CHAPTER ix.

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation. A.D. 1929.

[27th March 1929.]

WHEREAS the Provisional Order set forth in the schedule hereunto annexed has after inquiry held before Commissioners been made by one of His Majesty's Principal Secretaries of State under the provisions of the Private Legislation Procedure (Scotland) Act 1899 as read with the Secretaries of State Act 1926 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

Be it therefore 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:—

Confirmation of Order in schedule.

1. The Provisional Order contained in the schedule hereunto annexed shall be and the same is hereby confirmed.

Short title.

2. This Act may be cited as the Glasgow Corporation Order Confirmation Act 1929.

[*Price* 1*s. Net.*]

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SCHEDULE.

GLASGOW CORPORATION.

Provisional Order to authorise the corporation of the city of Glasgow to divert the Duntocher Burn and close the dock at Dalmuir sewage works and construct a wharf there to construct tramways and other works to extend the time for the construction of tramways to confer further police powers and for other purposes.

WHEREAS by the Glasgow Sewage Acts 1891 to 1927 the corporation of the city of Glasgow (hereinafter referred to as "the Corporation" and "the city" respectively) have constructed and maintain an extensive system of main sewers and purification works for draining and purifying the sewage of the city and adjoining areas:

And whereas the Corporation have established purification works at Dalmuir in the burgh of Clydebank which include a dock for the accommodation of vessels which take away the sludge from the said works:

And whereas the Duntocher Burn runs into the said dock and causes silting up of the same and the Corporation incur considerable expense in dredging the said dock:

And whereas it is expedient that the Corporation should be authorised to divert the Duntocher Burn and close the said dock and fill up the same and use the site thereof for the purposes of the said purification works and construct a wharf in lieu of the said dock on the river Clyde at Dalmuir as in this Order provided:

And whereas under the Glasgow Tramways Acts 1905 to 1927 the Corporation have constructed and maintain tramways in and in the neighbourhood of the city and it is expedient that they should be authorised to construct and maintain the additional tramways in the city hereinafter in this Order described:

And whereas it is expedient that the time limited for the completion of certain of the tramways authorised

by the Glasgow Corporation Order 1923 should be extended : A.D. 1929.

And whereas it is expedient that the time limited for the compulsory purchase of lands for the underground passages at St. Enoch Square subway station authorised by the Glasgow Corporation Order 1925 should be extended :

And whereas it is expedient that the further powers in this Order mentioned should be conferred on the Corporation in connection with the police and sanitary administration of the city :

And whereas it is expedient that further powers should be conferred upon the Corporation with respect to the regulation and control of vehicular traffic in the city :

And whereas it is expedient that the further powers in this Order mentioned should be conferred on 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 Order authorised to borrow money and such estimates are as follows :—

	£
For the diversion of Duntocher Burn the closing of the dock and the construction of the wharf and the purchase of lands connected therewith - - - - - -	70,000
For the construction of tramways -	7,657
For the provision and erection of electrical equipment in connection with tramways - - - -	628

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 works authorised by this Order and also a book 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

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be taken for the purposes or under the powers of this Order were duly deposited with the sheriff-clerks of the counties of Lanark and Dunbarton and with the town clerks of the city and the burgh of Clydebank and such plans sections and book of reference are hereinafter respectively referred to as the deposited plans sections and book of reference :

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1899 :

Now therefore in pursuance of the powers contained in the last-mentioned Act as read with the Secretaries of State Act 1926 the Secretary of State orders as follows :—

Part I.

Preliminary.

Short title and citations.

1. This Order may be cited as the Glasgow Corporation Order 1929.

This Order and the Glasgow Boundaries Acts 1872 to 1927 may be cited together as the Glasgow Boundaries Acts 1872 to 1929.

This Order and the Glasgow Parks Acts 1878 to 1927 may be cited together as the Glasgow Parks Acts 1878 to 1929.

This Order and the Glasgow Police Acts 1866 to 1927 may be cited together as the Glasgow Police Acts 1866 to 1929.

This Order and the Glasgow Sewage Acts 1891 to 1927 may be cited together as the Glasgow Sewage Acts 1891 to 1929.

This Order and the Glasgow Tramways Acts 1905 to 1927 may be cited together as the Glasgow Tramways Acts 1905 to 1929.

This Order and the Glasgow Corporation Acts 1855 to 1927 may be cited together as the Glasgow Corporation Acts 1855 to 1929.

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

Part I.—Preliminary.

Part II.—Sewage works.

Part III.—Tramways.

Part IV.—Lands.

Part V.—Extensions of time.

Part VI.—Police.

Part VII.—Miscellaneous.

3. The following words and expressions in this Order have unless there be something in the subject or context repugnant to such construction the meanings hereby assigned to them (that is to say) :— Interpretation.

" Act of 1912 " means the Glasgow Boundaries Act 1912;

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

" Common good " means the common good fund of the city;

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

" Corporation Acts " means the Glasgow Corporation Acts 1855 to 1927;

" Intended tramways " means the tramways by this Order authorised;

" Magistrate " means a magistrate or judge having jurisdiction under the Police Acts;

" Minister " means the Minister of Transport;

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

" Order of 1925 " means the Glasgow Corporation Order 1925;

" Parks Acts " means the Glasgow Parks Acts 1878 to 1927;

" Police Acts " means the Glasgow Police Acts 1866 to 1927;

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"Sewage Acts" means the Glasgow Sewage Acts 1891 to 1927;

"Sewage undertaking" means the undertaking authorised by the Sewage Acts;

"Sheriff" means the sheriff of Lanarkshire and includes his substitutes;

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

"Tramways Acts" means the Glasgow Tramways Acts 1905 to 1927;

"Trustees" means the trustees of the Clyde Navigation.

