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An Act to authorise the construction of tramways from Glasgow to Paisley, Johnstone, and Govan, and from Port Glasgow to Greenock and Gourock; and for other purposes. [13th July 1871.]

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WHEREAS the laying down in certain streets and roads in this Act mentioned, in the counties of Lanark and Renfrew, of tramways to be worked by animal power only, and constructed so as not to impede or injure the ordinary traffic of the streets and roads, would be of great local and public advantage:

And whereas it is expedient that the persons herein-after named, with others, should be incorporated into a company, and should be empowered to lay down, use, work, and maintain the several tramways in this Act particularly described:

And whereas plans and sections showing the lines and levels of the tramways and works by this Act authorised to be made, and the lands to be taken for the purposes thereof, and books of reference to those plans containing the names of the owners or reputed owners, lessees or reputed lessees, and occupiers of those lands, have been deposited with the principal sheriff clerks for the counties of Lanark and Renfrew, and those plans, sections, and books of reference are in this Act referred to as the deposited plans, sections, and books of reference:

And whereas the objects of this Act cannot be attained 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.

1. This Act may be cited for all purposes as "The Vale of Clyde Tramways Act, 1871."

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Provisions of general Acts herein named incorporated.

2. "The Companies Clauses Consolidation (Scotland) Act, 1845," Part I. (relating to cancellation and surrender of shares) and Part III. (relating to debenture stock) of "The Companies Clauses Act, 1863," "The Companies Clauses Act, 1869," "The Lands Clauses Consolidation (Scotland) Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," (except the provisions thereof with respect to the purchase of lands otherwise than by agreement,) and Parts II. and III. of "The Tramways Act, 1870" are (except where expressly varied by this Act) incorporated with and form part of this Act.

Interpretation of terms.

3. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or in part incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction, or unless herein otherwise expressly provided; the expression "the Company" shall mean the Company incorporated by this Act; the expression "the tramway," "the tramways," or "the undertaking," shall mean the tramways and works and undertaking by this Act authorised, or any part thereof; the words "street" or "road" shall mean respectively the carriageway of any street, road, bridge, thoroughfare, or place along or across which any tramway authorised by this Act is intended to be laid, and include the surface, pavement, soil, and subsoil of a street, and any bridge forming part of or leading to the same, and being under the control of the road authority; the imaginary centre line of any street or road shall mean in all cases an imaginary line drawn along the centre of the carriageway of the street or road along which the tramway is intended to be laid; the expression "road authority" shall mean the board of police, or the road trustees, or other body having the control of the street or road referred to; the expression "local authority" in this Act and in "The Tramways Act, 1870," so far as relates to the burgh of Paisley, shall mean the provost, magistrates, and town council of Paisley; and the word "contingencies" in "The Companies Clauses Consolidation (Scotland) Act, 1845," (section 125,) as incorporated with this Act, shall include the contingency of the undertaking being sold at a sum less than the aggregate amount of the capital and debts of the Company.

Alterations on Tramways Act as applied to this Act in certain instances.

4. Parts II. and III. of "The Tramways Act, 1870," incorporated with this Act, shall for the purposes of this Act have effect, subject and according to the provisions following; viz.,

Section 26 shall have effect as if fourteen days were therein mentioned instead of seven days:

Section 27 shall have effect as if it were therein provided that any penalty therein mentioned shall belong to and be paid over to the road authority:

Section 28 shall have effect as if five feet were therein mentioned instead of four feet, and as if, so far as respects the tramways Nos. 1, 1*a*, 2, 2*a*, 16, and 16*a*, twenty-one inches were therein mentioned instead of eighteen inches, and as if it were therein provided that if the Company abandon their undertaking, or any part of the same, and take up any tramway, or any part of any tramway belonging to them, the portion of the road upon which such tramway is laid shall be restored by them in manner therein mentioned to as good a condition as that in which it was before the tramway was laid thereon, or at the time of abandonment, as the road authority shall direct:

Sections 33, 46, and 58 shall have effect as if the sheriff of the county in which the subject of the matter in difference is situate, or to which the byelaws relate, or in which the turnpike road is situate, as the case may be, was therein mentioned instead of the Board of Trade:

Section 41 shall have effect as if it were therein provided that the materials of any tramway or part of tramway removed may be used by the road authority themselves, and that the road authority may, out of the proceeds of any sale of such materials, or of the value of the materials so used, pay and reimburse themselves the amount of cost certified as therein provided, and of the cost of sale, and the balance, if any, of the proceeds of the sale or of such value shall be paid over by the road authority to the Company:

Section 46 shall have effect as if the local authority, in addition to the powers therein conferred, were empowered in manner therein mentioned to make and enforce the observance of regulations as to the stopping of vehicles of every description using the connecting tramways herein-after mentioned, so far as constructed on any public road or street, and as to the lighting of such vehicles, when used thereon or on the tramways, during the night, or as to the discontinuance of traffic other than passenger traffic during any part of the day.

Company incorporated.

5. Joseph Colin Wakefield, William Beers Huggins, James Bain, David Murray, and all other persons and corporations who have already subscribed or shall hereafter subscribe to the undertaking, and their executors, administrators, successors, and assigns respectively, shall be united into a company for the purpose of making and maintaining the tramways, and for other the purposes of this Act, and for those purposes shall be incorporated by the name of

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"The Vale of Clyde Tramways Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to make tramways.

6. Subject to the provisions of this Act, the Company may make, form, lay down, work, use, and maintain the tramways herein-after described, in the lines and according to the levels shown on the deposited plans and sections, with all proper rails, plates, 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 to those plans, as may be required for that purpose. The tramways herein-before referred to and authorised by this Act are,—

(1 and 1*a*.) A tramway (No. 1), and a tramway (No. 1*a*), commencing respectively in the parish of Govan, in the county of Lanark, in Morrison Street at points therein eighty feet or thereabouts east of the junction of that street with Paisley Road, tramway No. 1 there forming a junction with the Glasgow Street tramway No. 3, authorised by "The Glasgow Street Tramways Act, 1870," and tramway No. 1*a* there forming a junction with the Glasgow Street tramway No. 3*a*, authorised by the said Act, and thence respectively passing in a westerly direction along Morrison Street and Paisley Road, and terminating respectively in the last-mentioned road in the parish of Govan in the counties of Lanark and Renfrew, or one of them, at points in the said road distant respectively one hundred and fifty feet or thereabouts, measuring in an easterly direction from the east end of the toll-house situate at the junction of the turnpike road leading from Glasgow to Paisley and the Govan Road:

The centre line of the proposed tramway No. 1 will be throughout its entire length on the northern side of and at a distance of four feet three inches from the imaginary centre line of each of the streets or roads along which it is intended to be laid:

The centre line of the proposed tramway No. 1*a* will be throughout its entire length on the southern side of and at a distance of four feet three inches from the imaginary centre line of each of the streets and roads along which it is intended to be laid.

