CHAPTER cxcix.

An Act to confer further powers on the Corporation of the City of Glasgow and for other purposes. A.D. 1896.

[7th August 1896.]

WHEREAS it is expedient that a small portion of the county of Lanark in the parish of Govan hercin-after described should be incorporated with the city and royal burgh and county of the city of Glasgow:

And whereas it is expedient to authorise the Corporation to acquire additional lands for police and city improvement purposes:

And whereas it is provided by the Local Government (Scotland) Act 1894 that the register of municipal electors in burghs should be annually prepared in such form as to constitute the register of parish council electors and that the elections of parish councils should take place in every third year on the same day and as nearly as may be in the same manner in the same places and with the same returning and presiding officers and clerks as the election of town councillors for such burghs:

And whereas owing to the number of parishes within or partly within the city and the intricacy of the existing boundaries of those parishes it is impossible to carry those provisions into effect within the city except at great and unnecessary labour and expense and it is expedient that provision should be made to meet the difficulties thence arising:

And whereas the Glasgow School of Art is at present accommodated in the Corporation Galleries of Art and it is expedient that the school should hereafter be accommodated in a separate building the estimated cost of which is twenty-one thousand pounds towards which certain persons have agreed to make contributions:

And whereas the Corporation are willing to pay and it is expedient that they should be authorised to pay a contribution of

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five thousand pounds towards such cost on such terms as they may agree with the school of art:

And whereas it is expedient that the Corporation should be authorised to levy additional assessments and to borrow additional moneys for the purposes of this Act and the Parks Acts and also to borrow additional moneys for the purposes of the Police Acts:

And whereas it is expedient that the further powers in this Act mentioned should be conferred on the Corporation:

And whereas plans and a book of reference thereto containing the names of the owners or reputed owners lessees or reputed lessees and of the occupiers of the lands required or which may be taken under the powers of this Act were duly deposited with the principal sheriff clerk of the county of Lanark and with the town clerk of the city and such plans and relative books of reference are herein-after respectively referred to as the deposited plans and books of reference:

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

May it therefore please Your Majesty that it may be enacted and be 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:—

Short title and citations.

1. This Act may be cited as the Glasgow Corporation (General Powers) Act 1896.

This Act and the Police Acts and any Act passed during the present session of Parliament amending such Acts may be cited as the Glasgow Police Acts 1866 to 1896.

This Act and the Parks Acts may be cited as the Glasgow Corporation Parks Acts 1878 to 1896.

This Act and the Glasgow Corporation Acts 1855 to 1895 and any Act passed during the present session relating to the Corporation may be cited as the Glasgow Corporation Acts 1855 to 1896.

Incorporation of Acts.

2. The Lands Clauses Acts are except where expressly varied by this Act incorporated with and form part of this Act.

Interpretation.

3. In this Act the several words and expressions to which meanings are assigned by the Acts incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction The following words and expressions in this Act have the meanings hereby assigned to them (that is to say):—

"The city" "the existing city" mean the city and royal burgh of Glasgow;

"The Corporation" means the Corporation of the city of Glasgow;

"The Parks Acts" means the Glasgow Corporation Parks Acts 1878 to 1895;

"The Police Acts" means the Glasgow Police Acts 1866 to 1895;

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

"The Act of 1891" means the City of Glasgow Act 1891;

"The Act of 1894" means the Local Government (Scotland) Act 1894.

Annexation of certain lands in Lanarkshire to Glasgow.

4. The city and royal burgh of Glasgow shall from and after the passing of this Act comprehend in addition to the area lands and territory embraced within the existing city the area lands and territory in the parish of Govan and county of Lanark within the following boundary and limits herein-after called "the added area" (that is to say) Beginning at a point where the boundary of the city is intersected by the boundary between the counties of Lanark and Renfrew one hundred and ten yards or thereabouts southward from Dumbreck Villa and thence proceeding south-westward westward and northward along the said boundary until it intersects the north side of the Glasgow and Paisley Joint Railway thence eastward along the north side of the said railway until the boundary between the city and the county of Lanark is reached at Ibrox Junction thence southward along that boundary to the point first described.

Deposit of map.

5. A map of the city as extended by this Act signed by the Earl of Morley the Chairman of Committees of the House of Lords shall within one month after the passing of this Act be deposited with the town clerk of the city and another map so signed shall be deposited in the Office of the Clerk of the Parliaments and another copy with the Board of Agriculture.

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

6. The added area shall from and after the passing of this Act be incorporated with and form part of the city and county of the city of Glasgow and be disjoined from the county of Lanark in the same manner and to the same effect and for every purpose as the area disjoined from the said county and incorporated with and annexed to the city by the Act of 1891.