Incorporation of Acts.

4. The following Acts so far as they are applicable to the purposes of and are not inconsistent with this Order are hereby (except where expressly varied by this Order) incorporated with this Order:—

The Lands Clauses Acts (except section 120 of the Lands Clauses Consolidation (Scotland) Act 1845);

The Railways Clauses Consolidation (Scotland) Act 1845 with respect to the temporary occupation of land near the railway during the construction thereof and in that Act where applied to this Order the expressions "the promoters of the undertaking" and "the company" respectively mean "the Corporation" and the expressions "the railway" and "the undertaking" mean the works by Part II of this Order authorised;

and this Order shall be deemed to be a special Act within the meaning of those Acts.

PART II.

SEWAGE WORKS.

Dalmuir Wharf and works.

5. Subject to the provisions of this Order the Corporation may make and maintain in the lines and according to the levels shown on the deposited plans and sections the following works with all such piles fenders dolphins

fences stairs and other works and conveniences as may be necessary or expedient (that is to say) :— A.D. 1929.

Work No. 1 A diversion of the Duntocher Burn wholly in the parish of Old Kilpatrick the burgh of Clydebank and the county of Dunbarton commencing on the northern bank of the river Clyde at a point 180 yards or thereabouts measured in a westerly direction from the termination of the wharf Work No. 2 next described and terminating at a point on the existing burn 153 yards or thereabouts measured in a south-westerly direction along that burn from the south side of the bridge carrying the London Midland and Scottish Railway (Lanarkshire and Dumbartonshire Line) across that burn ;

Work No. 2 A wharf wholly in the parish of Old Kilpatrick the burgh of Clydebank and the county of Dunbarton commencing at a point on the existing wharf on the east side of the dock on the northern bank of the river Clyde 11 yards or thereabouts measured in a northerly direction from the south-east corner of the said dock and terminating at the south-west corner of the said dock at a point 105 yards or thereabouts measured in a westerly direction from the point of commencement.

Subsidiary works.

6. The Corporation may in connection with the works authorised by this Part of this Order alter the levels of the existing roadways and approaches to such works and for the purposes thereof make junctions and communications with any existing streets and roads which may be intersected or interfered with by or be contiguous to such works and may make such approaches to and ways from and out of such works or such alterations or deviations of approaches or other works and conveniences in connection with the same respectively as may be necessary or expedient and may also make and maintain all such temporary approaches landing places and works as may be necessary or expedient.

Subsidiary works affecting river Clyde.

7. Subject to the provisions of this Order the Corporation may in connection with the works authorised by this Part of this Order construct place and maintain

A.D. 1929. in the river Clyde and on the quays banks bed and foreshore thereof all such temporary piles fenders booms dolphins pontoons caissons stagings cofferdams embankments piers abutments wharves walls fences drains stairs buildings and other works and conveniences as may be necessary or expedient.

Restriction as to landing places.

8. The wharf by this Part of this Order authorised shall not be used as a landing or loading place for goods or passengers conveyed or intended to be conveyed in any vessel except for the purpose of landing or loading from or into vessels not arriving from or departing for foreign parts—

(1) goods or materials required for or used in the construction maintenance or repair of the works by this Part of this Order authorised;

(2) goods or materials required or used for the purposes of the sewage undertaking and the carrying on of the same; and

(3) materials sludge or residual products resulting from or produced in connection with the sewage undertaking.

Exemption from tolls of vessels &c. employed in connection with sewage undertaking.

9. Section 46 (Exemption from tolls of vessels &c. employed in connection with sewage works) of the Glasgow Corporation (Sewage &c.) Act 1898 shall extend and apply to the works by this Part of this Order authorised.

Limits of deviation.

10. In the construction of the works authorised by this Part of this Order the Corporation may deviate laterally to any extent not exceeding the limits of lateral deviation shown on the deposited plans and vertically from the levels shown on the deposited sections to any extent not exceeding three feet upwards and three feet downwards Provided that no deviation either lateral or vertical below high-water mark of ordinary spring tides shall be made without the consent in writing of the Board of Trade.

Period for completion of works.

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

Abandonment of dock at Dalmuir Sewage Works.

12. Subject to the provisions of this Order the Corporation shall abandon and close the dock belonging to them at their sewage works at Dalmuir and fill up the said dock and use the site thereof together with the ground lying between the existing sewage works and the line of the diversion of the Duntocher Burn Work No. 1 by this Part of this Order authorised for the purposes of the sewage undertaking.

Works below high-water mark to be subject to approval of Board of Trade.

13.—(1) Subject to the provisions of this Order any work authorised by this Part of this Order shall only be constructed so far as the same shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides in accordance with plans and sections approved by the Board of Trade under the hand of one of the secretaries or assistant secretaries of the Board of Trade and subject to such restrictions and regulations as the said Board may prescribe before such work is begun.

(2) Any alteration or extension of any such work shall be subject to the like approval.

(3) If any such work be commenced or completed contrary to the provisions of this section the Board of Trade may abate and remove the same and restore the site thereof to its former condition at the cost of the Corporation and the amount of such cost shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

Survey of works by Board of Trade.