(2 and 2*a*.) A tramway (No. 2), and a tramway (No. 2*a*), commencing respectively in the parish of Govan in the

counties of Lanark and Renfrew, or one of them, in Paisley Road at the points herein-before described as the termination of tramway No. 1 and tramway No. 1*a*, tramway No. 2 there forming a junction with tramway No. 1, and tramway No. 2*a* there forming a junction with tramway No. 1*a*, and thence passing along Paisley Road and the road from Glasgow to Paisley, and terminating respectively in the last-mentioned road in the Abbey parish in the county of Renfrew at points in that road respectively opposite or nearly opposite the east end of the Three Mile House Tavern or Inn, situate on the north side of that road:

The centre line of the proposed tramway No. 2 will be throughout its entire length on the northern side of and at a distance of four feet three inches from the imaginary centre line of each of the streets and roads along which it is intended to be laid:

The centre line of the proposed tramway No. 2*a* will be throughout its entire length on the southern side of and at a distance of four feet three inches from the imaginary centre line of each of the streets and roads along which it is intended to be laid.

(3 and 3*a*.) A tramway (No. 3), and a tramway (No. 3*a*), commencing respectively in the Abbey parish, in the county of Renfrew, in the road from Glasgow to Paisley at the points herein-before described as the termination of tramway No. 2 and tramway No. 2*a*, tramway No. 3 there forming a junction with tramway No. 2, and tramway No. 3*a* there forming a junction with tramway No. 2*a*, and thence passing in a westerly direction along the road from Glasgow to Paisley, and terminating respectively in that road in the Abbey parish in the county of Renfrew at points in that road distant respectively four chains or thereabouts from and eastward of the easternmost entrance to the grounds of Barshaw House, situate on the north side of the said road:

The centre line of the proposed tramway No. 3 will be throughout its entire length on the northern side of and at a distance of four feet six inches from the imaginary centre line of the road along which it is intended to be laid:

The centre line of the proposed tramway No. 3*a* will be throughout its entire length on the southern side of and at a distance of four feet six inches from the imaginary

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centre line of the road along which it is intended to be laid.

(4 and 4*a*.) A tramway (No. 4), and a tramway (No. 4*a*), commencing respectively in the Abbey parish, in the county of Renfrew, in the road from Glasgow to Paisley, at the points herein-before described as the termination of tramway No. 3 and tramway No. 3*a*, tramway No. 4 there forming a junction with tramway No. 3, and tramway No. 4*a* there forming a junction with tramway No. 3*a*, and thence passing along the said road from Glasgow to Paisley into and along Williamsburgh, Garthland Street, Gauze Street, Old Smithhills Street, Smithhills, the Old Bridge over Whitecart Water, the Cross, High Street, Well Meadow Street, Broomlands Street, Ferguslie, and the road leading from Paisley to Johnstone, and terminating respectively in the Abbey parish and county of Renfrew, in the road leading from Paisley to Johnstone, at points about one chain west of the centre of the bridge which carries the last-mentioned road over Candren Burn:

The centre line of the proposed tramway (No. 4) will be throughout its entire length on the northern side of and at a distance of four feet six inches from the imaginary centre line of each of the streets and roads along which it is intended to be laid:

The centre line of the proposed tramway (No. 4*a*) will be throughout its entire length on the southern side of and at a distance of four feet six inches from the imaginary centre line of each of the streets and roads along which it is intended to be laid.

(5 and 5*a*.) A tramway, No. 5, and a tramway, No. 5*a*, commencing respectively in the Abbey parish, in the county of Renfrew, in the road from Paisley to Johnstone, at the points herein-before described as the termination of tramway No. 4 and tramway No. 4*a*, tramway No. 5 there forming a junction with tramway No. 4, and tramway No. 5*a* there forming a junction with tramway No. 4*a*, and thence passing westwardly along the last-mentioned road, and terminating respectively at Elderslie at a point in that road situate in the Abbey parish and county of Renfrew about four chains, measuring west, from the west end of Glenpatrick Street, where that street joins the said road from Paisley to Johnstone:

The centre line of the proposed tramway No. 5 will be throughout its entire length on the northern side of and at

a distance of four feet six inches from the imaginary centre line of the road along which it is intended to be laid, except that for a length of one chain at its termination the centre line of the tramway will gradually approach the imaginary centre line of the road until it coincides with it at the point of termination before described:

The centre line of the proposed tramway No. 5*a* will be throughout its entire length on the southern side of and at a distance of four feet six inches from the imaginary centre line of the road along which it is intended to be laid, except that for a length of one chain from its termination the centre line of the tramway will gradually approach the imaginary centre line of the road until it coincides with it at the point of termination before described.

(6.) A tramway (No. 6), commencing in the Abbey parish in the county of Renfrew, in the road from Paisley to Johnstone, at the point herein-before described as the termination of tramway No. 5 and tramway No. 5*a*, tramway No. 6 there forming a junction with those tramways, and thence passing westwardly along the last-mentioned road and along High Street, Johnstone, and terminating in High Street, Johnstone, in the last-mentioned parish and county at or near the end of Macdowall Street at its junction with High Street, Johnstone:

The tramway No. 6 will be laid throughout its entire length along the centre of each of the streets and roads along which it is intended to be laid, except that from a point on the centre of the bridge over the Burn on the east side of the cotton mill at Glen House the centre line of the tramway will gradually diverge from, until in the length of one chain to the westward it attains the distance of four feet six inches from, and on the northern side of the imaginary centre line, and thence it will continue for a length of three chains at that distance from and on that side of the imaginary centre line, and thence will gradually approach the imaginary centre line until in a further length of one chain it coincides with the said imaginary centre line, and except also that from a point three chains or thereabouts east of the east end of the Thornhill Inn at Thorn the centre line of the tramway will gradually diverge from, until in the length of one chain it attains the distance of four feet six inches from and on the northern side of the imaginary centre line, and thence it will continue at that distance from and on that side of the

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imaginary centre line to a point opposite the western end of the north parapet of the bridge which carries the road from Paisley to Johnstone over the Glasgow and South-western Railway, and thence will gradually approach the imaginary centre line until in a length of one chain it coincides with the said imaginary centre line.

