3284/5

SUPPLIED FOR THE PUBLIC SERVICE

CHAPTER cxxxvii.

An Act to make provision with reference to the preparation auditing and publication of the annual accounts of the Corporation of the city of Glasgow to authorise the Corporation to construct new tramways to increase the assessment for sewage purposes to borrow further moneys for the purposes of the Glasgow Tramways Acts 1905 to 1907 the Glasgow Corporation Parks Acts 1878 to 1905 and the Glasgow Sewage Acts 1891 to 1907 and to extend the boundaries of the city and for other purposes. [20th September 1909.] A.D. 1909.

WHEREAS in addition to provisions in public and general Acts of Parliament there are numerous provisions in the Glasgow Corporation Acts 1855 to 1908 with regard to the preparation auditing and publication of the annual accounts of the common good and the other accounts of the Corporation of the city of Glasgow (herein-after called "the Corporation" and "the city" respectively) and it would be a public advantage if the said provisions (so far as it is expedient to retain them as applicable to the said accounts) were consolidated with certain amendments and additions as by this Act provided:

And whereas the Corporation under and by virtue of the Glasgow Tramways Acts 1905 to 1907 have constructed and maintain tramways in and in the neighbourhood of the city and it is expedient that the Corporation should be empowered to construct and maintain the additional tramways in this Act described:

[*Price* 2*s.* 6*d.*]

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And whereas doubts have arisen as to whether the tramway undertaking of the Corporation forms part of the common good of the city and it is expedient to remove such doubts:

And whereas the Corporation under the Glasgow Tramways Acts 1905 to 1907 were authorised to borrow three million one hundred and forty-one thousand eight hundred and sixty-two pounds:

And whereas in order to meet (A) the expenditure connected with the tramways and works proposed to be authorised by this Act (B) the increased cost of bridges over the canal at Clydebank authorised by the Clydebank Burgh Tramways Order 1901 and (C) capital required for general purposes in connexion with the tramway undertaking it is expedient that the borrowing powers for tramway purposes should be increased as by this Act provided:

And whereas in terms of the agreement dated the 6th day of September 1906 between His Majesty's Postmaster-General and the Corporation the Corporation have surrendered the telephone licence dated 1st and 6th March 1900 granted to them by the Postmaster-General and the Postmaster-General has purchased and taken over from the Corporation the telephone business belonging to the Corporation and the property connected therewith:

And whereas in the winding up of the affairs of the telephone business of the Corporation the assets are insufficient to meet the obligations and there will be outstanding liabilities amounting to sixteen thousand pounds or thereby and the Corporation have resolved to pay the same out of the common good of the city but doubts have arisen as to whether such a payment may lawfully be made and it is expedient that such doubts should be removed:

And whereas for the purposes of the Glasgow Corporation Parks Acts 1878 to 1905 it is expedient that the Corporation should be authorised to raise further moneys and that the borrowing powers conferred by those Acts should be increased:

And whereas the Corporation under the provisions of the Glasgow Sewage Acts 1891 to 1907 were authorised to borrow various sums of money amounting in all to two million one hundred and sixty-four thousand six hundred and thirty pounds and these borrowing powers are insufficient in consequence of unforeseen difficulties having arisen in the construction of certain

of the works authorised by those Acts and it is expedient that the Corporation should be authorised to borrow further moneys for the completion of the works authorised by the said Acts:

And whereas it is expedient that the assessment under the Glasgow Sewage Acts 1891 to 1907 should be increased as by this Act provided:

And whereas it is expedient that a small portion of the county of Renfrew in the parishes of Eastwood and Paisley herein-after described should be incorporated with the city and county of the city of Glasgow:

And whereas it is expedient that certain sections and portions of sections of the Acts and Orders relating to the city should be repealed or amended as by this Act provided including the sections and portions of sections of the said Acts and Orders specified in the First Schedule to this Act:

And whereas it is expedient that the other powers in this Act contained should be conferred upon the Corporation:

And whereas estimates have been prepared by the Corporation in relation to the following purposes in respect of which they are by this Act authorised to borrow money and such estimates are as follows:—

	£	*s.*	*d.*
For the construction and equipment of the tramways by this Act authorised - -	53,873	2	0
For the alteration of levels of roads by this Act authorised - - - - -	3,353	18	0

And whereas the works included in such estimates are permanent works and it is expedient that the cost thereof should be spread over a term of years:

And whereas plans and sections showing the lines and levels of the tramways and other works authorised by this Act and also books of reference to those plans 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 clerks of the counties of Lanark and Renfrew and with the town clerks of the city and of the burgh of Partick and such plans sections and books of reference are herein-after respectively referred to as the deposited plans sections and books of reference:

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And whereas the purposes aforesaid 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 King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

Short title and citations.

1. This Act may be cited as the Glasgow Corporation Act 1909.

This Act and the Glasgow Corporation Acts 1855 to 1908 may be cited together as the Glasgow Corporation Acts 1855 to 1909.

This Act so far as it relates to boundaries and the Glasgow Municipal Acts 1872 and 1878 the City of Glasgow Act 1891 the Glasgow Corporation (General Powers) Act 1896 the Glasgow Corporation (Tramways Libraries &c.) Act 1899 and the Glasgow Corporation Order 1905 may be cited together as the Glasgow Boundaries Acts 1872 to 1909.

This Act so far as it relates to Clyde embankments and the Glasgow Corporation Act 1890 and the Glasgow Corporation (Tramways Libraries &c.) Act 1899 may be cited together as the Glasgow Clyde Embankments Acts 1890 to 1909.

This Act so far as it relates to electricity and the Glasgow Corporation Electric Lighting Order 1890 the Glasgow Bridges &c. Act 1894 the Glasgow Corporation (Gas and Water) Act 1899 the Glasgow Corporation (Tramways and General) Order 1901 the Glasgow Corporation (Gas &c.) Order 1902 and the Glasgow Corporation Act 1907 may be cited together as the Glasgow Electric Lighting Acts 1890 to 1909.

This Act so far as it relates to gas and the Glasgow Gas Acts 1869 to 1907 may be cited together as the Glasgow Gas Acts 1869 to 1909.

This Act so far as it relates to city improvements and the Glasgow Corporation (City Improvements) Acts 1866 to 1902 may be cited together as the Glasgow Improvements Acts 1866 to 1909.

This Act so far as it relates to libraries and the Glasgow Corporation (Tramways Libraries &c.) Act 1899 may be cited together as the Glasgow Libraries Acts 1899 and 1909.

This Act so far as it relates to loans and the Glasgow Loans Acts 1883 to 1907 may be cited together as the Glasgow Loans Acts 1883 to 1909.

This Act so far as it relates to markets and the Glasgow Markets Acts 1865 to 1907 may be cited together as the Glasgow Markets Acts 1865 to 1909.

This Act so far as it relates to municipal buildings and the Glasgow Municipal Buildings Act 1878 the Glasgow Corporation Act 1884 the Glasgow Corporation Act 1888 the Glasgow Corporation (General Powers) Act 1896 and the Glasgow Corporation (Gas &c.) Order 1902 may be cited together as the Glasgow Municipal Buildings Acts 1878 to 1909.

This Act so far as it relates to parks and the Glasgow Corporation Parks Acts 1878 to 1905 may be cited together as the Glasgow Parks Acts 1878 to 1909.

This Act so far as it relates to police and the Glasgow Police Acts 1866 to 1908 may be cited together as the Glasgow Police Acts 1866 to 1909.

This Act so far as it relates to prison payment and the Glasgow Corporation and Police Act 1882 may be cited together as the Glasgow Prison Payment Acts 1882 and 1909.

This Act so far as it relates to sewage and the Glasgow Sewage Acts 1891 to 1907 may be cited together as the Glasgow Sewage Acts 1891 to 1909.

This Act so far as it relates to tramways and the Glasgow Tramways Acts 1905 to 1907 may be cited together as the Glasgow Tramways Acts 1905 to 1909.

This Act so far as it relates to water and the Glasgow Water Acts 1855 to 1907 may be cited together as the Glasgow Water Acts 1855 to 1909.

Act divided into Parts.

2. This Act is divided into Parts as follows:—

Part I.—Preliminary.

Part II.—Accounts.

Part III.—Tramways.

Part IV.—Parks.

Part V.—Sewage.

Part VI.—Extension of boundaries.