14. If at any time the Board of Trade deems it expedient for the purposes of this Part of this Order to order a survey and examination of any work constructed by the Corporation under the powers of this Part of this Order which shall be on under or over tidal waters or tidal lands below high-water mark of ordinary spring tides or of the site upon which it is proposed to construct any such work the Corporation shall defray the expense of the survey and examination and the amount thereof shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or by the Board of Trade summarily as a civil debt.

Abatement of work abandoned or decayed.

15.—(1) Where any work constructed by the Corporation under the powers of this Part of this Order and situate wholly or partially on under or over the shore or

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bed of the sea or of any creek bay arm of the sea or navigable river communicating therewith below high-water mark of ordinary spring tides is abandoned or suffered to fall into decay the Board of Trade may by notice in writing either require the Corporation at their own expense to repair and restore such part of such work as is situate below high-water mark of ordinary spring tides or any portion thereof or require them to abate or remove the same and restore the site thereof to its former condition to such an extent and within such limits as the Board of Trade may think proper.

(2) Where any part of any such work which has been abandoned or suffered to fall into decay is situate above high-water mark of ordinary spring tides and is in such condition as to interfere or to cause reasonable apprehension that the same may interfere with the right of navigation or other public rights over the foreshore the Board of Trade may include any such part of such work or any portion thereof in any notice under this section.

(3) If during the period of thirty days from the date when the notice is served upon the Corporation they have failed to comply with such notice the Board of Trade may execute the works required to be done by the notice at the expense of the Corporation and the amount of such expense shall be a debt due from the Corporation to the Crown and shall be recoverable either as a debt due to the Crown or summarily as a civil debt.

Lights on works during construction.

16.—(1) The trustees shall at or near such part of the works by this Part of this Order authorised as shall be below high-water mark of ordinary spring tides during the whole time of the construction alteration or extension of the same exhibit and keep burning every night from sunset to sunrise such lights (if any) and take such other steps for the prevention of danger to navigation as the Board of Trade shall from time to time require or approve.

(2) If the trustees fail to comply in any respect with the provisions of this section they shall be liable on summary conviction to a penalty not exceeding twenty pounds and in the case of a continuing offence to an additional penalty not exceeding two pounds for every day on which after conviction thereof they so fail.

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Provision against danger to navigation.

17. In case of injury to or destruction or decay of the works by this Part of this Order authorised or any part thereof the trustees shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as they may think fit.

For protection of Clyde Trustees.

18. Subject to the provisions of the sections of this Order of which the marginal notes are respectively "Works below high-water mark to be subject to approval of Board of Trade" and "Crown rights" but notwithstanding any other provision in this Order or anything shown on the deposited plans and sections the following provisions for the protection of the trustees shall (unless otherwise agreed upon in writing between the Corporation and the trustees) apply and have effect (that is to say) :—

(1) If the diversion of the Duntocher Burn Work No. 1 authorised by this Part of this Order is carried out before the completion by the trustees of the river widening on the north bank of the river Clyde to the west of the Dalmuir sewage basin authorised by the Clyde Navigation Act 1904 the Corporation shall form the permanent outfall of the burn diversion on the line to be occupied by the river dyke when the widening has been completed and also form a temporary channel to and outfall at the existing river bank to secure that the whole water of the burn is discharged into the river direct :

(2) In constructing the wharf Work No. 2 authorised by this Part of this Order the Corporation shall not make any lateral deviation of the river face thereof southwards from the line of the river face shown on the deposited plans :

(3) Detailed drawings and specifications of the works authorised by this Part of this Order including all subsidiary works so far as affecting the undertaking of the trustees shall be submitted to the trustees for their approval at least one month before operations are commenced Provided that if the trustees do not within twenty-one days after the submission of such detailed drawings and specifications to them intimate to the Corporation their approval

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or disapproval thereof the Corporation may proceed to carry out such works or operations in accordance with such detailed drawings and specifications but if within the said period the trustees shall intimate their disapproval thereof the same shall (unless the Corporation and the trustees otherwise agree in writing) be referred to arbitration as hereinafter in this section provided :

(4) The construction and maintenance of the said works and subsidiary works so far as affecting the undertaking of the trustees shall be carried out at the sight and to the reasonable satisfaction of the trustees' engineer :

(5) In no case shall vessels be berthed or moored in front of the said wharf or subsidiary works so as to project more than 60 feet southwards of the river face of the said wharf :

(6) The Corporation shall at their own expense remove all obstructions or deposits from the waterway of the river Clyde caused by the Corporation or their contractors during the construction of the said works and shall carry out all dredging and excavation of the bed of that river adjoining the said wharf required for giving and maintaining access to the said wharf and the said wharf shall be maintained and used so as not at any time to obstruct or interfere with the navigation of the river :

(7) The trustees shall not incur or be under any obligation or responsibility whatever in respect of the construction maintenance or use of the works authorised by this Part of this Order including all subsidiary works whether or not plans and specifications of the same shall have been approved of by them or their engineer and the Corporation shall indemnify free and relieve the trustees of and from all claims for loss damage or injury of every description (if any) whether at the instance of their employees or third parties which may arise or be made against the trustees in consequence of or in connection with the construction maintenance or use of the said works including subsidiary works so far as

such loss damage or injury shall have been occasioned by the fault or neglect of the Corporation or those for whom they are responsible :

(8) Subject to the provisions of this Order the whole existing rights powers and privileges of the trustees are reserved and without prejudice to the said generality full power is reserved to the trustees to widen deepen and improve the river Clyde opposite to or in the vicinity of the site of the said works :

(9) The Corporation shall repay to the trustees the expense incurred by the trustees in carrying out the provisions of the sections of this Order of which the marginal notes are "Lights on works during construction" and "Provision against danger to navigation" :

(10) Any difference between the Corporation and the trustees in connection with anything in this Part of this Order contained shall failing agreement be determined from time to time by an arbiter to be mutually agreed upon between the Corporation and the trustees or failing agreement to be appointed by the President of the Institution of Civil Engineers on the application of either party.