Added area to form part of adjoining municipal ward.

7. 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.

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Confirming undertaking by Corporation to County Council of Lanark.

8. The undertaking by the Corporation to and in favour of the County Council of the county of Lanark for and on behalf of the said county council and the district committee of the lower ward of the said county as set forth in the schedule to this Act is hereby confirmed and made binding on the Corporation.

Power to acquire lands.

9. The Corporation may enter upon take and use such of the lands delineated upon the deposited plans and described in the deposited books of reference as may be required for the purposes of the Glasgow Improvements Acts 1866 to 1895 and of the Police Acts (that is to say):—

Certain lands in the city parish of Glasgow and the city and county of the city of Glasgow situate and lying between and in an area bounded by a line commencing at the eastern gable of the property forming No. 43 Ingram Street and running thence in an easterly direction along the south building line of Ingram Street for a distance of 118 feet or thereabouts thence southward for a distance of 92 feet or thereabouts along the west gable of the property forming No. 21 Ingram Street thence eastward for a distance of 103 feet or thereabouts along the line forming the south gable of the property No. 137 High Street thence southward along the west building line of High Street for a distance of 100 feet or thereabouts thence westward along the south side of the close or passage entering from No. 115 High Street for a distance of 253 feet or thereabouts thence northward for a distance of 38 feet or thereabouts thence eastward for a distance of 47 feet or thereabouts thence northward for a distance of 128 feet or thereabouts along the eastern boundary of the said property forming No. 43 Ingram Street to the point first described:

Certain lands in the city parish of Glasgow and the city and county of the city of Glasgow situate and lying between and in an area bounded by a line commencing at the western gable of the property forming No. 270 Gallowgate and running thence in a westerly direction along the south building line of Gallowgate for a distance of 14 feet or thereabouts thence southward for a distance of 38 feet or thereabouts until the wall of the building forming the south boundary of the courtyard entering from No. 266 Gallowgate is reached thence eastward for a distance of 14 feet or thereabouts along the south side of the said courtyard thence northward for a distance of 38 feet or thereabouts to the point first described.

Restrictions on displacing persons of

10.—(1.) The Corporation shall not under the powers by this Act granted purchase or acquire in any district within the meaning of

the Public Health (Scotland) Act 1867 ten or more houses which on the fifteenth day of December last were or have been since that day or shall hereafter be occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers unless and until— labouring class.

(A) They shall have obtained the approval of the Secretary for Scotland to a scheme for providing new dwellings for such number of persons as were residing in such houses on the fifteenth day of December last or for such number of persons as the Secretary for Scotland shall after inquiry deem necessary having regard to the number of persons on or after that date residing in such houses and working within one mile therefrom and to the amount of vacant suitable accommodation in the immediate neighbourhood of such houses or to the place of employment of such persons and to all the circumstances of the case; and

(B) They shall have given security to the satisfaction of the Secretary for Scotland for the carrying out of the scheme.

(2.) The approval of the Secretary for Scotland to any scheme under this section may be given either absolutely or conditionally and after the Secretary for Scotland has approved of any such scheme he may from time to time approve either absolutely or conditionally of any modifications in the scheme.

(3.) Every scheme under this section shall contain provisions prescribing the time within which it shall be carried out and shall require the new dwellings proposed to be provided under the scheme to be completed fit for occupation before the persons residing in the houses in respect of which the scheme is made are displaced:

Provided that the Secretary for Scotland may dispense with the last-mentioned requirement subject to such conditions (if any) as he may see fit.

(4.) Any provisions of any scheme under this section or any conditions subject to which the Secretary for Scotland may have approved of any scheme or of any modifications of any scheme or subject to which he may have dispensed with the above-mentioned requirement shall be enforceable by an order of the court of session to be obtained by the Secretary for Scotland.

(5.) If the Corporation acquire or appropriate any house or houses under the powers by this Act granted in contravention of the foregoing provisions or displace or cause to be displaced the persons residing in any house or houses in contravention of the requirements of the scheme they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall

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be recoverable by the Secretary for Scotland by action in the court of session and shall be carried to and form part of the consolidated fund of the United Kingdom Provided that the court may if it think fit reduce such penalty.

(6.) For the purpose of carrying out any scheme under this section the Corporation may appropriate any lands for the time being belonging to them or which they have power to acquire and may purchase such further lands as they may require and for the purpose of any such purchase section 90 of the Public Health (Scotland) Act 1867 shall be incorporated with this Act and shall apply to the purchase of lands by the Corporation for the purposes of any scheme under this section in the same manner in all respects as if the scheme were one of the purposes of that Act.