(6*a*.) A tramway or passing place (No. 6*a*), five chains in length, commencing in the Abbey parish, in the county of Renfrew, in the road leading from Paisley to Johnstone, by a junction with tramway No. 6 at a point on the centre of the bridge over the Burn, on the east side of the cotton mill at Glen House, and proceeding thence in a westerly direction along the last-mentioned road, and terminating in that road in the said parish and county by a junction with tramway No. 6 at a point five chains or thereabouts westward from the centre of the said bridge:

The centre line of the tramway No. 6*a* will be throughout its entire length at a distance of four feet six inches from and on the south side of the imaginary centre line, except that for a length of one chain from its commencement, and for a like distance from its termination, it will gradually approach the imaginary centre line until at its commencement and termination respectively it coincides with the said imaginary centre line.

(6*b*.) A tramway (No. 6*b*), commencing in the Abbey parish in the county of Renfrew, in the road leading from Paisley to Johnstone, by a junction with tramway No. 6 at a point three chains or thereabouts east of the east end of the Thornhill Inn at Thorn, and terminating by a junction with tramway No. 6 at a point in the last-mentioned road one chain west of the western end of the north parapet of the bridge which carries that road over the Glasgow and South-western Railway, in the last-mentioned parish and county:

The centre line of the proposed tramway No. 6*b* will be at its commencement coincident with the imaginary centre line, and will thence gradually diverge from, until in the length of one chain it attains the distance of four feet six inches from, and on the southern side of the imaginary centre line, and thence it will continue at that distance from and on that side of the imaginary centre line to a point one chain from the termination of the tramway, and thence will gradually approach the imaginary centre line until at the termination of the tramway it coincides with the said imaginary centre line.

(6*c*.) A tramway or passing place (No. 6*c*), three chains in length, situate wholly in Abbey parish and county of Renfrew, and in High Street, Johnstone, commencing by a junction with tramway No. 6 at or near the end of Dimity Street where that street joins High Street, Johnstone, and terminating by a junction with tramway No. 6 at a point three chains east of its commencement:

The centre line of the tramway No. 6*c* will be throughout its entire length at a distance of nine feet from and on the south side of the imaginary centre line of the High Street, Johnstone, except that for a length of one chain from its commencement, and a like length from its termination, it will gradually approach the imaginary centre line until at the commencement and termination of the tramway or passing place respectively the centre line of the tramway coincides with the said imaginary centre line.

(6*d*.) A tramway or passing place (No. 6*d*), three chains in length, situate wholly in Abbey parish and county of Renfrew, and in High Street, Johnstone, commencing by a junction with tramway No. 6 at or near the end of Macdowall Street where that street joins High Street, Johnstone, and terminating by a junction with tramway No. 6 at a point two chains east of the commencement of tramway No. 6*d*:

The centre line of the tramway (No. 6*d*) will be throughout its entire length at a distance of nine feet from and on the south side of the imaginary centre line, except that for a length of one chain from its commencement, and a like length from its termination, it will gradually approach the imaginary centre line until at the commencement and termination of the tramway or passing place respectively it coincides with the said imaginary centre line.

(7 and 7*a*.) A tramway (No. 7), and a tramway (No. 7*a*), commencing respectively in the parish of Port Glasgow, in the county of Renfrew, at or near the east end of Bay Street at the junction of that street with Robert Street, and thence passing in a westerly direction along Bay Street, Dockhead Street, Fore Street, Scarlow Street, Shore Street, Brown Street, Bellhaven Street, and the road from Greenock to Port Glasgow, and terminating respectively at points in the last-mentioned road, in the East parish or parish of Greenock and county of Renfrew, one chain or thereabouts west of the centre of the Glenbridge, carrying the last-mentioned road over Devol Burn:

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The centre line of the proposed tramway (No. 7) will be throughout its entire length on the northern side of and at a distance of four feet from the imaginary centre line of each of the streets and roads along which it is intended to be laid:

The centre line of the proposed tramway (No. 7*a*) will be at the commencement on the northern side of and at a distance of four feet from the imaginary centre line, and will thence gradually approach until it intersects the imaginary centre line at a point distant one chain from its commencement, and will thence gradually diverge from the imaginary centre line southwards to a point distant two chains from its commencement, where it will be and whence it will continue to be to its termination four feet from and on the southern side of the imaginary centre line of each of the streets and roads along which it is intended to be laid.

(8 and 8*a*.) A tramway (No. 8), and a tramway (No. 8*a*), commencing respectively in the East parish or parish of Greenock, in the county of Renfrew, in the road from Greenock to Port Glasgow, at the points herein-before described as the termination of tramway (No. 7) and tramway (No. 7*a*), tramway (No. 8) there forming a junction with tramway (No. 7), and tramway (No. 8*a*) there forming a junction with tramway (No. 7*a*), and thence passing westwardly along the road from Greenock to Port Glasgow, and terminating respectively in that road in the East parish or parish of Greenock in the county of Renfrew at points forty feet or thereabouts south-east of the south-east corner of the shipbuilding yard now or formerly belonging to Messrs. Laurence Hill and Company:

The centre line of the proposed tramway (No. 8) will be throughout its entire length on the northern side of and at a distance of four feet from the imaginary centre line of the road along which it is intended to be laid:

The centre line of the proposed tramway (No. 8*a*) will be throughout its entire length on the southern side of and at a distance of four feet from the imaginary centre line of the road along which it is intended to be laid.

(14 and 14*a*.) A tramway (No. 14), and a tramway (14*a*), commencing respectively in the West parish or parish of Greenock, in the county of Renfrew, in the Low Gourock Road, thence passing along the Low Gourock Road into and along the turnpike road leading from Greenock to

Gourock, Shore Street, Gourock, Quay Street, Kempock Place, and Kempock Street, and terminating respectively in the last-mentioned street at or near the south-west end thereof, in the parish of Inverkip or Innerkip in the county of Renfrew:

The centre line of the proposed tramway (No. 14) will be throughout its entire length on the northern side of and at a distance of four feet from the imaginary centre line of each of the streets and roads along which it is intended to be laid:

The centre line of the proposed tramway (No. 14*a*) will be throughout its entire length on the southern side of and at a distance of four feet from the imaginary centre line of each of the streets and roads along which it is intended to be laid.