Application of Sewage Acts.

19. Subject to the provisions of this Part of this Order the works authorised by this Part of this Order shall form one undertaking with the works authorised by the Sewage Acts and the provisions of those Acts shall extend and apply to the works authorised by this Part of this Order as if those works had been authorised by and were to be constructed under and subject to the provisions of those Acts.

PART III.

TRAMWAYS.

New tramways.

20. Subject to the provisions of this Part of this Order the Corporation may make form lay down renew work use and maintain the tramways hereinafter 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

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wires poles posts conduits section boxes tubes ropes engines engine-houses subways manholes shafts junctions sidings crossovers passing places points turntables turn-outs weighbridges stables carriage-houses offices carriages sheds buildings warehouses shelters waiting-rooms works and conveniences connected therewith or for the purposes thereof Provided that nothing in this Part of this Order shall authorise any interference with electric lines and works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1926 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

The tramways hereinbefore in this section referred to and by this Part of this Order authorised are—

Tramway No. 1 1 furlong 2·00 chains or thereabouts in length wholly in the city the parish of Glasgow and the county of Lanark commencing in Duke Street by a junction with the existing tramways in that street at a point 62 yards or thereabouts westwards from the intersection of Haghill Road with Carntyne Road thence passing along Duke Street and Carntyne Road and terminating in Carntyne Road at a point 21 yards or thereabouts westwards from the intersection of Carntyne Road with Todd Street;

Tramway No. 2 5·61 chains or thereabouts in length wholly in the city the parish of Renfrew and the county of Lanark commencing in Dumbarton Road by a junction with the existing tramways in that road at a point 23 yards or thereabouts south-eastwards from the intersection of Balmoral Street with Dumbarton Road thence turning into and passing along and terminating in Balmoral Street at a point 36 yards or thereabouts south-westwards from the intersection of Balmoral Street with Earl Street;

Tramway No. 3 1·44 chains or thereabouts in length wholly in the city the parish of Renfrew and the county of Lanark commencing in Dumbarton Road by a junction with the existing tramways in that road at a point 18 yards or thereabouts north-westwards from the

intersection of Balmoral Street with Dumbarton Road thence turning into and terminating in Balmoral Street by a junction with the proposed Tramway No. 2 hereinbefore described at a point 23 yards or thereabouts south-westwards from the intersection of Balmoral Street with Dumbarton Road.

The intended Tramways Nos. 1 and 2 shall be laid as double lines and Tramway No. 3 as a single line.

Period for completion of tramways.

21. The intended tramways shall be completed within five years from the date of the passing of the Act confirming this Order and on the expiration of that period the powers granted to the Corporation by this Part of this Order for the construction of such tramways or otherwise in relation thereto shall cease except as to so much thereof as shall then be completed.

Erection of posts on carriageway.

22. In the construction of the intended tramways no post or other apparatus shall be erected on the carriageway except with the consent of the Minister.

Application of Tramways Acts to new tramways.

23.—(1) The intended tramways shall form one undertaking with the tramways authorised to be constructed under the Tramways Acts and the provisions contained in those Acts as amended by this Order 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 Order of 1905.

(2) Section 9 (Use of posts standards &c. by Postmaster-General) of the Glasgow Corporation Act 1907 shall extend and apply to the intended tramways.

PART IV.

LANDS.

Power to acquire lands.

24. Subject to the provisions and for the purposes of Part II of this Order the Corporation may enter upon take and use all or any of the lands delineated on the deposited plans and described in the deposited book of reference Provided always that notwithstanding anything delineated on the deposited plans the Corporation

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shall not take or acquire except by agreement any lands or property of the London Midland and Scottish Railway Company.

Period for compulsory purchase.

25. The powers of the Corporation for the compulsory purchase of lands under this Order shall cease on the thirty-first day of October one thousand nine hundred and thirty-one.

Servitudes &c. by agreement.

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

Owners may be required to sell parts only of certain properties.

27. Whereas in the exercise of the powers of this Order it may happen that portions only of certain properties shown or partly shown on the deposited plans will be sufficient for the purposes of this Order or any of them and that such portions or some other portions less than the whole can be severed from the remainder of the said properties without material detriment thereto Therefore the following provisions shall have effect :—

(1) The owner of and persons interested in any of the properties whereof the whole or part is described in the Schedule to this Order and whereof a portion only is required for the purposes of this Order or each or any of them are hereinafter in this section included in the term "the owner" and the said properties are hereinafter in this section referred to as "the scheduled property" :

(2) If for twenty-one days after the service of notice to treat in respect of a specified portion of the scheduled property the owner shall fail to notify in writing to the Corporation that he alleges that such portion cannot be severed from the remainder of the property without material detriment thereto he may be required

to sell and convey to the Corporation such portion only without the Corporation being obliged or compellable to purchase the whole the Corporation paying for the portion so taken and making compensation for any damage sustained by the owner by severance or otherwise :