Part VII.—Miscellaneous.

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Part I.

Preliminary.

Interpretation.

3. In this Act the following words and expressions have the meanings hereby respectively assigned to them (that is to say) :—

"Act" includes a local and personal Act and a private Act and any Order confirmed by an Act of Parliament;

"Act of 1866" means the Glasgow Police Act 1866;

"Act of 1898" means the Glasgow Corporation (Sewage &c.) Act 1898;

"Act of 1907" means the Glasgow Corporation Act 1907;

"City" means the city and royal burgh of Glasgow as extended by this Act;

"Corporation" means the Corporation of the city or the existing city as the case may be;

"Election Acts" means the Acts in force for the time being relating to the registration of parliamentary and municipal voters and the election of town councillors for the city;

"Elector" means a person who is entitled to vote in the election of a member of the Corporation;

"Existing city" means the city and royal burgh of Glasgow existing immediately prior to the annexation provided by this Act;

"Intended tramways" means the tramways and works connected therewith by this Act authorised;

"Loans Acts" means the Glasgow Loans Acts 1883 to 1907;

"Loans fund" means the fund provided by the Loans Acts;

"Lord provost" means the lord provost of the city;

"Magistrates" means the lord provost or any one or more of the magistrates of the city;

"Order of 1901" means the Glasgow Corporation (Police) Order 1901;

"Parks Acts" means the Glasgow Corporation Parks Acts 1878 to 1905;

"Police Acts" means the Glasgow Police Acts 1866 to 1908;

"Senior magistrate" means the magistrate who has been longest in office since his last election as a magistrate;

"Sewage Acts" means the Glasgow Sewage Acts 1891 to 1907;

"Sheriff" means the sheriff of the county of Lanark or any one of his substitutes;

"Town clerk" means the town clerk of the city;

"Tramways Order 1905" means the Glasgow Corporation (Tramways Consolidation) Order 1905;

"Tramways Acts" means the Glasgow Tramways Acts 1905 to 1907;

"The tramways" means any tramway or any part thereof for the time being belonging to leased to worked by or authorised to be constructed by the Corporation under the authority of Parliament;

"The tramway undertaking" means the tramways and the property works lands buildings stations machinery plant appliances apparatus rights powers and privileges for the time being belonging to the Corporation or held or used or enjoyed by them for or in relation to or in connection with the tramways;

"Water Acts" means the Glasgow Water Acts 1855 to 1907.

Part II.

Accounts.

Books of account.

4. The Corporation shall cause to be kept books of account showing all property heritable and moveable vested in them the nature of such property and all rates or assessments levied and all revenue and expenditure and all outstanding balances due to or by them.

Separate annual accounts to be made out.

5.—(1) The Corporation shall yearly cause to be made out from the said books just and accurate accounts of all revenue and expenditure and of all outstanding balances due to or by them with balance sheets applicable thereto on account of—

(A) the common good and revenue of the city; and

(B) any rates or assessments levied or collected or moneys realised received or borrowed by them under any Act under which they are authorised to levy assessments charge rates or receive uplift or borrow money;

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and notwithstanding anything contained in any Act such accounts shall be made out for the year ending on the thirty-first day of May immediately preceding showing from what sources such rates assessments or moneys have been received and to what purposes the same have been laid out and applied The said accounts with the balance sheets applicable thereto are hereinafter referred to as "the accounts."

(2) The Corporation shall cause the accounts to be made out separately and distinctly for (A) the said common good and (B) each department of the Corporation and in addition in the following cases the Corporation shall also make out separate and distinct accounts for—

(1) The river supply works authorised by the Glasgow Corporation Waterworks Amendment Act 1866;

(2) The hydraulic power supply works authorised by the Glasgow Corporation Waterworks Act 1892;

(3) The sewage purposes of the Glasgow Police (Sewage &c.) Act 1891 and any Act amending the same;

(4) The purposes of the Public Health (Scotland) Act 1897 and any Act amending the same;

(5) The purposes of the Roads and Bridges (Scotland) Act 1878 and any Act amending the same;

(6) The transferred markets referred to and defined in the Glasgow Corporation Order 1905; and

(7) The city improvements authorised by the Glasgow Corporation (Improvements and General Powers) Act 1897;

but it shall not be necessary to include such separate and distinct accounts in the general account of the department.

(3) The departments of the Corporation and the accounts thereof shall include those specified in the Second Schedule to this Act.

Accounts to exhibit complete state.

6. The accounts shall be so made out as to exhibit a complete state showing with regard to each—

(A) the assets and the liabilities;

(B) the amount set aside by the Corporation during the year for the extinction of such liabilities by way of payment of instalments annuities contributions to sinking fund or otherwise classed under different heads;

(c) the amount of each branch of revenue and assessment and the amount of the same in arrear or remaining unpaid at the date of the accounts;

(d) the amount of all sums borrowed or raised and of all sums received on sale or alienation of property distinguishing the same from the ordinary revenue;

(e) the amount of all sums paid distinguishing capital expenditure from expenditure out of revenue and of all sums remaining unpaid for or by reason of any expense incurred during the year for which such accounts shall be so made out; and

(f) all cautionary obligations positive or conditional incurred by or on account of the city distinguishing such as shall have been incurred during the year.

Appointment of auditor.

7. The Corporation shall appoint an auditor or auditors to be approved of by the Secretary for Scotland (each of such auditors being a member of one of the incorporated societies of accountants and practising in the city) for the purpose of auditing the accounts or any one or more of them and if during his tenure of office the office of auditor shall from any cause become vacant the Corporation shall appoint an auditor with the like approval to supply such vacancy for the remainder of the period for which the auditor vacating his office was appointed.

Tenure of office.

8. Every auditor (except an auditor appointed to supply a casual vacancy) shall be appointed to hold office for five years from the date of his appointment and at the end of that period shall be held to have vacated his office but the Corporation may upon sufficient cause shown and with the approval of the Secretary for Scotland remove any auditor from his office within the said period of five years.

Reappointment of auditor.

9. Any auditor who vacates his office as auditor of any one of the accounts may be appointed auditor of any other of the accounts but he shall not within five years from the date when he vacates office be eligible for reappointment to the office which he vacates except with the consent of two-thirds of the members present and voting at a meeting of the Corporation.

Fee to auditor.

10. The Corporation shall at the time of his appointment fix the fee to be paid to the auditor.

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Conditions of appointment of auditor.

11. Every auditor shall hold his office subject to the terms conditions and instructions set out in the Third Schedule to this Act or such other terms conditions and instructions as the Corporation may with the approval of the Secretary for Scotland make and the Corporation shall submit the accounts together with their books and the proper vouchers in support of the same to the auditor and shall give him every reasonable facility for carrying out the audit.

Accounts to be laid before Corporation.

12. Each of the accounts as the same shall have been audited together with the auditor's confirmation thereof and special report thereon if any shall—

(A) be examined not later than the twentieth day of August in each year by the committee of the Corporation in charge of the department to which the accounts respectively relate and each of the accounts if and as approved by the respective committees shall be signed by the convener thereof; and

(B) be laid not later than the fifteenth day of September in each year before a meeting of the Corporation and if and as approved by the Corporation shall not later than the twentieth day of September in each year be signed by the lord provost or the chairman of such meeting and the town clerk and be deposited with the town clerk.

Accounts to be open for inspection.

13. The Corporation shall forthwith after the accounts have been deposited with the town clerk—

(A) cause the accounts or abstracts thereof together with the auditor's confirmation thereof and special report thereon if any to be printed;

(B) permit any elector to inspect and examine the accounts together with the auditor's confirmation thereof and special report thereon if any at all reasonable times without payment of any fee or reward for such inspection; and

(C) transmit to the Secretary for Scotland and on the demand of any elector and on payment of such fee as the Corporation may fix not exceeding two shillings and sixpence for each of the accounts deliver to such elector a copy or abstract thereof and the auditor's confirmation thereof and special report thereon if any as printed.

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Appeal to sheriff.

14. Any elector who shall be dissatisfied with any of the accounts or any item therein may not later than the twentieth day of December complain against the same by petition to the sheriff specifying the grounds of objection and the sheriff shall hear and determine the matter of complaint and his decision shall be subject to the same right of appeal as in ordinary actions in the sheriff court Provided always that where the petition is dealt with in the first instance by the sheriff substitute there shall be an appeal to the sheriff.