(15.) A tramway (No. 15), commencing in the parish of Inverkip or Innerkip, in the county of Renfrew, in Kempock Street, Gourock, at the point of termination of tramway (No. 14*a*) herein-before described, and there forming a junction with that tramway, and thence passing along Kelliebridge turnpike road, and terminating in the last-mentioned road at a point about fifty feet, measuring in an easterly direction from the turnpike gateway on that road at or near the western extremity of Ashton Gourock in the last-mentioned parish and county:

The centre line of the proposed tramway (No. 15) will be at its commencement on the southern side of and at a distance of four feet from the imaginary centre line of the street or road along which it is intended to be laid, and will thence for a length of fifty feet gradually approach the imaginary centre line until at that distance from its commencement, and thence to its termination, the tramway will be laid in the centre of the last-mentioned road.

(15*a*.) A tramway (No. 15*a*), commencing in Kempock Street, Gourock, in the parish of Inverkip or Innerkip, in the county of Renfrew, at the point of termination of tramway (No. 14) herein-before described, there forming a junction with that tramway, and thence passing along the Kellie Bridge turnpike road into and terminating in the last-mentioned road by a junction with tramway (No. 15) at a point about eleven chains south-westward measuring from the commencement of tramway (No. 15) herein-before described in the last-mentioned parish and county:

The centre line of the proposed tramway (No. 15*a*) will

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be at its commencement four feet from and on the northern side of the imaginary centre line of the street or road along which it is intended to be laid, and will thence for a length of fifty feet gradually diverge from the imaginary centre line until it attains a distance of eight feet therefrom, and on the northern side thereof, and thence will continue to be at the distance of eight feet from the imaginary centre line, and on the northern side thereof, until at a point distant one hundred feet from its termination it will gradually approach the imaginary centre line until it coincides with it at the termination of the tramway.

(15*b*.) A tramway (No. 15*b*), commencing in the parish of Inverkip or Innerkip, in the county of Renfrew, in the Kellie Bridge turnpike road by a junction with tramway (No. 15) at a point eight chains or thereabouts westward of the point of termination of tramway (No. 15*a*) herein-before described, and thence passing along the last-mentioned road, and terminating in that road by a junction with tramway (No. 15) at the point of termination of tramway (No. 15) herein-before described, in the parish of Inverkip or Innerkip in the county of Renfrew:

The centre line of the proposed tramway (No. 15*b*) will be at its commencement in the centre of the road, and thence for a length of one hundred feet will gradually diverge from the imaginary centre line of the road in which it is intended to be laid towards the north until it attains a distance of eight feet therefrom and on the north side thereof, and will thence be, and will continue to be, at the distance of eight feet therefrom and on the northern side thereof, until at a point distant one hundred feet from its termination it will gradually approach the imaginary centre line until it coincides with it at the termination of the tramway.

(16 and 16*a*.) A tramway (No. 16), and a tramway (No. 16*a*), commencing respectively in the parish of Govan in the counties of Renfrew and Lanark, or one of them, in the Paisley Road, at the points of termination of tramways (No. 1) and (No. 1*a*) respectively herein-before described, tramway (No. 16) there forming a junction with tramway (No. 1), and tramway (No. 16*a*) there forming a junction with tramway (No. 1*a*), and thence passing along the said road into and along Govan Road and the road leading from Glasgow to Renfrew Bridge, known as the Renfrew Road, and terminating respectively in the last-mentioned road at

or near the point where the said road is intersected by the stream forming the western boundary of the park or enclosure between the mansion of Linthouse and the said road, in the parish of Govan and county of Lanark:

The centre line of the proposed tramway (No. 16) will be throughout its entire length on the northern side of and at a distance of four feet three inches from the imaginary centre line of each of the streets and roads along which it is intended to be laid, except that from a point distant two chains from its termination it will gradually approach the imaginary centre line until it intersects it at a point distant one chain from its termination, and will thence gradually diverge from the imaginary centre line to the northward until it attains at its termination a distance of four feet three inches from and on the south side of the imaginary centre line:

The centre line of the proposed tramway (No 16*a*) will be throughout its entire length on the southern side of and at a distance of four feet three inches from the imaginary centre line of each of the streets and roads along which it is intended to be laid.

Mode of formation of tramways.

7. Every tramway to be made, formed, or laid down under this Act shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the street or road, and the groove in the rail shall in no case exceed one inch and a quarter in width, and the tramways shall not be opened for public traffic until the same have been inspected and certified to be fit for such traffic in the manner (if any) which may be prescribed by the sheriff of the county in which the tramway is situate.

Tramways to be kept on level with surface of roads.

8. If any road authority shall hereafter alter the level of any street or road along or across which any tramway of the Company is laid or authorised to be laid, the Company may and shall from time to time, at their own expense, alter or (as the case may be) lay their rails so that the uppermost surface thereof shall be on a level with the surface of the street or road as altered.

Only one tramway to be laid on road in certain cases.

9. Notwithstanding anything in this Act contained, the Company shall not lay down more than one tramway consisting of two rails along or across any road or part of a road where the trustees of such road shall require only one such tramway to be laid down, and in all such cases such tramway shall be laid down on such road or part of a road in the line or position such trustees may direct, not being further from the centre of the road than the line or position of one of the tramways authorised to be laid thereon, as shown on the

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deposited plans: Provided also, that no siding, works, or other convenience in connexion with the said tramway which is not delineated on the deposited plans, except as herein-after provided, shall be made on any road or part of a road without the previous consent of the trustees of such road.

Company to make passing places on requisition of road or local authority.

10. The Company shall and they are hereby required, on the requisition of the trustees of the respective roads upon which any of the tramways are laid, or of the local authority, to construct a passing place or passing places connecting the lines of tramway with each other at such points as shall be required by the trustees of the roads, or the local authority so requiring, and by means of such passing place or places the traffic shall, when necessary, be diverted from the one tramway to the other: Provided always, that, if the Company think fit, they may appeal to the sheriff of the county against any requisition so made, and the decision of the sheriff on such appeal shall be final.

Provisions as to part of road from Paisley to Johnstone.