(3) If within such twenty-one days the owner shall by notice in writing to the Corporation allege that such portion cannot be so severed the arbiter to whom the question of disputed compensation shall be submitted shall in addition to the other questions required to be determined by him determine whether the portion of the scheduled property specified in the notice to treat can be severed from the remainder without material detriment thereto and if not whether any and what other portion less than the whole (but not exceeding the portion over which the Corporation have compulsory powers of purchase) can be so severed :

(4) If the arbiter determine that the portion of the scheduled property specified in the notice to treat or any such other portion as aforesaid can be severed from the remainder without material detriment thereto the owner may be required to sell and convey to the Corporation the portion which the arbiter shall have determined to be so severable without the Corporation being obliged or compellable to purchase the whole the Corporation paying such sum for the portion taken by them including compensation for any damage sustained by the owner by severance or otherwise as shall be awarded by the arbiter :

(5) If the arbiter determine that the portion of the scheduled property specified in the notice to treat can notwithstanding the allegation of the owner be severed from the remainder without material detriment thereto he may in his absolute discretion determine and order that any costs charges and expenses incurred by the owner incident to the arbitration or inquiry shall be borne and paid by the owner :

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(6) If the arbiter determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto (and whether or not he shall determine that any other portion can be so severed) the Corporation may withdraw their notice to treat and thereupon they shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice:

(7) If the arbiter determine that the portion of the scheduled property specified in the notice to treat cannot be severed from the remainder without material detriment thereto but that any such other portion as aforesaid can be so severed the Corporation in case they shall not withdraw the notice to treat shall pay to the owner all costs charges and expenses reasonably and properly incurred by him in consequence of such notice or such portion thereof as the arbiter shall having regard to the circumstances of the case and his final determination think fit.

The provisions of this section shall be in force notwithstanding anything in the Lands Clauses Consolidation (Scotland) Act 1845 contained and nothing contained in or done under this section shall be held as determining or as being or implying an admission that any of the scheduled property or any part thereof is or is not or but for this section would be or would not be subject to the provisions of section 90 of the Lands Clauses Consolidation (Scotland) Act 1845.

The provisions of this section shall be stated in every notice to treat given in respect of a specified portion of the scheduled property.

Compensation in case of recently altered buildings.

28. In settling any question of disputed purchase money or compensation payable under this Order by the Corporation the arbiter shall not award any sum of money for or in respect of any improvement alteration or building made or for or in respect of any interest in the lands created after the first day of February one thousand nine hundred and twenty-eight if in the opinion of such arbiter the improvement alteration or building or the creation of the interest in respect of which the claim is

made was not reasonably necessary and was made or created with a view to obtaining or increasing compensation under this Order.

Additional land.

29. The Corporation may for the purposes of Parts II and III of this Order by agreement acquire or feu any quantity of land not exceeding in the whole ten acres but nothing in this Order shall exempt the Corporation from any action or other proceeding for nuisance in the event of any nuisance being caused or permitted by them upon any land acquired or feued under the provisions of this section.

Correction of errors in deposited plans and book of reference.

30. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or specified in the deposited book 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 of the county in which such lands are situate for the correction thereof and if it appear to the said sheriff that such omission misstatement 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 misstated or wrongly described and such certificate shall be deposited with the sheriff-clerk of the county and a duplicate thereof with the town clerk of the city or of the burgh in which such lands are situate and such certificate and duplicate respectively shall be kept by such clerks respectively with the other documents to which the same relate and thereupon the deposited plans and book 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.

PART V.

EXTENSIONS OF TIME.

Extension of time for completion of tramways authorised in 1923.

31. The time limited by section 39 (Period for completion of tramways) of the Glasgow Corporation Order 1923 for the construction of Tramways Nos. 1 4 and 5 authorised by that Order is hereby extended until the eighteenth day of July one thousand nine hundred and thirty-three.

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Extension of time for compulsory purchase of lands authorised in 1925.

32. The time limited by section 17 (Period for compulsory purchase) of the Order of 1925 for the compulsory purchase of lands for the construction of the underground passages at St. Enoch Square subway station authorised by that Order is hereby extended until the thirty-first day of July one thousand nine hundred and thirty-one.

PART VI.

POLICE.

Regulation of tents vans &c.

33.—(1) It shall not be lawful for any person without the consent of the Corporation acting as the local authority for the city under the Public Health (Scotland) Act 1897—

(*a*) to let or use or permit to be used any land situate within the city for occupation by any tent van shed or similar structure used or intended to be used for human habitation; or

(*b*) to place or keep on any land situate within the city any such tent van shed or similar structure;

and such consent may be given for such period and on such conditions as the Corporation think fit Provided that consent shall not be required by any person in respect of—

(i) any tent van shed or similar structure placed or kept by the occupier of a dwelling-house upon any land connected therewith and used by him or members of his household;

(ii) any tent van shed or similar structure which is only used or intended to be used in the city for human habitation by the occupier for a period of not more than fourteen days at any one time and is not his sole or principal means of habitation; or

(iii) any tent van shed or similar structure used or intended to be used for human habitation by a person whose regular employment or occupation is that of a roundabout proprietor or travelling showman (not being a pedlar or hawker) Provided that the period during which such tent van shed or similar structure is so used in the

city shall not exceed a period of six months in any period of twelve months and such tent van shed or similar structure is only used in connection with his employment or occupation.