Trust funds under management of Corporation.

15.—(1) Where the Corporation or the magistrates or any number of them are the sole trustees for any charity foundation or mortification then and in every such case the Corporation shall keep separate and distinct books of account relative to the same.

(2) The Corporation shall yearly cause to be made out from the said books accounts relative to such charity foundation or mortification and all the provisions in this Part of this Act contained relative to the preparation audit submission to the Corporation and inspection of the accounts and rights of appeal in respect thereof shall be applicable to the accounts of such charity foundation or mortification.

Repeal of provisions relating to audit and accounts.

16.—(1) The Acts and Orders specified in the First Part of the First Schedule to this Act are hereby repealed to the extent mentioned in the second column of that part of that schedule.

(2) Notwithstanding anything contained in the Town Councils (Scotland) Acts 1900 and 1903 the following provisions in the former Act shall not apply to the city (that is to say):—

Section 91 Books of account;
Section 92 Yearly account to be made out;
Section 93 Account to exhibit a complete state of affairs;
Section 94 Appointment of auditor;
Section 95 Accounts &c. to be delivered to auditor;
Section 96 Accounts to be laid before meeting of council; and
Section 97 Accounts of charity under management of town council.

(3) Notwithstanding anything contained in the resolutions adopted by the Corporation on the sixth day of June and the first day of August both in the year one thousand nine hundred

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and one under and in virtue of the provisions of the Town Councils (Scotland) Act 1900 the following provisions of the Acts after-named (which in virtue of those resolutions are in force in the city) shall not apply to the city (that is to say):—

(A) The Royal Burghs (Scotland) Act 1822 (3 Geo. IV. c. 91)—

Section 1 Accounts of the common good and revenues of the royal burghs specifying the particulars herein mentioned shall be stated annually Accounts to be certified by the provost &c. in the form herein set forth;

Section 2 Penalty in case of neglect to make out and deposit account;

Section 3 Account shall be deposited in office of town clerk and be open to inspection of burgesses Complaint may be made to Barons of Exchequer in case objections are not explained;

Section 4 Where magistrates &c. are trustees for any charity an account of the funds thereof shall also be annually stated &c. Penalty for neglect;

Section 9 Costs of complaints to Court of Exchequer; and

Section 10 No complaint to be made after a limited time:

(B) The Royal Burghs (Scotland) Act 1833 (3 & 4 Will. IV. c. 76)—

Section 32 Magistrates and council shall annually make up a state of their affairs.

(4) Notwithstanding anything contained in any public and general or local and personal Act the following Acts so far as they relate to audit and accounts shall not apply to the city (that is to say):—

The Commissioners Clauses Act 1847;

The Waterworks Clauses Act 1847;

The Gasworks Clauses Acts 1847 and 1871;

The Electric Lighting (Scotland) Act 1890;

The Roads and Bridges (Scotland) Act 1878; and

The Public Health (Scotland) Act 1897.

Alteration of dates.

17. The Secretary for Scotland may on the application of the Corporation alter any of the dates specified in this Part of this Act and set forth in the Fourth Schedule to this Act provided that the interval between the various stages of procedure shall not be less than the interval under the said schedule.

Applications to court in cases of difficulty.

18. Whenever it has from a failure to observe any of the provisions of this Part of this Act or from any other cause become impossible to proceed with the execution of this Part of this Act or any part thereof or whenever difficulty or dubiety exists as to the procedure to be followed in any case it shall be lawful for the Corporation or any seven electors to present a petition in manner provided by section 17 of the Burgh Police (Scotland) Act 1892 and the same procedure shall follow upon the said petition and the court to whom the same is presented shall have the same powers as is provided by the said section in regard to applications presented thereunder.

Part III.

Tramways.

Incorporation of Acts.

19. The Lands Clauses Acts so far as they are applicable for the purposes of and are not inconsistent with this Part of this Act are hereby incorporated with this Part of this Act and this Act shall be deemed to be a special Act within the meaning of those Acts.

Removing doubts as to tramway undertaking being part of common good.

20. The tramway undertaking of the Corporation shall be and shall be deemed to have always been part of the common good of the city.

New tramways.

21. Subject to the provisions of this Part of this Act the Corporation may make form lay down renew work use and maintain the tramways herein-after in this section described in the lines and according to the levels shown on the deposited plans and sections with all necessary and proper rails chairs plates sleepers channels wires poles posts conduits section boxes tubes ropes engines engine-houses subways manholes shafts junctions crossovers passing places points turntables turnouts weighbridges stables carriage-houses offices carriages sheds buildings warehouses works and conveniences connected therewith or for the purposes thereof :

Provided that nothing in this section shall authorise any interference with any works of any undertakers within the meaning of the Electric Lighting Acts 1882 and 1888 to which the provisions

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of section 15 of the former Act apply except in accordance with and subject to the provisions of that section.

The tramways herein-before in this section referred to and by this Part of this Act authorised are—

(1) Tramway No. 1.—3 furlongs 6·86 chains or thereabouts in length commencing in Cathcart Road in the city by a junction with the existing tramways in that road at a point 13 yards or thereabouts northwards from the intersection of that road with M'Lennan Street thence passing along and terminating in Cathcart Road in the county of Renfrew by a junction with the existing tramways in that road at a point 40 yards or thereabouts southwards from the intersection of Cathcart Road with Holmlea Road;

(2) Tramway No. 2.—4 furlongs 9 chains or thereabouts in length commencing in Duke Street in the city by a junction with the existing tramways in that street at a point 30 yards or thereabouts westwards from the junction of that street with the Old Edinburgh Road thence turning into and passing along Old Edinburgh Road and terminating in Westmuir Street in the city by a junction with the existing tramways in that street at a point 26 yards or thereabouts eastwards from the intersection of that street with Old Edinburgh Road;

(3) Tramway No. 4.—4 furlongs 8·21 chains or thereabouts in length commencing in Hyndland Road in the city by a junction with the existing tramways in that road at a point 10 yards or thereabouts southwards from the intersection of that road with Clarence Drive thence turning into and passing along Clarence Drive and Blenheim Drive also called Clarence Drive and terminating in Crow Road in the burgh of Partick by a junction with Tramway No. 6 herein-after described at a point 25 yards or thereabouts eastwards from the intersection of that road with Blenheim Drive also called Clarence Drive;

(4) Tramway No. 5.—1·78 chains or thereabouts in length commencing in Blenheim Drive also called Clarence Drive in the burgh of Partick by a junction with Tramway No. 4 herein-before described at a point 14 yards or thereabouts north-eastwards from the

intersection of Blenheim Drive also called Clarence Drive with Crow Road thence turning into and terminating in Crow Road in the burgh of Partick by a junction with Tramway No. 6 herein-after described at a point 20 yards or thereabouts north-westwards from the intersection of that road with Blenheim Drive also called Clarence Drive; and

(5) Tramway No. 6.—1 mile 4 furlongs 5·68 chains or thereabouts in length commencing in Dumbarton Road in the burgh of Partick by a junction with the existing tramways in that road at a point 12 yards or thereabouts eastwards from the intersection of that road with Crow Road thence turning into and passing along Crow Road and terminating in Great Western Road in the city by a junction with the existing tramways in that road at a point 31 yards or thereabouts eastwards from the intersection of that road with Crow Road.

The intended tramways which shall be laid as double lines will be situate in the parishes of Glasgow Govan Renfrew and Cathcart the city and the burgh of Partick and the counties of Lanark and Renfrew.

Alterations of levels of roads.

22. Subject to the provisions of this Part of this Act the Corporation may make in the lines and according to the levels shown on the deposited plans and sections the alterations of levels of roads herein-after in this section described with all necessary roads approaches embankments walls junctions 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 those purposes The alterations of levels of roads herein-before in this section referred to and by this Part of this Act authorised are—

An alteration of the level of that part of Cathcart Road situated between old Cathcart Road and Holmlea Road wholly in the parish of Cathcart in the city and the county of Lanark commencing at a point in Cathcart Road twelve yards or thereabouts east of the east side of the bridge carrying the Caledonian Railway Cathcart Branch over that road and terminating at a point twelve yards or thereabouts west of the west side of the said bridge; and

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An alteration of the level of Clarence Drive wholly in the parish of Govan in the burgh of Partick and the county of Lanark commencing at a point in that road twenty-two yards or thereabouts east of the east side of the bridge carrying the North British Railway Hyndland Branch over that road and terminating at a point fifty-nine yards or thereabouts south-westwards of the west side of the bridge carrying the Lanarkshire and Dumbartonshire Railway over the said road.

