George Gray junior clerk to the said George Gray and by the said Glasgow Police Commissioners under their corporate and common seal and by the subscription of John McFarlane and William Bilsland two of their number acting by their authority and on their behalf as authorised at a meeting of the said Commissioners at Glasgow on the twenty-third day of the month and year last mentioned before these witnesses John Lindsay writer and John Warnock clerk both in the office of the said John Lang. A.D. 1894.

(Signed)	John Lindsay Witness.	(Signed)	John McFarlane.
,,	Jno. Warnock Witness.	,,	William Bilsland.
,,	Geo. Gray Witness.	,,	Lewis Mitchell Provost.
,,	Geo. Gray Jr. Witness.	,,	Jos. Shaughnessy Bailie.
,,	Hellen Y. Seath Witness.	,,	Thomas B. Seath.
,,	Thos. Stark Brown Witness.		

SECOND SCHEDULE.

Minute of Agreement between the Lord Provost Magistrates and Council of the City of Glasgow as trustees acting under the Glasgow Public Parks Act 1878 and Acts amending the same (herein-after called the Parks Trustees) and the Glasgow Police Commissioners (herein-after called the Police Commissioners) of the first part the Caledonian Railway Company (herein-after called the Railway Company) of the second part and the North Kelvinside Feuing Company Limited incorporated under the Companies Acts eighteen hundred and sixty-two to eighteen hundred and eighty-six (herein-after called the Feuing Company) of the third part.

Whereas the Parks Trustees are applying to Parliament for power under section thirty-three of the Glasgow Bridge Bill to close and stop up the Garriochmill Road and the Garrioch Road so far as passing through ground acquired or to be acquired by them for the extension of the Glasgow Botanic Gardens:

And whereas the several parties hereto have agreed to the said roads being closed and stopped up on the conditions herein-after set forth:

Therefore it is agreed as follows viz.:—

First The Railway Company and the Feuing Company agree not to oppose the provisions of the Glasgow Bridge Bill empowering the Parks Trustees

A.D. 1894.

to close and stop up the portions of the Garriochmill and Garrioch Roads proposed by the Bill to be closed and stopped up and they also agree for their interest to the Parks Trustees closing or stopping up the ford across the Kelvin at Kirklee and such additional portions of the Garriochmill and Garrioch Roads as may pass through any ground belonging to them the Parks Trustees or which they may acquire under Article 4 hereof The Feuing Company agree to withdraw their petition against the Bill.

Second The Police Commissioners agree in consideration of such roads and ford being closed and stopped up to erect and construct at the joint expense of the Police Commissioners and the Railway Company a stone bridge for vehicular and passenger traffic across the Kelvin at Ford Road and to form accesses thereto from Ford Road Kelvin Drive and Garrioch Road Such bridge and accesses shall (unless otherwise agreed between the parties) be of the gradients dimensions style and character shown on the plans signed by the parties as relative hereto Said works shall be commenced immediately after Parliamentary authority has been obtained for closing and stopping up these roads and ford and shall be carried out with all possible despatch.

Third The Parks Trustees the Police Commissioners and the Railway Company agree to give free of cost (subject to the provision in Article 4 hereof) so much of the ground required for the erection of such bridge and the formation of the accesses thereto as belongs to them respectively.

Fourth The Parks Trustees agree to purchase and the Feuing Company agree to sell the remaining low-lying lands and slopes adjoining belonging to them (part of which is traversed by one of the said roads) lying between the Garrioch Road on the east and the river Kelvin on the west and between ground sold by the Feuing Company to the Corporation of Glasgow on the south and ground belonging to the Kelvinside Estate Company on the north and that subject to all the burdens conditions and provisions specified in the title deeds thereof and that at the price of five hundred pounds sterling payable within thirty days of the passing of the Bill by Parliament with interest at five per centum from the said date of payment until paid whereupon a disposition in common form shall be delivered to the first party.

Fifth The Parks Trustees consent to the bridge slopes embankments and accesses being formed on the ground formerly acquired and to be acquired by them hereunder from the Feuing Company and the Police Commissioners and the Railway Company shall jointly and equally reimburse the trustees the proportion of the sum of five hundred pounds paid by the Parks Trustees to the Feuing Company applicable to the ground so occupied according to the respective areas.