(2) Any person aggrieved by the withholding by the Corporation of consent under the provisions of this section may within twenty-one days from the date of the decision of the Corporation appeal to the sheriff and the sheriff may make such Order and on such terms and conditions as to the sheriff may seem just.

(3) If any person offend against any of the foregoing provisions of this section he shall be liable to a penalty not exceeding five pounds and in the case of a continuing offence to a further penalty not exceeding forty shillings for every day during which such offence continues after conviction therefor and all offences against the said provisions may be prosecuted before the magistrate in the police court.

(4) Section 73 (Tents and vans used for human habitation) of the Public Health (Scotland) Act 1897 shall in its application to the city be extended so as to authorise the Corporation to make byelaws with respect to the number of tents vans sheds or similar structures used or intended to be used for human habitation to be permitted on any land the area to be allotted to each such tent van shed or similar structure and the provision of adequate lighting and sections 183 to 187 of the said Act shall extend and apply to any byelaws made by the Corporation under this section.

(5) Nothing in this section shall prejudice or affect the powers and jurisdiction of the Dean of Guild of the city under the Police Acts.

Purification of houses and clothing.

34. Section 9 (Repeal of certain sections of Glasgow Police (Amendment) Act 1890 Houses to be purified on certificate of sanitary inspector Articles of bed or body clothing or of furnishing to be purified) of the Glasgow Corporation (Police) Order 1904 is hereby repealed and that Order shall be read and have effect as if the following section was inserted therein as section 9 thereof :—

"(1) The sanitary inspector or any member of his staff duly authorised by the Corporation for that purpose and exhibiting his authority if

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called upon so to do may at any reasonable hour in the daytime enter any house building or other premises or the pertinents thereof where he has reason to believe that such house building or premises or the pertinents or any part thereof are not in a cleanly condition and may examine and inspect the same and if he is of opinion that such house building or other premises or the pertinents thereof or any part thereof are not in a cleanly condition he shall give notice in writing to the occupier of such house building or other premises or part thereof and to the proprietor thereof in cases where there is no occupier requiring such occupier or proprietor to cleanse whitewash or purify the same in such manner as he shall direct and if the person to whom such notice is given fail to comply therewith within forty-eight hours after the receipt thereof he shall be liable to a penalty not exceeding forty shillings and to a further penalty not exceeding ten shillings for every day during which such offence shall continue after conviction therefor and the sanitary inspector or such duly authorised member of his staff may if he thinks fit cause such house building or other premises or the pertinents thereof or any part thereof to be cleansed whitewashed or purified and the Corporation may recover in a summary manner as damages the expenses incurred in so doing from the person in default;

Any such occupier or proprietor to whom such notice has been given who shall within three months after the date of such notice allow any such house building or other premises or the pertinents thereof or any part thereof to be again not in a cleanly condition shall without further notice be liable to a penalty not exceeding forty shillings and to a further penalty not exceeding twenty shillings for every day during which such offence shall continue after conviction therefor and without further notice the sanitary inspector or such duly authorised member of his staff may if he think fit cause such house building or other premises or the pertinents thereof or any part thereof to be

again cleansed whitewashed or purified and the Corporation may recover in a summary manner as damages the expenses incurred in so doing from the person in default:

"(2) The sanitary inspector or any member of his staff duly authorised by the Corporation for that purpose and exhibiting his authority if called upon so to do may at any reasonable hour in the daytime enter any house where he has reason to believe that any articles of bed or body clothing or of furnishing therein or in any part thereof are in a dirty filthy or unwholesome condition and may examine and inspect all such articles and if the sanitary inspector or such duly authorised member of his staff is of opinion that any such articles are in such condition he shall give notice in writing to the occupier of such house or part thereof requiring him to cleanse or purify such articles of bed or body clothing or of furnishing in such manner as he shall direct and if the person to whom such notice is given fail to comply therewith within twenty-four hours after receipt thereof he shall be liable to a penalty not exceeding forty shillings and to a further penalty not exceeding ten shillings for every day during which such offence shall continue after conviction therefor and the sanitary inspector or such duly authorised member of his staff may if he think fit cause any such articles of bed or body clothing or of furnishing in any such house or part thereof to be cleansed or purified and the Corporation may recover in a summary manner as damages the expenses incurred in so doing from the person in default;

Any such occupier to whom such notice has been given who shall within three months after the date of such notice allow any articles of bed or body clothing or of furnishing in any house he occupies or in any part thereof to be again in a dirty filthy or unwholesome condition shall without further notice be liable to a penalty not exceeding forty shillings and to a further

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penalty not exceeding twenty shillings for every day during which such offence shall continue after conviction therefor and without further notice the sanitary inspector or such duly authorised member of his staff may if he think fit cause any such articles of bed or body clothing or of furnishing in any such house or part thereof to be again cleansed or purified and the Corporation may recover in a summary manner as damages the expenses incurred in so doing from the person in default:

"(3) If any occupier or proprietor of such house building or other premises or the pertinents or any part thereof or the occupier of such house or part thereof as the case may be shall object to the entrance thereto of such sanitary inspector or member of his staff as aforesaid it shall not be lawful for such inspector or member to enter without a warrant from a magistrate authorising him to do so and the magistrate is hereby authorised to grant such warrant and on such warrant being obtained and exhibited any person who refuses to admit resists or incites or assists any other person to obstruct or resist the sanitary inspector or other such duly authorised member of his staff in carrying out the provisions of the two preceding subsections shall for every such offence be liable to a penalty not exceeding five pounds:

"(4) "House" for the purpose of this section shall have the meaning assigned thereto in section 3 of the Act of 1890 and shall include any cellar vault or underground room used as a dwelling-house or sleeping apartment."