Application of sections of Tramways Order 1905 to Act.

23. The following sections of the Tramways Order 1905 shall extend and apply to the alterations of levels of roads by this Part of this Act authorised to the same extent and effect as if they had been authorised by the Tramways Order 1905 (that is to say) :—

Section 9 Regulations as to alterations of road levels;

Section 11 Alteration of steps areas pipes &c.;

Section 12 Alteration of roads &c. temporarily;

Section 19 Underpinning or otherwise strengthening houses;

Section 20 Compensation to be settled by single arbiter; and

Section 21 Taking of servitudes &c. by agreement.

For protection of certain railway companies.

24. Whereas certain of the intended tramways will be laid along roads which are carried over or pass under bridges belonging to the Caledonian Railway Company the Lanarkshire and Dumbartonshire Railway Company or the Cathcart District Railway Company (herein-after called for their respective interests "the companies") And whereas the works and operations of the Corporation on the said roads may affect the works of the companies Therefore the following provisions shall (unless otherwise agreed) apply for the protection of the companies (that is to say) :—

(1) Before commencing any works or operations affecting the railways or the roadway under or on any such bridge or the roadway above any tunnel or any of the bridges or railways of the companies or works connected therewith the Corporation shall submit plans sections working drawings and specifications of such works or operations to the companies for their

approval and the said works and operations shall be constructed and carried on in conformity only with the said plans sections working drawings and specifications at the sole cost of the Corporation and at the sight and to the reasonable satisfaction of the companies' engineers and such works shall thereafter be maintained and repaired by the Corporation under the superintendence of the said engineers Provided that the approval of the companies as aforesaid shall not be unreasonably withheld and that it shall be deemed to have been given unless the companies signify their disapproval and the grounds thereof within twenty-one days after submission of the said plans sections working drawings and specifications;

(2) In lowering the roadways of Clarence Drive and Cathcart Road where these pass under bridges carrying railways of the companies over the said Clarence Drive and Cathcart Road and in constructing the works by this Act authorised over the bridge carrying Clarence Drive over the railway at Crow Road passenger station and over the tunnel under Crow Road near the said station the Corporation shall if necessary underpin or otherwise strengthen or support the said bridges and tunnel and the Corporation shall pay to the companies all expenses properly incurred by them in connexion with such works including the expenses of inspectors signalmen watchmen and others and all extra precautions for the safety and working of the traffic The Corporation shall also make adequate provision for the drainage of the said Clarence Drive and Cathcart Road where lowered under the bridges and any portion of the abutments of the said bridges and retaining walls in connexion therewith that may be exposed by such lowering of the roads shall be dressed and finished uniformly with the part thereof above the present surface of the ground;

(3) Except as otherwise herein provided the Corporation shall not in the construction adaptation alteration maintenance or use of the intended tramways injure alter or interfere with the structure of any of the said bridges and tunnel of the companies or any of the sidings or works of the companies or the electric

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telegraphic telephonic or signalling apparatus belonging to or maintainable by the companies or cause any interruption to or interference with the traffic on the companies' railways;

(4) Any electric wires of the Corporation which may be attached to the underside of the companies' bridges over Clarence Drive or Cathcart Road or to the bridge carrying Clarence Drive over the railway at Crow Road Station shall be fixed to the reasonable satisfaction of the engineers of the companies and so as not to injure the said bridges;

(5) If any injury to or any interference with the said bridges or works or apparatus of the companies or any interruption to the traffic on the railways shall arise or be occasioned at any time by the works or operations of the Corporation in connexion with the intended tramways and not by reason of any fault or neglect of the companies or their servants or any person using their railways the Corporation shall forthwith make good or remove such injury interference or interruption at their own expense or in default of their doing so the companies may execute the necessary works for that purpose at the expense of the Corporation and the Corporation shall pay to the companies all costs and expenses incurred by them in so doing and all loss or damage sustained by the companies in consequence of such injury interference or interruption;

(6) Nothing in this Act contained or which may be done in pursuance thereof shall prevent the companies so far as they have power to do so from maintaining and repairing and when necessary renewing altering or reconstructing the said bridges tunnel or other works or widening the lines of railway under or over such bridges without interference on the part of the Corporation in respect of the intended tramways and without incurring any liability to the Corporation or to any party working or using the intended tramways for any loss injury damage expense or interruption of traffic on the said tramways which may arise from such maintenance repair renewal alteration or reconstruction and any extra expense which the companies may incur in such maintenance repair renewal altera-

tion or reconstruction by reason of the construction maintenance or user of the intended tramways shall be paid by the Corporation Provided that all such operations shall be executed by the companies in such manner as to cause as little interruption or inconvenience as practicable to the traffic on the said tramways and that the companies shall if necessary lay at their own expense temporary tramways to maintain the continuity of the tramway traffic and the companies shall give fourteen days' notice in writing to the Corporation before commencing any such operations and the same so far as interfering with the intended tramways shall be conducted at the sight and to the reasonable satisfaction of the engineer of the Corporation;

(7) If having regard to the proposed position of the intended tramways when considered in relation to the position of the works of the companies at any point where the wires of the companies pass over or under the intended tramways it is advisable that the electric telegraphic telephonic or signalling apparatus belonging to or maintainable by the companies should be altered the companies may after reasonable notice to the Corporation execute any works reasonably necessary for such alteration and the reasonable expense of executing such works shall be borne by the Corporation; and

(8) Any question or difference between the Corporation and the companies or their engineers arising under this section shall be determined by an arbiter to be agreed upon between the Corporation and the companies or failing agreement to be nominated by the Board of Trade on the application of either party.

Owners may be required to sell parts only of houses or buildings.

25. Whereas in the construction of the works by this Part of this Act authorised or otherwise in exercise of the powers of this Act it may happen that portions only of the lands houses or other buildings or manufactories shown on the deposited plans may be sufficient for the purposes of the same and that such portions may be severed from the remainder of the said properties without material detriment thereto Therefore notwithstanding section 90 of the Lands Clauses Consolidation (Scotland) Act 1845 the owners of and other persons interested in the lands

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houses or other buildings or manufactories described in the Fifth Schedule to this Act and whereof parts only are required for the purposes of this Part of this Act may if such portions can in the opinion of the arbiter to whom the question of disputed compensation shall be submitted be severed from the remainder of such properties without material detriment thereto be required to sell and convey to the Corporation the portions only of the properties so required without the Corporation being obliged or compellable to purchase the whole or any greater portion thereof the Corporation paying for the portions required by them and making compensation for any damage sustained by the owners thereof and other persons interested therein by severance or otherwise.

Correction of errors &c. in deposited plans and books of reference.

26. 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 or described in the deposited books of reference the Corporation after giving ten days' notice to the owners lessees and occupiers affected by such proposed correction may apply to the sheriff for the correction thereof and if it appear to the sheriff that such omission mis-statement or wrong description arose from accident or mistake he shall certify the same accordingly and 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 county of Lanark and a duplicate thereof with the town clerk of the city and with the town clerk of the burgh of Partick in which the lands affected thereby are situate and such certificate and duplicates respectively shall be kept by such clerks with the other documents to which the same relate and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and the Corporation may take the lands and execute the works in accordance with such certificate.

Period for compulsory purchase of land.

27. The powers of the Corporation for the compulsory purchase of land 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 tramways.

28. The intended tramways and the alterations of levels of roads by this Part of this Act authorised shall be completed within five years from the passing of this Act and on the expiration

of that period the powers granted to the Corporation for the construction of these tramways and alterations of levels of roads or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Borrowing powers for tramways.

29.—(1) The Corporation may borrow for the purposes of the powers conferred upon them by the Tramways Acts and by this Part of this Act and in the manner authorised by and subject to the provisions with respect to the borrowing of money and the repayment thereof by means of a sinking fund of the Tramways Order 1905 any sum of money not exceeding three hundred and nine thousand six hundred and twenty-five pounds in addition to the sum of three million one hundred and forty-one thousand eight hundred and sixty-two pounds authorised to be borrowed by the Tramways Acts and if after having borrowed the said sum or any part thereof the Corporation pay off the same by other means than by sinking fund they may reborrow the same.