Sixth The Police Commissioners shall in the first place disburse the money required to meet the expense of erecting the proposed bridge and accesses and providing the site thereof and on the completion of the works as certified by the engineer for the bridge the Railway Company shall repay to the Police Commissioners one-half of the total sum (with interest thereon at four per centum from the respective dates of payment) expended by the Commissioners in the erection of the bridge the formation of accesses the purchase of grounds required for the bridge and accesses and any

incidental expenses claims of damages or other outlay reasonably made by them in connexion with the bridge.

Seventh The erection of such bridge and other works shall be carried out on behalf of the Police Commissioners by the engineer to be appointed by them and the Railway Company and such works shall be carried out at the sight and to the reasonable satisfaction of the city engineer and the engineer of the Railway Company to whom the specifications and working plans of the bridge shall be previously submitted by the Police Commissioners before the works are commenced In the event of the engineer and the engineers of the Railway Company and the Police Commissioners differing in opinion with respect to the specifications and working plans or the carrying out of the works such difference shall be referred to and determined by the arbiter herein-after appointed.

Eighth In the event of any difference arising between the parties hereto in regard to this agreement or the implement thereof or the expedition with which the said works are being proceeded with the same shall be determined by William Robertson Copland Civil Engineer Glasgow whose decision shall be final and binding on the several parties hereto.

Ninth The Police Commissioners shall immediately after the completion of the said bridge and accesses throw the same open to the public for their free use in all time coming and shall maintain and light the same.

Tenth This agreement shall be subject to the sanction of Parliament and shall be subject to such alterations as Parliament may see fit to make therein Provided that if any alteration is made by Parliament which in the opinion of Charles Alfred Cripps Q.C. materially affects its provisions it shall be competent to any of the parties to withdraw from the same.

In witness whereof these presents written in triplicate on this and the preceding page of stamped paper by John Hercus clerk in the Town Clerk's office Glasgow are together with the plans herein-before referred to subscribed by the parties hereto all at Glasgow as follows viz. By James Colquhoun John McFarlane and David Richmond three members of the town council and by Sir James David Marwick town clerk of said city in name and on behalf of the said lord provost magistrates and council in council assembled on the fifth day of July one thousand eight hundred and ninety-four before these witnesses William Johnstone writer City Chambers Glasgow and John Smith Samuel clerk in the said town clerk's office By Joseph Macintyre Taylor and Robert Macfarlane Mitchell two of the directors and by Alexander Murray secretary of the said North Kelvinside Feuing Company and sealed with the seal of the said company on the sixth day of the month and year last mentioned as follows viz. By the said Joseph Macintyre Taylor before these witnesses Joseph Macintyre Taylor junior and Alexander Orr Walker both clerks to J. M. Taylor and Foulis writers in Glasgow and by the said Robert Macfarlane Mitchell and Alexander Murray before these witnesses George Heggie Steven junior and Kenneth Macfarlane both clerks to Carswell and Murray chartered accountants in Glasgow by Sir James King Baronet and Hugh Brown two of the directors and John Blackburn secretary of the Caledonian Railway Company for and on behalf of that company and sealed with the common seal of that company on the eighteenth day of the month and year last mentioned before these witnesses John

A.D. 1894.

Johnstone Haining and John Tully Clarke both clerks to the secretary of the Caledonian Railway Company and by the said Glasgow Police Commissioners under their corporate and common seal and by the subscription of James Bell lord provost and John McFarlane two of their number acting by their authority and on their behalf in terms of the Commissioners Clauses Act 1847 as authorised by the said Glasgow Police Commissioners on the nineteenth day of the month and year last mentioned before these witnesses the said William Johnstone and John Lindsay writer City Chambers Glasgow declaring that this testing clause from the words "In witness whereof" is written by David Elder clerk in the said town clerk's office Glasgow.

(Sgd.) W. JOHNSTONE Witness.
JNO. S. SAMUEL Witness.
J. J. HAINING Witness.
J. TULLY CLARKE Witness.
J. MACINTYRE TAYLOR Witness.
A. O. WALKER Witness.
GEORGE H. STEVEN Jr. Witness.
KENNETH MACFARLANE Witness.
W. JOHNSTONE Witness.
JOHN LINDSAY Witness.

(Sgd.) JAS. COLQUHOUN.
JOHN MCFARLANE.
DAVID RICHMOND.
J. D. MARWICK T.C.
JAMES BELL.
JOHN MCFARLANE.
JAMES KING Dr.
HUGH BROWN Dr.
J. BLACKBURN Secy.
J. M. TAYLOR Director.
R. M. MITCHELL Director.
ALEX. MURRAY Secy.

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