Amendment of section 9 of Glasgow Corporation Order 1914.

35. Section 9 (Lighting of common stairs) of the Glasgow Corporation Order 1914 shall be read and have effect as if the following subsection were inserted therein in lieu of subsection (3) thereof:—

"(3) The Corporation shall make provision for supplying with gas electricity or other illuminant the lamps and other means of lighting required to be provided by them under the provisions of this section and shall light and extinguish the same."

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As to public clocks.

36. The Corporation may apply the assessment authorised to be imposed under section 10 (Assessment for lighting purposes) of the Glasgow Corporation Order 1914 in defraying any expense incurred by them in providing erecting maintaining repairing and lighting any public clocks provided by them and in maintaining repairing and lighting any other clocks which have been dedicated to public purposes in the city.

Maintenance of halls.

37. The police assessment authorised by the Police Acts may be applied in maintaining and repairing any halls provided by the Corporation under the Corporation Acts in so far as the revenue derived from the said halls is insufficient for defraying any expenditure connected with such halls.

Regulations for controlling vehicular traffic.

38.—(1) The Corporation may from time to time make regulations—

(*a*) prescribing the streets which are not to be used for traffic by vehicles of any specified class or description either generally or during specified hours Provided that no such regulation shall discriminate between a stage coach and any other class of omnibus;

(*b*) prescribing the streets in which traffic by vehicles shall pass in one specified direction only either generally or during specified hours;

(*c*) prescribing the places at which by reason of danger to the public or congestion of traffic omnibuses shall not stop to take up or set down passengers;

(*d*) prescribing the streets in which a person shall not while turning or attempting to turn a vehicle so as to face in the opposite direction to that in which it was facing cause that vehicle to move backwards so as to obstruct or to be likely to obstruct the flow of traffic in any such street:

Provided that (i) no regulations made under paragraphs (*a*) and (*b*) of this subsection shall apply to any vehicle ordinarily engaged in the delivery or collection of goods at or from any premises within the city whilst so engaged (ii) no regulations shall be made under paragraphs

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(*a*) (*b*) and (*c*) of this subsection which will cause any unnecessary interference with or render less convenient any access to or egress from any station hotel or depôt of a railway company or any quay wharf or shed of the trustees and in the event of any difference arising between the Corporation and any railway company or the trustees (either before or after approval by the Minister of any such regulation) as to whether or not any provision or provisions thereof are made in contravention of the provisions of this subsection such difference shall be determined by the Minister on the application of either party after notice in writing to the other.

(2) For the purposes of this section the expression "omnibus" includes every omnibus char-a-banc wagonette brake stage coach stage carriage or other carriage (not being a tramway car) plying for hire by or used to carry passengers at separate fares and includes omnibuses owned worked or managed by the Corporation under their existing powers or such powers as they may subsequently obtain.

(3) (*a*) Before any regulations made under this section shall come into force the Corporation shall submit the same to the Minister for his approval and shall give notice of the subject matters of the regulations by advertisement in the Glasgow Herald newspaper or other daily newspaper circulating in the city and in the Edinburgh Gazette and in such other manner (if any) as the Minister may direct The said notice shall name a place where copies of the regulations can be obtained free of charge and shall state a date (not being less than twenty-one days from the date of the notice) by which and the manner in which any person aggrieved by the regulations may make representations thereon to the Minister and that any such person shall at the same time send a copy of his representations to the town clerk.

(*b*) The Minister shall consider any regulations submitted to him by the Corporation and any representations thereon which may be duly made and may approve the regulations with or without modification or may disapprove the same.

(*c*) Before approving any regulations the Minister may and if any representation is duly made and is not withdrawn shall (unless the representation appears to him to be frivolous) direct a local inquiry to be held in accordance with the provisions of section 20 of the Ministry of Transport Act 1919 and the Corporation shall pay to the Minister any expenses incurred by him in relation to any such inquiry including the expenses of any witnesses summoned by the person holding the inquiry and a sum to be fixed by the Minister for the services of such person.

(*d*) The Corporation shall give at least fourteen days' notice of the intention to hold such local inquiry with particulars of any proposed regulations by advertisement in the Glasgow Herald newspaper or other daily newspaper circulating in the city and shall also give similar notice in writing to each person who has duly made any representation and has not withdrawn the same.

(*e*) The regulations shall take effect as approved by the Minister and shall come into force on a date to be fixed by him The Corporation shall cause notice to be given of all regulations approved under this section by advertisement in the Glasgow Herald newspaper or other daily newspaper circulating in the city and otherwise in such manner as may be prescribed by the Minister and shall also during the continuance of any regulation approved under subsection (1) (*b*) hereof cause to be erected and maintained in suitable positions a warning notice in a form approved by the Minister indicating the effect of the regulation and the street to which it relates.

(4) A copy of any regulations approved under this section purporting to be signed by the town clerk and certified by him to be a true copy and to have been duly approved shall be evidence (until the contrary is proved) in all legal proceedings of the due making approval and existence of such regulations without further or other proof.

(5) Any person who shall wilfully contravene any regulation made and approved under this section shall be liable on summary conviction before the sheriff or magistrate to a penalty not exceeding forty shillings.