(2) The amount borrowed by the Corporation for the purposes of the tramway undertaking whether in exercise of their powers under the Tramways Acts and this Act or at common law shall not exceed in amount the total sum they are authorised to borrow by the Tramways Acts and this Part of this Act.

(3) The sinking fund provisions of the Tramways Order 1905 shall extend and apply—

(A) to money borrowed by the Corporation for the purposes of the tramway undertaking at common law; and

(B) to the moneys borrowed under the authority of the Act of 1907 for the purposes of the Tramways Acts.

Application of tramway revenue.

30. The revenue from the tramway undertaking shall be applied annually in the following manner:—

(1) In maintaining the tramways and so much of the streets in which the same are laid as is required to be maintained and kept in good repair and condition by the promoters of tramways by section 28 of the Tramways Act 1870;

(2) In paying all working and other expenses properly chargeable to revenue;

(3) In providing the interest on any moneys raised or borrowed by the Corporation for tramway purposes under the powers of the Tramways Acts and of this

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Part of this Act or at common law together with the amount necessary to be paid into sinking fund for the repayment of the moneys so raised or borrowed as provided by the Tramways Acts and this Act;

(4) In providing the sum necessary to meet depreciation;

and the surplus after providing such payments shall be carried to the credit of the common good to be applied at the discretion of the Corporation in extinction of debt or reduction of rates or for any other purpose to which the common good may competently be applied.

Application of Tramways Order 1905 to new tramways.

31. The intended tramways shall form one undertaking with the tramways authorised to be constructed under the Tramways Acts and the provisions contained in the Tramways Order 1905 and section 9 (Use of posts standards &c. by Postmaster-General) of the Act of 1907 shall extend and apply to the intended tramways in the same manner and to the like effect as if they were part of "the tramways" "the intended tramways" and "the tramway undertaking" as defined by section 2 (Interpretation) of the Tramways Order 1905.

Part IV.

Parks.

Borrowing powers for parks.

32. The Corporation may borrow for the purposes of the powers conferred upon them by the Parks Acts and in the manner authorised by those Acts or by the Loans Acts any sum of money not exceeding thirty-five thousand pounds in addition to the sum of one million one hundred thousand pounds authorised to be borrowed by the Parks Acts and they may again borrow any sum which may be repaid by them by other means than by the sinking funds provided by the Parks Acts and this Part of this Act or out of the proceeds of the sale of lands or other receipts of the nature of capital other than borrowed money and any moneys so reborrowed by them shall be deemed to have been borrowed under the powers and for the purposes of the Parks Acts and shall form part of the moneys authorised to be borrowed under the Parks Acts and this Part of this Act and the maximum amount which may be borrowed under the Parks Acts is hereby increased accordingly.

Sinking fund under Part IV. of Act.

33. The Corporation shall during the year ending the thirty-first day of May one thousand nine hundred and ten and annually thereafter set apart out of the assessments feu duties rents and

other revenue received by them under the powers of the Parks Acts and pay into the loans fund as a sinking fund on the amount borrowed by them under this Part of this Act as at the thirty-first day of May preceding and not paid off by other means than by sinking fund such sum as will secure that the amount so borrowed shall be repaid within a period not exceeding sixty years from the date of such borrowing The Corporation shall apply such sinking fund in repayment of the amount so borrowed.

Part V.

Sewage.

Borrowing powers for sewage purposes.

34. Section 33 (Borrowing powers) of the Act of 1907 authorising the Corporation to borrow money for sewage purposes shall be read and have effect as if the sum of two million three hundred and fourteen thousand six hundred and thirty pounds were therein mentioned instead of the sum of two million one hundred and sixty-four thousand six hundred and thirty pounds.

Sinking fund under Part V. of Act.

35. The Corporation shall annually set apart such sum as will secure that the amount borrowed by them under the authority of this Part of this Act shall be repaid within a period not exceeding sixty years from the date of such borrowing and they shall apply such sum as a sinking fund in paying off the principal sums so borrowed.

Assessments.

36. Subsection 2 of section 42 of the Act of 1898 shall be read and have effect as if an assessment not exceeding sevenpence in the pound were therein mentioned instead of an assessment not exceeding sixpence in the pound.

As to assessment in defined area of Order of 1901.

37. With respect to the sewage purification assessment to be imposed by the county council of the county of Lanark on the area described in the schedule to the Order of 1901 the period within which that assessment shall not exceed a maximum rate of fourpence per pound in each year is hereby extended for a further period of two years.

Part VI.

Extension of Boundaries.

Annexation of certain lands in Renfrewshire to Glasgow.

38. The city shall from and after the twenty-fourth day of August one thousand nine hundred and nine comprehend in addition to the area lands and territory embraced within the

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existing city the area lands and territory in the county of Renfrew within the following boundaries and limits herein-after called "the added area" (that is to say):—

Commencing at a point on the existing city boundary near Dumbreck Road where that boundary intersects the Glasgow and South Western Railway (Paisley Canal Line) thence proceeding in a westerly direction along the north side of the said railway to a point five feet to the east of the centre line of the hedge which forms the eastern boundary of Corkerhill Road thence in a northerly direction in a line parallel with and five feet eastwards from the centre line of the said hedge till the said line intersects the existing city boundary near Elizabeth Drive thence south-eastward eastward north-eastward and southward along the existing city boundary to the point first described which area lands and territory are situated in the parishes of Eastwood and Paisley.

Deposit of map.

39. A map of the city showing the city boundaries as existing at the passing of this Act and also as extended by this Act of which six copies have been signed by the Right Honourable Richard Walter John Earl of Donoughmore the Chairman of the Committee of the House of Lords to whom the Bill for this Act was referred shall be deposited as follows One copy shall within one month after the passing of this Act be deposited in the Office of the Secretary for Scotland Whitehall London one copy shall be deposited in the Office of the Clerk of the Parliaments of the House of Lords one copy in the Private Bill Office of the House of Commons one copy with the Board of Trade Whitehall London one copy with the town clerk and one copy with the sheriff clerk of Renfrewshire at his office in Paisley and a copy of the said map certified by the town clerk shall be sent as soon as may be after such deposits to the Board of Agriculture and Fisheries London Provided that the copies deposited with the said town clerk and sheriff clerk shall be open at all reasonable times to the inspection of any ratepayer without charge.

Added area to form part of city and county of city of Glasgow.

40. The added area shall from and after the twenty-fourth day of August one thousand nine hundred and nine be incorporated with and form part of the city and county of the city of Glasgow and be disjoined from the county of Renfrew in the same manner and to the same effect and for every purpose as if it had formed part of the area disjoined from the said county and

incorporated with and annexed to the city by the City of Glasgow Act 1891. A.D. 1909.

Added area to form part of adjoining municipal ward.

41. For all purposes other than for the purposes of parliamentary elections the added area shall form part of the municipal ward of the city which it immediately adjoins.

For protection of Renfrewshire County Council.

42.—(1) The Corporation in respect of the annexation to the city of the added area shall within one month after the passing of this Act pay to the county council of the county of Renfrew (in this section referred to as "the county council") for and on behalf of the county council and of the district committee of the first or upper district of that county (in this section referred to as "the district committee") the sum of forty-seven pounds nine shillings and twopence with interest at the rate of five per centum per annum from the date of payment until paid in respect of the proportion applicable to the added area of any debt or capital expenditure or of continuing administrative expenditure in connexion with the county generally for police lands valuation diseases of animals general purposes roads public health or any other matter whatsoever which sum shall be applied by the county council and the district committee in payment pro tanto of the debts or capital expenditure of the county council or district committee or for behoof of the said county and district respectively in such manner as they may think fit The said sum shall be in full satisfaction of all claims competent to the county council and district committee in connexion with the annexation to the city of the added area and also in full of all and every claim for compensation by officers or servants of the county council or district committee in respect of loss or diminution of salary or emoluments consequent upon the annexation to the city of the added area.