11. The tramway No. 6 shall be carried along that portion of the road leading from Paisley to Johnstone which extends from the bridge carrying the said road over the Glasgow and South-western Railway at Johnstone Station across the Glasgow, Paisley, and Ardrossan Canal to the end of the paved street at Peockland toll bar, with such description and section of rail as shall be specially suited for public or ordinary cart traffic, as well as for the flanged wheels of the tramway carriages, and shall be laid as nearly as may be in the line of the present tram-plates laid by the trustees of the road to facilitate the passage of traffic, all at the expense of the Company, and at the sight and to the satisfaction of the surveyor of the road for the time being, or, in the option of the said trustees, the said portion of road and the bridge carrying the same across the Glasgow, Paisley, and Ardrossan Canal shall be widened sufficiently to the eastward for the purpose of enabling the Company to lay the tramway on the eastern side of the tram-plates, so that the macadamised roadway presently available for the public or ordinary traffic shall not be diminished or interfered with; and in the latter case the trustees of the said road shall themselves obtain all requisite consents for and execute that portion of the said works which consists of widening the said road and bridge, and the Company shall pay them the sum of five hundred pounds towards the expense of such widening.

Provision as to railway and canal bridges.

12. In constructing the tramways by this Act authorised the Company shall not alter or interfere with the structure of any of the bridges which carry roads over any railways or canal belonging to the Caledonian Railway Company or the Glasgow and South-western Railway Company respectively, or over any railway belong-

ing to such companies jointly, except with consent of the said companies, or of the statutory committee of management of the joint line of railway between Glasgow and Paisley respectively, excepting as regards the bridge carrying the road across the Glasgow, Paisley, and Ardrossan Canal at Johnstone, which the trustees of that road may, if they think fit, widen on the east side so as to admit of the widening of the road between the railway station and the town of Johnstone, as provided for in the next preceding section of this Act.

Tramways to be constructed for use by railway vehicles.

13. The tramways by this Act authorised shall, subject to the provisions of this Act, be so constructed and maintained as to permit the use thereon and the passage along the same of waggons and other vehicles in ordinary use upon railways for the conveyance of goods and mineral traffic, to be drawn by animal power only, under the provisions herein-after contained: Provided always, that this provision shall not apply to tramways Nos. 1 and 1*a* without the consent of the Corporation of Glasgow and the lessees of the tramways authorised by "The Glasgow Street Tramways Act, 1870," if the Corporation of Glasgow shall elect, as herein-after provided.

Connexions between tramways and railways and shipbuilding yards and works to be made under certain conditions.

14. And whereas the railways of the Caledonian and the Glasgow and South-western Railway Companies respectively, and the joint line of railway between Glasgow and Paisley belonging to the said two companies, approach at various places to certain of the tramways hereby authorised: And whereas certain shipbuilding yards and other works are near to the tramways No. 16 and No. 16*a* hereby authorised, and it will be for the public advantage that continuous communication between the said railways and the tramways, and between such yards and works and the tramways No. 16 and No. 16*a*, should be established: Therefore the Company, upon requisition in writing being made to them to that effect by the Caledonian Railway Company and the Glasgow and South-western Railway Company jointly, or either of them separately, or by the committee of management of the said joint line of railway, or by the owners or occupiers of such yards or works, or any of them, shall, with the consent of the road authority, and such other consent as may be necessary, construct such tramways as may be specified in such requisition, to connect the railways specified in such requisition with the tramways hereby authorised, or any of them, or to connect the yards or works specified in such requisition with the tramways No. 16 and No. 16*a*, as the case may be, and the cost of making and maintaining such connecting tramways, in so far as the same shall be made on any public road or street, shall be borne and defrayed by the Company, and the whole other cost of making the same shall be borne and defrayed by the railway company or companies, or the said

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committee of management, or such owners or occupiers, or any of them, as the case may be, making such requisition as aforesaid: Provided always, that if the road authority refuse their consent to the construction of any such connecting tramway, the Company or the railway company or companies, or the said committee of management, or the owners or occupiers making such requisition, may appeal to the sheriff of the county within which such connecting tramway or the greater portion thereof would be situate, and, after hearing parties on such appeal, the said sheriff may, if he think fit, order and direct that such connecting tramway be made without the consent of the road authority, and may pronounce such further orders with respect to the costs of such appeal, and any other matter connected therewith, as he may think fit; and the orders and decisions of the said sheriff in every such appeal shall be final, and not subject to review in any court or by any process whatsoever: Provided also, that this section shall not apply to tramways Nos. 1 and 1*a* without the consent of the Corporation of Glasgow and the lessees of the tramways authorised by "The Glasgow Street Tramways Act, 1870," if the Corporation of Glasgow shall elect, as herein-after provided.

Power for Company to use tramways with flange-wheeled carriages, &c.

15. The Company may use on their tramways carriages with flange wheels, or wheels specially adapted to run on a grooved rail; and, subject to the provisions of this Act as to the use of the tramways for the conveyance of traffic to and from railways by carriages constructed for use upon railways, the Company shall have the exclusive use of their tramways for carriages with flange wheels, or other wheels specially adapted to run on a grooved rail. All carriages used on any tramway shall be moved by animal power only. Subject to the provisions herein-after made, no part of any carriage used on any tramway, or of the loading thereon, shall extend beyond the outer edge of the wheels of such carriage more than eleven inches on each side: Provided nevertheless, that vehicles in ordinary use upon railways which extend not more than sixteen inches beyond the outer edges of the wheels on each side may pass along the said tramways, but the loading thereof shall in no case extend beyond the sides of such vehicles: Provided always, that this shall not apply to tramways Nos. 1 and 1*a*, if the Corporation of Glasgow elect as hereby authorised, except with the consent of the Corporation and their lessees.

Power to other companies, &c. to use tramways.

16. All persons, corporations, and companies lawfully using any tramway communicating with any of the tramways authorised by this Act, and the trustees of any road upon which any of such tramways are laid, may use the tramways, or any of them, authorised by this Act, with carriages having flange wheels, or other wheels specially adapted to run thereon, upon payment of such tolls or other con-

sideration for the use of the last-mentioned tramways, and under such regulations, and upon such other terms and conditions as may be agreed on between them and the Company or their lessees, or, failing such agreement, as shall from time to time be fixed and determined by the Board of Trade on the application of either of the said parties.

Power to railway companies to use tramways.