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(6) Any company body or person running omnibuses in the city may at any time apply to the Minister to modify any regulation made under this section on the ground that such regulation as in force for the time being has been found to be or has become unsuitable for the traffic requirements of the city or has been unfairly enforced and upon any such application the Minister after considering any representations made to him by the Corporation may modify the regulation to which the application relates.

(7) If any regulation is made by the Corporation and approved by the Minister under the provisions of this section the purposes of which could have been effected by a byelaw under the provisions of section 28 (Byelaws for certain purposes) of the Glasgow Corporation Order 1912 the provisions of the said section 28 so far as they authorise the Corporation to make any byelaw to the same effect as any such regulation shall cease to have effect Provided that except as provided in this subsection nothing in this subsection shall prejudice or affect the powers of the Corporation under the said section 28 or any byelaw made thereunder and any such byelaw in force at the date of the passing of the Act confirming this Order relating to matters in respect of which regulations may be made under this section shall continue in force until the date when any such regulations relating to such matters made under the provisions of this section shall take effect.

PART VII.

MISCELLANEOUS.

Alteration of roads &c. temporarily.

39. For the purposes and during the construction of the works by this Order authorised and in maintaining the same and subject to the provisions of this Order the Corporation may temporarily use break up or cross over or under alter or stop up any streets highways roads lanes paths quays bridges railways tramways passages sewers drains watercourses mill lades or mill dams sluices gas pipes and water pipes and electric or telephonic apparatus in any of the lands shown on the deposited plans and specified in the deposited book of reference which they may find it expedient for any of those purposes so to interfere with providing when possible a proper temporary

substitute before interrupting the traffic on any such street highway road lane path quay bridge railway tramway or passage or the flow of water gas sewage or electricity or telephonic communication in any such sewer drain watercourse mill lade mill dam sluice pipe or apparatus as the case may be and making compensation to all persons injuriously affected by the exercise of the powers granted to the Corporation under this Order :

Provided that nothing in this section contained shall extend to authorise any interference with—

(*a*) any telegraphic line (as defined in the Telegraph Act 1878) or other property of His Majesty's Postmaster-General; or

(*b*) any works of any undertakers within the meaning of the Electricity (Supply) Acts 1882 to 1926 to which the provisions of section 15 of the Electric Lighting Act 1882 apply except in accordance with and subject to the provisions of that section.

Amendment of Town Councils (Scotland) Act 1923.

40. Section 7 of the Town Councils (Scotland) Act 1923 respecting the powers of returning officers at the election of parish councillors in the city shall be read and have effect as if the words " sections three and four " were inserted therein in lieu of the words " sections two and three " occurring in that section. .

Amendment of Ure Elder Fund Order 1906.

41. Whereas the indigent widow ladies connected with Glasgow or Govan to whom relief may be granted in terms of the Ure Elder Fund Order 1906 and the trust deed therein referred to are by the said trust deed defined as those who have not an income of fifty pounds per annum and it is expedient that the trustees incorporated by the said Order should have power to grant such relief to indigent widow ladies connected with Glasgow or Govan whose income does not exceed one hundred pounds per annum And whereas it is expedient that the amounts of annuities which may be granted in terms of section 23 (Amount of annuities to be granted) of the said Order should be increased as in this section provided Therefore notwithstanding anything contained in the said Order or the trust deed therein referred to the trustees incorporated by the said Order shall have power to grant relief in terms of the said Order and trust deed to indigent widow ladies connected with Glasgow or Govan whose

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income does not exceed one hundred pounds per annum and section 23 of the said Order shall be read and have effect as if the words "fifty" and "forty" were substituted for the words "twenty-five" and "twenty" respectively occurring in that section.

As to Pollokshaws open spaces.

42. The open spaces in the former burgh of Pollokshaws referred to in subsection (3) of section 47 (Provision as to Pollokshaws) of the Act of 1912 and transferred to the Corporation under the provisions of that Act and known as Greenbank Park Ann Square Well Green Barrhead Road Green Knowe Shawhill Park and Colledge Street Green shall cease to form part of the common good and shall be held and maintained by the Corporation acting under the Parks Acts in all respects as if such open spaces had been purchased or acquired by them under the Parks Acts.

Crown rights.

43. Nothing in this Order shall affect prejudically any estate right power privilege or exemption of the Crown or shall subject to the provisions of this Order any land buildings or works vested in or occupied by the Crown or any department of His Majesty's Government except to such extent as His Majesty or such department may voluntarily agree and in particular nothing herein contained shall authorise the Corporation to take use or in any manner interfere with any portion of the shore or bed of the sea or of any river channel creek bay or estuary or any land heritages subjects or rights of whatsoever description belonging to His Majesty in right of His Crown and under the management of the Commissioners of Crown Lands or of the Board of Trade respectively without the consent in writing of the Commissioners of Crown Lands or the Board of Trade as the case may be on behalf of His Majesty first had and obtained for that purpose

Costs of Order.

44. All costs charges and expenses of and incident to the preparing for obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Corporation and may be allocated by them amongst such of the departments of the Corporation as they may deem expedient and if paid out of borrowed moneys shall be repaid out of revenue within five years from the date of the passing of the Act confirming this Order.

The SCHEDULE referred to in the foregoing Order.

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(Referred to in the Section of this Order of which the marginal note is "Owners may be required to sell parts only of certain properties.")

Parish.	County.	Number on deposited plans.
Old Kilpatrick - -	Dunbarton - - -	1

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