(7.) The Corporation may on any lands belonging to them or purchased or acquired under this section or under any provisional order issued in pursuance of this section erect such dwellings for persons of the labouring class as may be necessary for the purpose of any scheme under this section and may sell let or otherwise dispose of such dwellings and any lands purchased or acquired as aforesaid and may apply for the purposes of this section to which capital is properly applicable or any of such purposes any moneys which they may be authorised to raise or apply for the purposes of the Corporation:

Provided that all lands on which any buildings have been erected or provided by the Corporation in pursuance of any scheme under this section shall for a period of twenty-five years from the date of the scheme be appropriated solely for the purpose of dwellings and every conveyance or lease of such lands and buildings by the Corporation shall contain proper covenants to secure during such period of twenty-five years the exclusive use of the buildings on such lands for the purpose of such dwellings and shall be endorsed with notice of this enactment:

Provided also that the Secretary for Scotland may at any time dispense with all or any of the requirements of this subsection subject to such conditions (if any) as he may see fit.

(8.) The Secretary for Scotland may direct any inquiries to be held which he may deem necessary in relation to any scheme under this section and for giving effect to any of the provisions of this section and he and any person appointed by him to hold an inquiry shall have and may exercise for any purpose in connexion with any scheme under this section all or any of the powers vested in them respectively under the Public Health (Scotland) Act 1867 in the same

manner in every respect as if the preparation and carrying into effect of such scheme were one of the general purposes of that Act.

(9.) The Corporation shall pay to the Secretary for Scotland a sum to be fixed by him in respect of the preparation and issue of any provisional order in pursuance of this section and any expenses incurred by him in relation to any inquiries under this section including the expenses of any witnesses summoned by the person appointed to hold any such inquiry and a sum to be fixed by the Secretary for Scotland not exceeding three guineas a day for the services of the person so appointed.

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

Saving section 30 of the Education (Scotland) Act 1878.

11. Nothing in this Act shall be deemed to alter prejudice or affect section 30 of the Education (Scotland) Act 1878.

Application of Local Government (Scotland) Act 1894 to parishes in Glasgow.

12. Notwithstanding anything contained in the Act of 1894 that Act shall apply to the city parish of Glasgow the barony parish of Glasgow and the parishes of Govan Eastwood and Cathcart so far as situate within the city (and herein-after called "the Glasgow parishes") subject to the modifications and alterations following (that is to say):—

(1.) In the year one thousand eight hundred and ninety-eight and in every third year thereafter simultaneously with the preparation of the municipal register in the city the city assessor shall prepare and shall arrange in the parish wards fixed by or under the provisions of the Act of 1894 as amended by this Act a separate list of the persons qualified to be parish electors within the Glasgow parishes and the whole enactments of any Act relative to the registration of municipal electors or parish electors including the provisions relating to officers and dates and to numbering and placing distinctive marks on the register or list shall with the necessary alterations of notices and other forms and other necessary variations extend and apply to the preparation of the said list and any person may object to the insertion or omission of the name of any person in the part of the said list applicable to a parish ward in the Glasgow parishes as nearly as may be in the same manner and

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subject to the same provisions as to appeal and otherwise as are now applicable in the case of any entry in or omission from any municipal register or list:

(2.) The arrangements for the nomination and election of parish councillors in any of the Glasgow parishes shall be made by the returning officer to be appointed by the respective parish councils of such parishes as nearly as may be in accordance with the arrangements relating to the nomination and election of town councillors in the city but so that the election shall be separate and distinct from the election of town councillors and shall be held on a day to be previously fixed by the Local Government Board for Scotland not being the day for the election of town councillors and the town clerk shall furnish to the returning officer sufficient copies for the purpose of such nomination and election of so much of such separate list of parish electors as relates to such parish Provided that the parish councillors of the city parish of Glasgow shall remain in office until their successors are elected and no longer:

(3.) It shall be the duty of the parish councils of the Glasgow parishes to make due provision for the election of parish councillors therein and for the custody of all documents connected therewith:

(4.) Any such parish council may refer to the Local Government Board for Scotland any question that may arise as to the performance of the duty of such parish council under this section and the determination of that Board as signified by order thereon shall be final:

(5.) The expenditure incurred in the preparation of the said separate list of parish electors in so far as relating to any such parish and the expenditure incurred in the election of parish councillors for such parish shall be a charge upon the poor rate levied therein in the same manner and to the same extent as is provided by the Act of 1894 with reference to the expenses of parish council elections.

Apportionment of cost of municipal buildings.