17. Subject to the byelaws and regulations of the Company in force for the time, as to the time and manner of exercising the powers hereby granted, the Caledonian Railway Company and the Glasgow and South-western Railway Company jointly, or either of them separately, or the said committee of management, shall have right, anything in this Act to the contrary notwithstanding, to use (by animal power only) the tramways by this Act authorised, or any part thereof, for the conveyance of goods and mineral traffic, with waggons and other vehicles in ordinary use on railways, upon payment to the Company of tolls, not exceeding six tenths of a penny per ton per mile, on the weight of traffic so conveyed, exclusive of the weight of the vehicle, and empty vehicles passing free of toll: Provided always, that the Company shall be entitled to charge for traffic conveyed for three miles, or any shorter distance, any sum not exceeding twopence per ton: Provided further, that the tolls which the Company are herein-before authorised to charge shall not be held to include tolls or rates exigible under this Act or any other Acts of Parliament by the trustees of any turnpike road along which the tramways are laid; but any tolls or rates so exigible shall be paid by the Caledonian Railway Company or the Glasgow and South-western Railway Company jointly or separately, or the said committee of management, as the case may be, for the traffic conveyed by them respectively: Provided always, that this shall not apply to tramways Nos. 1 and 1*a*, if the Corporation of Glasgow elect as hereby authorised, except with the consent of the Corporation and their lessees.

Tramways to be parts of roads.

18. Except as by this Act otherwise specially provided, any tramway laid along any turnpike or other road under the authority of this Act shall for all purposes be and remain a part of such road.

Tolls leviable by road trustees.

19. Notwithstanding anything in this Act contained, the trustees of any road on which any of the tramways are laid, may levy and recover, in respect of horses and other motive power drawing or propelling carriages of any description used in the conveyance of passenger traffic upon any tramway laid along such road, the same tolls or assessments that such trustees are or may be entitled by law to levy and recover in respect of horses and other motive power

A.D. 1871. drawing or propelling carriages used in the conveyance of passenger traffic upon such road, and the trustees of any such road may levy and recover in respect of all traffic other than passenger traffic drawn or propelled in or upon carriages of any description upon any tramway laid along such road (in lieu of all tolls exigible by them in respect of such traffic) a rate not exceeding one penny per ton for each mile that such traffic is carried along any tramway so laid, whether such traffic passes through any toll bar on such road or not; and any part of a mile that such traffic may be so carried when it is carried for less than a mile, and any part of a mile that such traffic may be so carried in addition to one mile, or to any integral number of miles, shall be reckoned as an entire mile; and any fraction of a ton where less than one ton is carried in any one carriage, or any fraction of a ton above an integral number of tons carried in any one carriage, shall be reckoned according to the number of quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton; and the weight of such traffic and the distance for which it shall have been so carried shall be ascertained from the way-bills, invoices, and books of the Company or their lessees (to which the said trustees shall have access at all reasonable times), or in such other manner as the said trustees may deem expedient; and the Company or their lessees shall within ten days after the expiration of each calendar month furnish to such trustees a detailed account of the traffic so carried during such month, showing the weight carried in each carriage and the distance for which it shall have been carried therein, and shall within ten days after furnishing each such account pay to such trustees the amount of the rates due to them as aforesaid in respect of the traffic carried during the said month, under a penalty of forty shillings for every day after the said respective periods of ten days during which the Company or their lessees shall fail to furnish such account, or to pay such rates, which penalty may be recovered in the manner prescribed by section 56 of "The Tramways Act, 1870:" Provided always, that the weight of the carriage in or upon which such traffic is carried shall not be included in the weight in respect of which the said trustees are entitled to payment as aforesaid, and that they shall not be entitled to make any charge in respect of empty carriages returning from having passed along the tramway with a loading or proceeding for a loading to be carried along the tramways, but in all other cases such trustees may levy and recover a rate of one penny per mile (reckoning as aforesaid) for each empty carriage: Provided also, that the tolls or assessments to be so levied by such trustees in respect of passenger traffic upon any such tramway shall not at any

time be higher than those which such trustees shall be actually levying at the time in respect of traffic of a similar description passing upon the road along which such tramway shall be laid: Provided nevertheless, that where two or more carriages conveying passenger traffic are drawn or propelled on the tramway in the same train, the horse or horses, or other motive power drawing or propelling such train, shall be chargeable with toll as if each such carriage were separately drawn or propelled by such horse or horses, or other motive power.

Power to make agreements as to tolls.

20. The Company, or any other company or person or corporation lawfully using the tramways, on the one part, and the trustees of any road along which any tramway may be laid under the authority of this Act on the other part, may from time to time enter into agreements with each other for the payment of a composition to such trustees in respect of the user of such road for such tramway, or in respect of the tolls, rates, or assessments payable for the conveyance of traffic thereon.

Capital.

21. The capital of the Company shall be two hundred and fifty thousand pounds, in twenty-five thousand shares of ten pounds each.

Shares not to be issued until fully paid up.

22. The Company shall not issue any share created under the authority of this Act, nor shall any share vest in the person accepting the same, unless and until the amount of such share shall have been paid up in full.

Power to divide shares.

23. Subject to the provisions of this Act, the Company, with the authority of three fourths of the votes of the shareholders present in person or by proxy at a general meeting of the Company specially convened for the purpose, may from time to time divide any share fully paid up as aforesaid in their capital into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share."

Dividends on half shares.

24. The dividend which would from time to time be payable on any divided share if the same had continued an entire share shall be applied in payment of dividends on the two half shares in manner following; (that is to say,) first, in payment of dividend after such rate, not exceeding six pounds per centum per annum, as shall be determined at a general meeting of the Company specially convened for the purpose, on the preferred half share, and the remainder (if any) in payment of dividend on the deferred half share.

Dividend on preferred shares to be paid out of the profits of the year only.

25. Each preferred half share shall be entitled out of the profits of each year to the dividend which may have been attached to it by the Company as aforesaid in priority to the deferred half share bearing the same number; but if in any year ending the thirty-first

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day of December there shall not be profits available for the payment of the full amount of dividend on any preferred half share for that year, no part of the deficiency shall be made good out of the profits of any subsequent year, or out of any other funds of the Company.

Half shares to be registered and certificates issued.

26. Forthwith after the creation of any half shares the same shall be registered by the directors, and each half share shall bear the same number as the number of the entire share certificate in respect of which it was issued, and the directors shall issue certificates of the half shares accordingly, and shall cause an entry to be made in the register of the entire shares of the conversion thereof: Provided always, that the directors shall not be bound to issue a certificate of any half share until the certificate of the existing share be delivered to them to be cancelled, unless it be shown to their satisfaction that the certificate is destroyed or lost, and on any certificate being so delivered up the directors shall cancel it.