(2) The following provisions shall unless otherwise agreed be binding on the county council the district committee and the Corporation respectively with regard to Corkerhill Road (that is to say) :—

(A) Within four years from the passing of this Act the Corporation shall for the purpose of widening Corkerhill Road give up and add to the said road a strip of their property along the whole length of the eastern side of the said road so far as that road is ex adverso of the added area and such strip shall not be less than five feet in width measured from the centre line of the

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hedge which at present forms the eastern boundary of the said road:

(b) The Corporation shall not later than the date of completion of the widening of the said road construct at their own expense a footpath on the east side of the said road of at least ten feet in width including kerb and channel ex adverso of the added area and shall bear and pay the expense of making one-half of the widened road as and when the same comes to be widened The outside face of the kerb of the said footpath shall be laid along the line which forms the western boundary of the added area so far as it is ex adverso of the said road:

(c) The work of widening the said road shall be done by the county council or district committee and after the road has been widened the county council or district committee shall be bound at their own expense to maintain the same:

(d) The Corporation shall if and when they think fit widen at their own expense the remainder of Corkerhill Road westwards to its junction with Paisley Road near Half-Way House The county council and the district committee shall not object to the Corporation effecting such widening and shall after such widening is completed be bound to maintain the widened road so far as within the county.

(3) So long as it shall be necessary to include the lands and heritages in the added area within the county of Renfrew for the purposes of the Election Acts so far as relating to the registration of parliamentary voters for that county the assessor for the city shall in matters relating to the registration of voters within the added area give to the assessor for the said county access to and the use within the office of the assessor for the city of all books and schedules necessary to enable him to make up his list of county voters for the added area.

(4) The Corporation shall on the fifteenth day of May one thousand nine hundred and ten and annually thereafter on the fifteenth day of May so long as the added area shall continue to be part of the county of Renfrew for the purposes of parliamentary elections pay to the county council such proportion of the expenses payable by them for the registration of parlia-

mentary voters in the added area as the number of such voters registered yearly in the added area shall bear to the total number of parliamentary voters registered yearly in the division of the said county in which the added area is situated.

Part VII.

Miscellaneous.

Confirming scheduled agreement.

43. The agreement made between the Most Noble Douglas Beresford Malise Ronald Duke of Montrose K.T. of the one part and the Corporation of the other part a copy of which is set forth in the Sixth Schedule to this Act is hereby confirmed and made binding on the respective parties thereto who may respectively do all things necessary for carrying the said agreement into effect.

Power to appoint deputy chairman.

44. Notwithstanding anything contained in the Town Councils (Scotland) Act 1900 the Corporation may appoint annually in the month of November a member of the Corporation to be deputy chairman who in the absence of the lord provost shall preside at all meetings of the Corporation In the absence of the lord provost and of the deputy chairman (if appointed) the senior magistrate present and in the absence of all the magistrates the dean of guild and in his absence the deacon-convener whom all failing a member to be chosen by the meeting shall preside and the chairman of the meeting shall have both a deliberative and in case of equality a casting vote in all matters which come before such meeting.

Section 20 (Chairman of magistrates and council) of the Act of 1866 is hereby repealed.

Signing of dean of guild court warrants.

45. Notwithstanding any practice heretofore obtaining in the dean of guild court of the city warrants of citation and interlocutors (A) granting continuations or adjournments and (B) fixing diets (excepting diets of proof) may be signed by the clerk to that court and when so signed shall be of the same force and effect to all intents and purposes as if the same had been signed by the dean of guild.

Application of Public Health (Scotland) Act 1897.

46. All bonds assignations conveyances instruments agreements receipts or other writings made or granted for public health sewage or waterworks purposes by or to or in favour of the Corporation under or in virtue of the Loans Acts Police

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Acts Sewage Acts and the Water Acts shall without prejudice to the provisions of these Acts be deemed to have been made or granted under the Public Health (Scotland) Act 1897.

Authorising payment of deficit on telephone undertaking out of common good fund.

47. The Corporation may out of the common good fund of the city discharge any obligations or pay any outstanding liabilities of or in relation to the telephone business formerly carried on by them in virtue of a licence in their favour granted by the Postmaster-General Provided that the said payment may be spread over a period not exceeding five years from the passing of this Act.

Expenses of Act.

48. The costs charges and expenses of and incident to the preparing for obtaining and confirming of this Act or otherwise in relation thereto shall be paid by the Corporation and if paid out of borrowed money shall be repaid out of revenue within five years from the passing of this Act.

The SCHEDULES referred to in the foregoing Act. A.D. 1909.

FIRST SCHEDULE.

Part I.

List of Sections of Acts repealed by the Section of this Act of which the Marginal Note is "Repeal of Provisions relating to Audit and Accounts."

Title of Act or Order.	Extent of Repeal.
Glasgow Corporation Waterworks Act 1855.	Section 10.
Glasgow Corporation Waterworks Amendment Act 1859.	Section 14 and section 15.
Glasgow Markets and Slaughterhouses Act 1865.	Sections 19 21 22 and 23.
Glasgow Corporation Waterworks Amendment Act 1866.	Section 29.
Glasgow Improvements Act 1866 - -	Sections 36 38 and 39.
Glasgow Police Act 1866 - - -	Sections 23 24 25 26 and 27 so far as that section is not already repealed.
Glasgow Bridges Consolidation Act 1866 -	Sections 66 and 67.
Glasgow Corporation Gas Act 1869 - -	Section 84.
General Police and Improvement (Scotland) Act 1862 Order Confirmation (Glasgow) Act 1877.	Section 9.
Glasgow Public Parks Act 1878 - -	Sections 31 32 and 33.
Glasgow Municipal Buildings Act 1878 -	Sections 37 38 and 39.
Glasgow Municipal Act 1879 - - -	Section 10.
Glasgow Corporation and Police Act 1882	Sections 36 37 and 38.
Glasgow Corporation Act 1884 - -	Section 44.
Glasgow Bridges &c. Act 1886 - -	Section 19.
Glasgow Corporation Act 1890 - -	Section 16 so far as regards accounts and audit.
Kelvinside Electric Lighting Order 1890 -	Sections 8 and 9.
City of Glasgow Act 1891 - - -	Section 45 so far as dealing with the keeping of separate accounts.
Glasgow Bridges &c. Act 1894 - -	Section 46.
Glasgow Corporation and Police Act 1895	Section 5.
Glasgow Corporation (Improvements and General Powers) Act 1897.	Section 21.
Glasgow Corporation (Tramways Libraries &c.) Act 1899.	Section 41.
Glasgow Corporation Order 1905 - -	Section 53 the words "shall keep separate capital and revenue accounts."
Glasgow Corporation Act 1907 - -	Section 70 (4).

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Part II.

Section of Act repealed by the Section of this Act set out in the Third Column of this Part of this Schedule.

Title of Act.	Section Repealed.	Section of this Act authorising Repeal.
Glasgow Police Act 1866 - - - -	20	44

Part III.

List of Sections of Acts amended by the Sections of this Act set out in the Third Column of this Part of this Schedule.

Title of Act.	Sections Amended.	Sections of this Act authorising Amendment.
Glasgow Corporation (Sewage &c.) Act 1898	42 (2)	36
Glasgow Corporation Act 1907 - - -	33	34

SECOND SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Separate annual accounts to be made out.")

Departments.	Accounts.	Acts relative to which Accounts are made out.
General -	Common good.	Glasgow Municipal Buildings Act 1878 and any Act amending the same.
	Municipal Buildings.	
	Births Deaths and Marriages.	The Births Deaths and Marriages (Scotland) Act 1854 and any Act amending the same.
	Registration of Voters.	The Burgh Voters Registration (Scotland) Act 1856 and any Act amending the same.
	Lands Valuation	The Lands Valuation (Scotland) Act 1854 and any Act amending the same.
	Prison Payment	Glasgow Corporation and Police Act 1882 and any Act amending the same.
	Clyde Embankments.	Glasgow Corporation Act 1890 and any Act amending the same.
	Diseases of Animals Acts.	Diseases of Animals Act 1894 and any Act amending the same.
	Boundaries -	Glasgow Municipal Act 1872 and any Act amending the same.