13. Section 27 of the Glasgow Municipal Buildings Act 1878 is hereby repealed and in lieu thereof the following provision shall have effect namely:—

The Corporation shall from time to time apportion to its several departments the accommodation to be afforded to those departments in the municipal buildings authorised by that Act and shall from time to time fix the sums which each of those departments shall pay yearly in respect of the annual

expenditure on and connected with such buildings (including cost of maintenance interest and sinking fund on money borrowed) and the several departments shall defray the sums so fixed accordingly.

Corporation may provide music in parks &c.

14. The Corporation acting under the Parks Acts may provide music in public parks gardens halls open spaces and places and buildings within the city or under their control beyond the city and for that purpose they may maintain one or more bands make payments to bands and musicians and provide stands and other conveniences For those purposes they may expend an annual sum not exceeding two thousand five hundred pounds and defray the same out of the assessments imposed and levied under the Parks Acts.

Contribution to School of Art.

15. The Corporation may at such time and on such terms as they shall think proper pay to the governors of the Glasgow School of Art out of moneys borrowed under the Parks Acts and this Act the sum of five thousand pounds which sum shall be applied by the governors towards the erection of a building within the city to be used as a school of art.

Amendment of section 11 of Glasgow Corporation Act 1892 respecting assessments.

16. Section 11 of the Glasgow Corporation Act 1892 shall be read and construed as if the annual assessment thereby authorised were fourpence per pound in lieu of threepence per pound.

Amendment of section 29 of Glasgow Municipal Buildings Act 1878.

17. To enable the Corporation to defray the increased expenditure authorised by the Glasgow Court Houses Act 1890 and chargeable against the Corporation section 29 of the Glasgow Municipal Buildings Act 1878 shall be read and construed as if the annual assessment thereby authorised were one penny halfpenny per pound in lieu of one penny per pound.

Further power to borrow for parks and galleries purposes.

18. The Corporation may from time to time borrow for the purpose of carrying out the powers conferred upon them by the Parks Acts and this Act any sum or sums of money not exceeding in the whole two hundred thousand pounds and they may again borrow any sums which may be repaid by them from time to time otherwise than by means of the sinking fund provided by the Glasgow Public Parks Act 1878 (herein-after called "the Act of 1878") and any moneys so borrowed 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 money authorised to be borrowed under those Acts and the maximum sum which may be borrowed under section 27 of the Act of 1878 section 44 of the

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Act of 1891 section 12 of the Glasgow Corporation Act 1892 and section 6 of the Loans Act is hereby increased accordingly.

The sinking fund provided by the Act of 1878 shall be applicable to the moneys borrowed by the Corporation under this section.

Further power to borrow for police purposes.

19. To enable the Corporation to defray the cost of new police buildings works for the treatment of refuse the erection of general stores granaries stables public baths and wash-houses and other works and expenses the Corporation in addition to the moneys which they are authorised to borrow by the Police Acts may from time to time borrow any moneys which they may require not exceeding in the whole the sum of one hundred and fifty thousand pounds for police purposes on the security of the assessments leviable in virtue of the Police Acts and they shall apply the same for the police purposes of the Police Acts so far as such purposes are properly chargeable against capital and the Corporation may from time to time reborrow any moneys so borrowed which have been repaid by them otherwise than by means of the sinking fund herein-after provided.

Sinking fund on sums borrowed for police purposes.

20. The Corporation shall from and after the first day of June one thousand eight hundred and ninety-six annually set apart a sum not less than two pounds ten shillings per centum on the amount borrowed by them under the authority of this Act for police purposes and they shall apply the same as a sinking fund in paying off the principal sums so borrowed.

Provisions of Loans Act 1883 to apply to moneys borrowed.

21. The provisions of the Loans Act shall subject to the provisions of this Act apply to the several sums by this Act authorised to be borrowed.

Power to borrow on bills or promissory notes.

22. In substitution to the extent herein-after mentioned for the powers which the Corporation now possess to borrow money by mortgage bond annuity cash credit the issue of Corporation stock under the Loans Act or otherwise they may if they think fit from time to time raise by the issue and renewal of Glasgow Corporation bills or promissory notes signed by the city treasurer and another member of the Corporation and by the registrar appointed under the provisions of the Loans Act or in the absence of the city treasurer and registrar or either of them by persons to be specially authorised by the Corporation to act for them or either of them any moneys which they are or may be authorised by Parliament to borrow provided that the total amount of such bills or promissory notes which shall be issued by the Corporation and outstanding shall not at any time exceed the sum of two hundred and fifty thousand pounds except bills or promissory notes issued in order to

pay off other bills or promissory notes falling due before such last-mentioned bills or promissory notes mature.