Terms of issue to be stated in certificates.

27. The terms and conditions on which any preferred half share or deferred half share created under this Act is issued shall be stated on the certificate of each such half share.

Preferred shares not to be cancelled or surrendered.

28. No preferred half share created under the authority of this Act shall be cancelled or be surrendered to the Company.

Half shares to be half shares in capital.

29. The several half shares under this Act shall be half shares in the capital of the Company, and every two preferred or deferred half shares held by the same person shall confer such right of voting at meetings of the Company, and (subject to the provisions hereinbefore contained) shall confer and have all such other rights, qualifications, privileges, liabilities, and incidents as attach and are incident to an entire share.

Receipts on behalf of incapacitated persons.

30. If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of his guardian or committee, as the case may be, shall be a sufficient discharge to the Company for the same.

Power to borrow.

31. The Company may from time to time borrow on mortgage any sum or sums not exceeding in the whole sixty thousand pounds, and of that sum they may borrow from time to time not exceeding five thousand pounds in respect of every twenty thousand pounds of their capital, but no part of any such sum of five thousand pounds shall be borrowed until the whole of the respective twenty thousand pounds of capital in respect of which it is to be borrowed is subscribed for, issued, and accepted, and fully paid up, and the Company have proved to the sheriff who is to certify under the forty-second section of "The Companies Clauses Consolidation (Scotland) Act, 1845,"

(before he so certifies) that the whole of the respective twenty thousand pounds of capital has been bonâ fide subscribed for, issued, and accepted, and fully paid up; and upon production to such sheriff of the books of the Company, and of such other evidence as he shall think sufficient, he shall grant a certificate that the proof aforesaid has been given, which shall be sufficient evidence thereof.

For appointment of a receiver.

32. The mortgagees of the Company may enforce payment of arrears of interest or principal, or principal and interest, due on their mortgages by the appointment of a receiver, and in order to authorise the appointment of a receiver in respect of principal, or principal and interest, the amount owing to the mortgagees by whom the application for a receiver shall be made shall not be less in the whole than three thousand pounds.

Moneys borrowed on mortgage to have priority.

33. All moneys to be borrowed on mortgage under this Act, from the time when the same shall be advanced, and the interest for the time being due thereon, shall have priority against the Company and all the property from time to time of the Company over all other claims on account of any debts incurred or to be incurred or engagements entered into or to be entered into by them; but nothing in this section shall affect any claim in respect of land acquired by the Company for the purposes of this Act, or injuriously affected by the construction of the tramway, or by the exercise of any of the powers conferred upon the Company.

Application of moneys.

34. All moneys raised under this Act, whether by shares or borrowing, shall be applied for the purposes of this Act only.

First ordinary meeting.

35. The first ordinary meeting of the Company after the passing of this Act shall be held not earlier than seven months nor later than twelve months next after the passing of this Act.

Quorum of general meetings.

36. The quorum of a general meeting of the Company, whether ordinary or extraordinary, shall be ten shareholders holding in the aggregate not less than three thousand pounds of the capital of the Company.

Scale of voting.

37. The prescribed scale of voting shall be one vote in respect of every fifty pounds of paid-up capital of the Company.

Number of directors.

38. The number of directors shall be seven, but the Company may from time to time reduce the number of directors, so that the number be not less than four.

Qualification of directors.

39. The qualification of a director shall be the possession in his own right of not less than twenty shares.

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Quorum.

40. The quorum of a meeting of directors shall be three.

First directors; election of directors.

41. Joseph Colin Wakefield, William Beers Huggins, James Bain, and David Murray shall be four of the first directors of the Company, and shall continue in office until the first ordinary meeting held after the passing of this Act. At that meeting the shareholders present in person or by proxy may either continue in office the directors appointed by this Act, or any of them, or may elect new directors to supply the place of those not continued in office, the directors appointed by this Act being, if qualified, eligible for re-election, and they shall elect additional directors so as to make up the full number of seven; and at the first ordinary meeting to be held in every year after the first ordinary meeting the shareholders present in person or by proxy shall (subject to the power herein-before contained for reducing the number of directors) elect persons to supply the places of the directors then retiring from office agreeably to the provisions in "The Companies Clauses Consolidation (Scotland) Act, 1845," contained, and the several persons elected at any such meeting, being neither removed nor disqualified nor having resigned, shall continue to be directors until others are elected in their stead in manner provided by the same Act.

Period for completion of works.

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

Land by agreement.

43. The Company may from time to time purchase and acquire (by agreement) such land as they may require for their undertaking, not exceeding in the whole twenty acres.

Tolls for passengers.

44. The Company may demand and take for every passenger travelling upon any or either of the tramways, or any part or parts thereof respectively, including tolls for the use of the tramway, and of carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding one penny per mile.

Maximum rates for cattle and goods.

45. The maximum rate of charge to be made by the Company for the conveyance of animals and goods on the tramway, including the tolls for the use of the tramway, and for waggons or trucks or motive power, and every other expense incidental to the conveyance, except a reasonable sum for loading, covering, and unloading of goods, and for delivery and collection, and any other service incidental to the duty or business of a carrier, when such services,

or any of them, are or is performed by the Company, shall not exceed the following sums per mile; (that is to say,)

Tolls for cattle and goods.

For every horse, mule, or other beast of draught or burden, one shilling:

For every ox, cow, bull, or head of cattle, eightpence per head:

For calves, pigs, sheep, and small animals, sixpence per head:

For all coals, coke, culm, charcoal, cannel, limestone, chalk, lime, salt, sand, fire-clay, cinders, dung, compost, and all sorts of manure, and all undressed materials for the repair of public roads or highways, per ton not exceeding tenpence:

For all iron, ironstone, iron ore, pig iron, bar iron, rod iron, sheet iron, hoop iron, plates of iron slabs, billets, and rolled iron, bricks, slag, and stone, stones for building, pitching, and paving, tiles, slates, and clay (except fire-clay), and for wrought iron not otherwise specifically classed herein, and for heavy iron castings, including railway chairs, per ton not exceeding tenpence:

For all sugar, grain, corn, flour, hides, dyewoods, earthenware, timber, staves, deals, and metals (except iron), nails, anvils, vices, and chains, and for light iron castings, per ton not exceeding one shilling:

For cotton and other wools, drugs, and manufactured goods, and all other wares, merchandise, fish, articles, matters, or things, per ton not exceeding one shilling and threepence:

For every carriage of whatever description, not exceeding two shillings.