Departments.	Accounts.	Acts relative to which Accounts are made out.
	Inebriates -	Inebriates Acts 1879 to 1900 and any Act amending the same.
	Loans - -	Glasgow Corporation Loans Act 1883 and any Act amending the same.
	Libraries - -	Glasgow Corporation (Tramways Libraries &c.) Act 1899 Part III. (Libraries) and any Act amending the same.
	Lunacy - -	Lunacy Act 1857 and any Act amending the same.
Police -	Police (1) -	Glasgow Police Act 1866 and any Act amending the same.
	Police (2) -	Glasgow Police (Sewage &c.) Act 1891 and any Act amending the same.
	Police (3) -	Public Health (Scotland) Act 1897 and any Act amending the same.
	Police (4) -	Roads and Bridges (Scotland) Act 1878 and any Act amending the same.
Water -	Water (1) -	Glasgow Corporation Waterworks Act 1855 and any Act amending the same.
	Water (2) -	Glasgow Corporation Waterworks (Amendment) Act 1866 and any Act amending the same.
	Water (3) -	Glasgow Corporation Waterworks Act 1892 and any Act amending the same so far as relating to hydraulic power supply works.
Gas - -	Gas - - -	Glasgow Corporation Gas Act 1869 and any Act amending the same.
Electricity -	Electricity -	Glasgow Corporation Electric Lighting Order 1890 and any Act amending the same.
Tramways -	Tramways -	Glasgow Corporation (Tramways Consolidation) Order 1905 and any Act amending the same.
Parks -	Parks - -	Glasgow Corporation Parks Act 1869 and any Act amending the same.
Markets -	Markets (1) -	Glasgow Corporation Markets Act 1865 and any Act amending the same.
	Markets (2) -	Glasgow Corporation Order 1905 Part III. (Markets) and any Act amending the same.
City Improvements	City Improvements (1).	Glasgow Improvements Act 1866 and any Act amending the same.
	City Improvements (2).	Glasgow Corporation (Improvements and General Powers) Act 1897 Part II. (City Improvements) and any Act amending the same.

THIRD SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Conditions of appointment of auditor.")

Terms and Conditions of Appointment of Auditor and Instructions to Auditor.

1. The audit by the auditor shall as far as possible be continuous the books and accounts being audited at least once every three months.

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2. The auditor shall make himself acquainted with all Acts affecting the department whose books and accounts he has been appointed to audit.

3. The auditor shall satisfy himself as to the accuracy and sufficiency of the books and accounts and shall see that all the transactions are correctly recorded.

4. The auditor shall go carefully into the nature of all items of expenditure so that he may be satisfied that these are correctly allocated as between capital and revenue.

5. The auditor shall satisfy himself by reference to the Acts or otherwise as to the legality of all items of expenditure and allocation.

6. The auditor shall see that parliamentary powers have been obtained for all sums borrowed for capital purposes where such powers are required.

7. The auditor shall satisfy himself that the provisions regarding sinking funds and any statutory or other requirement as to the repayment or extinction of debt are being complied with.

8.—(1) The auditor shall not pass any payment unless the same has been authorised either (A) by the Corporation or (B) by the responsible committee of the Corporation the amount of the payment being in the one case shown in the minute or in the other case in the account or statement duly initialed by the proper official or officials and by a member or members of the committee.

(2) The auditor shall see that the said account or statement is stamped with a rubber or other stamp giving the name of the committee the date when the payment was authorised and providing space for the requisite initials of the member or members of the committee or bears a docquet giving the said particulars.

(3) The auditor shall initial all vouchers submitted to him and shall stamp or mark thereon the date of submission.

9. The auditor shall as far as possible assure himself that all the revenue and expenditure for the year under review has been brought into the accounts.

10. The auditor shall see that all the sums due to the Corporation —such as assessments rents feu duties duplications feudal casualties accounts for material sold &c.—are accounted for and shall satisfy himself that all sums written off as irrecoverable or as abatements have been so dealt with by authority of the Corporation or the responsible committee.

11. On the completion of his audit and not later than the thirty-first day of July in each year the auditor shall—

(A) if satisfied certify that the annual accounts and balance sheet are correctly stated duly vouched and exhibit the true position of the undertaking; or

(B) otherwise report to the Corporation on the accounts and balance sheet.

12. Unless expressed otherwise the certificate of the auditor shall imply that these instructions have been carried out.

13. The auditor shall whenever he thinks necessary in addition to his certificate make a special report to the Corporation This report which shall be printed in the minutes issued to the members of the Corporation may among others deal with such matters as the following (that is to say):—

(A) the method of book-keeping both in regard to the general and subsidiary books whether the books are properly kept and are the most suitable for the undertaking;

(B) the method of internal check which is in operation in regard to the subsidiary books and the sufficiency or insufficiency of such check;

(C) the position of the borrowing powers and sinking funds;

(D) whether the expenditure on capital during the year has been authorised by the Corporation;

(E) any items of expenditure which he may consider illegal;

(F) the necessity or expediency of charging revenue with sums to institute a reserve fund or to provide for depreciation or obsolescence of plant and the sufficiency or insufficiency of sums which may have been so charged having regard to the payments made on account of sinking fund.

FOURTH SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Alteration of dates.")

Table of Dates for Accounts &c.

Account to close	-	-	31st May.
Auditor to report	-	not later than	31st July.
Submit account to—			
(A) the committee	-	,, ,, ,,	20th August.
(B) the Corporation	-	,, ,, ,,	15th September.
Deposit account with the town clerk		,, ,, ,,	20th September.
Appeal to sheriff	-	,, ,, ,,	20th December.

FIFTH SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Owners may be required to sell parts only of houses or buildings.")

Houses or other Buildings of which Parts only may be taken.

Parish.	Nos. of Properties on deposited Plans.
City of Glasgow and parish of Cathcart - -	4 5
Burgh of Partick and parish of Govan - -	20 21 22

SIXTH SCHEDULE.

(Referred to in the section of this Act of which the marginal note is "Confirming scheduled agreement.")

Stamp.

Seventeen shillings and sixpence.

Agreement between the Most Noble Douglas Beresford Malise Ronald Duke of Montrose K.T. being the first party hereto of the first part and the Corporation of the City of Glasgow acting under the Glasgow Waterworks Acts 1855 to 1907 being the second parties hereto of the second part.

Whereas the second parties with the view of affording an increased supply of water for the said city suburbs thereof and districts and places adjacent over and above the fifty million gallons per day which by the Glasgow Corporation Waterworks Act 1855 they were authorised to take for that purpose were by the Glasgow Corporation Waterworks Act 1885 (herein-after called "the Act of 1885") and subject to the provisions of sections sixteen seventeen and twenty of that Act and subject also to the provisions of an Agreement with the first party scheduled to and confirmed by the Act of 1885 inter alia empowered from time to time by means of the works by that Act authorised to take collect divert impound and use all the waters of Loch Arklet and Arklet Water and of any streams springs and burns supplying or flowing into the same:

And whereas the works which by the Act of 1885 the second parties were authorised to construct for enabling them to take collect divert impound and use the waters of Loch Arklet and the Arklet Water for the purpose foresaid consisted inter alia of the dam or

embankment and discharge culvert particularly described in section five subsections (three) and (four) of the Act of 1885:

And whereas the first party has proprietary rights in Loch Arklet and in the lands adjoining that loch in or through which the said dam or embankment and discharge culvert were authorised to be constructed:

And whereas with the view of preserving the purity and preventing the pollution of the water in or flowing into Loch Katrine and Loch Arklet an Agreement (herein-after called "the Agreement of 1892") which was scheduled to and confirmed by the Glasgow Corporation Waterworks Act 1892 (herein-after called "the Act of 1892") was entered into between the first party and the second parties whereby the first party on the narrative inter alia that certain parts of the lands of which he was institute or heir of entail in possession were included within the watersheds of Loch Katrine and Loch Arklet agreed to limit and restrict the number of steamboats that might be placed by him or his successors on Loch Katrine and not to give right to any persons not having houses within the watersheds of the said lochs to place boats of any kind on the said lochs or either of them but without prejudice as therein mentioned and also to limit and restrict the number of dwelling-houses or other buildings that might be erected by him or his foresaids upon the parts of the said lands and estates comprehended within the watersheds of the said lochs delineated and coloured pink on the plan therein referred to:

And whereas in respect of those limitations and restrictions of the rights of the first party and his foresaids the second parties paid to the first party the sum of eight thousand pounds as provided for in Article four of the Agreement of 1892:

And whereas the second parties were by the Glasgow Corporation (Water and General) Order 1902 (herein-after called "the Order of 1902") which was scheduled to and confirmed by the Glasgow Corporation (Water and General) Order Confirmation Act 1902 inter alia empowered to abandon the said embankment and discharge culvert authorised by the Act of 1885 and to construct certain other works and to acquire rights in or over other and additional lands belonging to the first party and in particular to construct on the first party's said lands the dam or embankment and discharge culvert described in section five subsections (one) and (two) of the Order of 1902 at points considerably westwards of the sites for the said dam or embankment and discharge culvert authorised by the Act of 1885:

And whereas the limitations and restrictions contained in the Agreement of 1892 do not apply to the watershed draining into the space between the sites for the dam or embankment authorised by the Act of 1885 and the dam or embankment authorised by the Order of 1902 which watershed is herein-after called "the additional watershed of Loch Arklet":

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And whereas the second parties are desirous of applying to the Secretary for Scotland for a Provisional Order in terms of the Private Legislation Procedure (Scotland) Act 1889 for the purpose inter alia of extending to the additional watershed of Loch Arklet limitations and restrictions similar to those contained in the Agreement of 1892 and the first party has agreed not to oppose the said Provisional Order and to consent to the same being passed into law upon the terms and conditions following:—

Therefore the said parties have agreed and do hereby agree and bind themselves and their respective successors mutually to each other as follows videlicet:—

Firstly The first party agrees and binds himself to the second parties not to erect dwelling-houses or other buildings of any kind upon his lands comprehended within the additional watershed of Loch Arklet as such lands are delineated and coloured pink on the ordnance survey plan subscribed in triplicate by the parties as relative hereto one copy whereof is deposited in the office of the sheriff clerk of the county of Stirling but without prejudice to the rights of the first party to erect within the additional watershed of Loch Arklet each or any of the additions to or enlargements of existing buildings or buildings replacing those existing on the lands delineated and coloured pink on the plan referred to in the Agreement of 1892 or the two new shooting lodges with two cottages for gamekeepers for all of which power is reserved to him by the First Article of the Agreement of 1892 and also to erect a new cottage in respect that the present cottage at Lettereigh is being taken by the second parties and such other buildings as may be necessary in connexion exclusively with the agricultural or pastoral use of the additional watershed of Loch Arklet and to make additions to those buildings as may be necessary as aforesaid.

Secondly The first party agrees not to give rights to any persons other than his sporting tenants for the time or persons having houses within the watershed or additional watershed of Loch Arklet to place boats of any kind on that loch.

Thirdly From and after the date when the Act confirming the said Provisional Order shall receive the Royal Assent the first party and his heirs and successors in the said lands and others within the additional watershed of Loch Arklet and their feuars or lessees or other third parties deriving right from them or any of them shall be and are hereby prohibited in all time coming from erecting houses or buildings on the said lands and others or any part thereof saving as is herein-before mentioned and from giving permission to any persons other than as aforesaid to place boats on that loch The prohibition herein-before set forth shall be enforceable by way of interdict or otherwise at the instance of the second parties against any person infringing or attempting to infringe the same A notarial

instrument or other appropriate deed shall be expede and recorded in the appropriate register of sasines on behalf of the second parties setting forth at length the limitations and restrictions contained in Articles First and Second hereof and referring to the lands to which these articles apply and also the provisions of this article which provisions shall be verbatim inserted in the said instrument or other deed.

Fourthly As compensation to the first party for or in respect of the limitations and restrictions herein-before undertaken by him for himself and his foresaids the second parties shall pay to the first party the sum of seven hundred pounds sterling at the first term of Whitsunday or Martinmas after the Act confirming the said Provisional Order shall receive the Royal Assent with interest during not payment at the rate of five per centum per annum from and after the day of the date or last date of the interim or final award or awards finding money compensation due in the presently depending arbitration between the parties hereto with reference to the damage to be occasioned by them to the first party in respect of his lands adjoining Loch Arklet to be submerged or affected or otherwise arising from the second parties' authorised operations and works or the date when they first begin their operations whichever date shall first happen And in respect the first party holds the lands which are subject to this Agreement under entail the said sum of seven hundred pounds sterling shall be consigned in bank in manner provided by and subject to the conditions contained in the Lands Clauses Consolidation (Scotland) Act 1845 with reference to owners possessing their land under entail.

Fifthly The provisions of this Agreement shall be in addition to and not in substitution for or in derogation of any existing powers possessed by and provisions conceived in favour of the second parties for guarding against fouling the water in and flowing into Loch Arklet.

Sixthly The second parties shall pay and so free and relieve the first party of all expenses incurred or to be incurred by him in or with reference to this Agreement and the preliminary negotiations incident thereto and all expenses which may be incurred by him on account of or in relation to the said Provisional Order.

Seventhly Whereas the second parties desire to vary the position of the discharge culvert and relative works to the west of the site of the embankment across the Arklet Water authorised by the Order of 1902 it is hereby agreed that they shall abandon the area of ground originally scheduled and taken by them to the west of said site extending to two roods twenty-nine poles and nine decimal or one hundredth parts of a pole and delineated and coloured yellow and marked A on the plan annexed and subscribed as relative hereto together with the relative wayleave of one hundred and seventy lineal yards delineated and coloured blue and marked B and C on said plan

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and shall have conveyed to them in lieu thereof the adjoining area delineated and coloured brown and marked Aa on the said plan extending to one acre twenty-three poles and sixty decimal or one hundredth parts of a pole and it is further agreed that the compensation payable in respect of the said last-mentioned area of ground which has conform to additional notes dated eighth March nineteen hundred and nine been fixed by Mr. John Heatley Dickson the arbiter appointed in the said Agreement scheduled to the Act of 1885 at twenty-five pounds over and above the value of the said area originally scheduled and was with the other compensation effeiring to the entailed estate of Buchanan consigned with the Royal Bank of Scotland Edinburgh on ninth March nineteen hundred and nine shall be dealt with in manner provided by and subject to the conditions contained in the Lands Clauses Consolidation (Scotland) Act 1845 with reference to owners possessing their lands under entail.

Lastly The second parties bind themselves and their successors in office and the first party so far as he can competently do so as an entailed proprietor binds himself and his foresaids to perform their several parts of this Agreement under the penalty of one hundred pounds to be paid by the party failing to the party observing or willing to observe his or their part thereof over and above performance declaring always that this Agreement is made subject to such alterations as Parliament may think fit to make thereon but if any material alteration is made thereon either party shall be at liberty to withdraw therefrom and in that event or in case the said Provisional Order shall not be confirmed by an Act of Parliament this Agreement shall become null and void and both parties shall be free from the whole conditions and stipulations herein contained except that the second parties shall be bound to pay to the first party the whole expenses so far as incurred by him provided for in Article Sixth hereof and the first party shall also in the event of this Agreement becoming null and void as aforesaid be entitled to call upon the arbiter in the depending arbitration above mentioned to enter upon consideration of and if so advised award compensation for damage or loss in respect of the first party's building rights within the additional watershed of Loch Arklet in so far as any damage or loss in regard thereto may have been occasioned by or arisen through the second parties' authorised operations and works aforesaid And further declaring always that the term "the first party" shall in this Agreement be held to include and comprehend his heirs and successors in the said lands and estates And both parties consent to the registration hereof for preservation and execution.

In witness whereof these presents written on this and the four preceding pages by James Clark clerk to Messrs. Dundas & Wilson clerks to the signet Edinburgh are (under declaration that the word "present" is interlined so as to read between the words "the" and

"cottage" occurring in the eighteenth line of page third hereof before subscription) together with the plan annexed hereto and the relative ordnance survey plan in triplicate executed as follows videlicet They are sealed with the seal of the Corporation of the city of Glasgow and subscribed by Edward Watson and Thomas McMillan two members of the Corporation and by John Bowers depute town clerk of said city on behalf of the said Corporation acting as aforesaid at Glasgow on the 22nd day of April one thousand nine hundred and nine years before these witnesses Robert Crawford and Edwin Sutherland both clerks in the town clerk's office Glasgow and they are subscribed by the said Duke of Montrose at Buchanan Castle Stirlingshire on the 23rd day of said month of April and year last mentioned before these witnesses William Watson Murray His Grace's chamberlain and James Billett His Grace's house steward.

W. Watson Murray witness.
James Billett witness.

MONTROSE.

R. Crawford witness.
Edwin Sutherland witness.

EDWARD WATSON.
THOMAS McMILLAN.
JOHN BOWERS depute town clerk.

L.S.

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