A register of the bills or promissory notes from time to time issued or renewed by the Corporation and outstanding under this section shall be kept by the registrar and such register shall show the amount of each bill or promissory note the names of the persons by whom it is signed the date of issue the date when the same falls due and the date of payment thereof Such register shall at all reasonable times be open to inspection without payment of any fee by any creditor of the Corporation on mortgage bond annuity cash credit or Corporation stock under the Loans Act.

The Corporation shall from time to time make regulations with respect to the form preparation mode of issue and of payment discharge and cancellation of bills or promissory notes issued or renewed under the powers by this section conferred on the Corporation.

Glasgow Corporation bills and promissory notes shall have the the same charge and security as stock.

Costs of Act.

23. The costs charges and expenses of and incident to the preparing for obtaining and passing of this Act and otherwise in relation thereto shall be paid by the Corporation in such proportions as they may fix out of the funds rates revenues and assessments which they are authorised to raise and impose.

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SCHEDULE referred to in the foregoing Act.

UNDERTAKING by the Corporation of the City of Glasgow to and in favour of the County Council of the County of Lanark for and on behalf of the said County Council and the District Committee of the Lower Ward of the said County.

WHEREAS the Corporation of the city of Glasgow are promoters of a Bill in the present session of Parliament (1896) entituled "A Bill to confer further powers on the Corporation of the city of Glasgow and for other purposes" by which Bill as deposited it was inter alia proposed to annex the area lands and territory in the parish of Govan and county of Lanark therein described and to incorporate the same with the city and royal burgh and county of the city of Glasgow to which proposed annexation and incorporation the county council and district committee for their respective rights and interests expressed objections And whereas after meetings and communications between parties it has been arranged in order to remove these objections and the Corporation agree and undertake and oblige themselves and their successors as follows viz.:—

First. That the annexation to be effected by the Bill shall be limited to the landward area of the parish of Govan lying to the south of and including the line of the joint railway between Glasgow and Paisley.

Second. That the Corporation shall on the Bill receiving the Royal Assent pay to the said county council for and on behalf of the said county council and the said district committee for their respective rights and interests:—

(1) The sum of 320*l.* being the proportion effeiring to the area to be annexed and incorporated of the moiety chargeable to the lower ward district of the county of Lanark exclusive of burghs of the estimated capital cost of Lightburn Hospital together with an additional sum of 200*l.* in respect of general equipment and initial expenses in connexion with said hospital:

(2) The sum of 161*l.* being the share effeiring to said area of the proportion chargeable to the said lower ward district exclusive of burghs of the debt incurred in constructing Rutherglen new bridge &c.:

(3) The sum of 44*l.* being the share effeiring to the said area of the proportion chargeable to the said lower ward district exclusive of burghs of the balance of debt incurred in the construction of Dalmarnock Bridge with interest at the rate of 5*l.* per centum per annum upon said sums from the date when the said Bill shall receive the Royal Assent until paid.

Third. Notwithstanding the Corporation becoming liable for the maintenance and management of the highways within the area to be annexed and of the relief which may thereby be afforded to the district committee the

Corporation shall not on that or any other ground or account during the period of five years from the date when the said Bill shall receive the Royal Assent seek to disturb the subvention payable by the city of Glasgow and adjoining burghs to the counties of Lanark and Renfrew under the Roads and Bridges (Scotland) Act 1878 but the acceptance of this undertaking by either the county council or the district committee shall not imply or infer any admission by them that this arrangement warrants the Corporation seeking to obtain a reduction in the amount of said subvention nor debar either the county council or the district committee from taking such action on their part in connexion therewith as they may see fit But in that event the Corporation shall be free and entitled to urge all and whatsoever pleas and to take whatsoever action that are or would have been competent to them had this undertaking never been granted.

Lastly. This undertaking shall be scheduled to and confirmed by the Bill.

In witness whereof these presents written on this and the preceding page of stamped paper by John Gill clerk to Hill and Hoggan writers Glasgow are subscribed by David Richmond James Hunter Dickson and Robert Graham three members of the Corporation and by Sir James David Marwick LL.D. town clerk of said city on behalf of the Corporation and the seal of the city hereto appended all at Glasgow on the sixteenth day of March eighteen hundred and ninety-six before these witnesses William Johnstone writer Glasgow and John Smith Samuel clerk in the town clerk's office Glasgow.

DAVID RICHMOND
JAMES H. DICKSON
ROBERT GRAHAM
J. D. MARWICK *Town Clerk.*

L.S.

JNO. S. SAMUEL *Witness.*
W. JOHNSTONE *Witness.*

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