Regulations as to tolls.

46. The following provisions and regulations shall apply to the fixing of all tolls and charges under this Act; (that is to say,)

Short distances.

For persons conveyed on the tramway for a less distance than three miles the Company may demand tolls and charges as for three miles, excepting within the burgh of Paisley, where the Company may demand tolls and charges as for two miles only:

Fractional parts of a mile.

A fraction of a mile beyond an integral number of miles shall be deemed a mile:

Fractional parts of a ton.

For a fraction of a ton the Company may demand tolls according to the number of the quarters of a ton in such fraction, and if there be a fraction of a quarter of a ton such fraction shall be deemed a quarter of a ton:

General weight.

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois weight:

Weight of stone and timber.

With respect to stone and timber, fourteen cubic feet of stone, forty cubic feet of oak, mahogany, teak, beech, or ash, and fifty cubic feet of any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

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Tolls for small parcels and articles of great weight.

47. With respect to small parcels and single articles of great weight, notwithstanding the rates prescribed by this Act, the Company may demand and take any tolls not exceeding the following; (that is to say,)

For the carriage of small parcels on the tramway as follows:

For any parcel not exceeding seven pounds in weight, threepence:

For any parcel exceeding seven pounds and not exceeding fourteen pounds in weight, fivepence:

For any parcel exceeding fourteen pounds and not exceeding twenty-eight pounds in weight, sevenpence:

For any parcel exceeding twenty-eight pounds but not exceeding fifty-six pounds in weight, ninepence:

For any parcel exceeding fifty-six pounds, the Company may demand any sum which they think fit:

Provided always, that articles sent in large aggregate quantities, although made up in separate parcels, such as bags of sugar, coffee, meal, and the like, shall not be deemed small parcels, but that term shall apply only to single parcels in separate packages.

For the carriage of single parcels of great weight:

For the carriage of any iron boiler, cylinder, or single piece of machinery, or single piece of timber or stone, or other single article, the weight of which, including the carriage, shall exceed four tons but shall not exceed eight tons, the Company may demand any such sum as they think fit, not exceeding two shillings per ton per mile:

For the carriage of any single piece of timber, stone, machinery, or other single article, the weight of which, with the carriage, shall exceed eight tons, the Company may demand such sum as they think fit.

Carriage of luggage, goods, &c.

48. A passenger on the tramway may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof, but the Company shall not be bound to carry in passenger carriages, unless they think fit, any parcel, goods, articles, or things, other than passengers luggage not exceeding the weight aforesaid.

Tolls to be paid as directed by the Company.

49. The tolls and charges by this Act authorised shall be paid to such persons and at such places upon or near to the tramways, and in such manner and under such regulations as the Company shall by notice, to be annexed to the list of tolls, appoint.

Power to agree for working, &c. of tramways.

50. The Company on the one hand, and any road authority, corporation, or other body on the other hand, may from time to time

enter into and carry into effect contracts or arrangements for the following purposes, or any of them; (that is to say,)

The management, use, working, and maintenance of the tramways:

The supply of any rolling or working stock, and of officers and servants for the conduct of the traffic on the tramways:

The payments to be made, and the conditions to be performed with respect to the matters aforesaid:

The interchange, accommodation, conveyance, and delivery of traffic coming from or destined for the tramways, and the undertaking of the other party contracting with the Company, and the fixing and division between the contracting parties of the receipts arising therefrom:

Generally all matters incident to or consequent on the making or carrying into effect of any such contract or arrangement as aforesaid.

Suspension of powers as to tramways 1 and 1*a*.

51. The exercise of every power whatsoever conferred by this Act on the Company hereby incorporated shall, in the case of the Company, and unless the Lord Provost, magistrates, and town council of Glasgow (in this Act referred to as "the Corporation of Glasgow") elect, as herein-after mentioned, be suspended for the period of six months from the passing of the Act, so far as these powers extend and apply to the tramways No. 1 and 1*a* hereby authorised.

Power to Corporation of Glasgow to acquire tramways 1 and 1*a*.

52. The Corporation of Glasgow may, within the said six months after the passing of this Act, intimate to the Company their desire to be substituted in place of the Company, and to have transferred to them all the powers of the Company so far as respects the said tramways No. 1 and No. 1*a*, and on such intimation, and on payment to the Company by the Corporation of such proportion of the expenses which the Company have been put to in obtaining this Act as may be agreed upon between the Company and the Corporation, or, failing agreement, as may be settled by the Dean of the Faculty of Procurators in Glasgow, the Company shall execute a notarial instrument declaring such transference, and the same shall be published once in the "Edinburgh Gazette," and twice in a newspaper published in Glasgow, and thereupon the Corporation of Glasgow shall have all the powers conferred by this Act on the Company as to the construction, maintenance, use, and working of the tramways No. 1 and No. 1*a*, which powers shall thereupon be transferred to and vested in the Corporation of Glasgow, with all authorities and privileges connected therewith, and the same shall, so far as applicable, attach to and apply to the Corporation

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of Glasgow in the same manner and to the same effect as if in respect of these provisions the Corporation of Glasgow had been expressly named in this Act instead of the Company, and had been confined to these tramways, and the powers of this Act with reference to these tramways may be forthwith executed by the Corporation of Glasgow.

Corporation to be subject to provisions of this Act if they acquire tramways 1 and 1*a*.

53. In the event of the Corporation of Glasgow, under the provisions of this Act, electing, as provided, to be substituted in place of the Company in so far as relates to tramways Nos. 1 and 1*a*, the Corporation shall be subject to the provisions of "The Glasgow Street Tramways Act, 1870," with respect to the construction, maintenance, use, and working of the tramways Nos. 1 and 1*a* by this Act authorised, and the conveyance and regulation of the traffic thereon; and the said "Glasgow Street Tramways Act, 1870," shall be read and have effect as if the said tramways Nos. 1 and 1*a* had been included in and authorised by that Act; and no person whose qualification as a trustee of the roads upon which these tramways are to be laid is derived from his holding the office of Lord Provost, bailie, dean of guild, or deacon convener in the said Corporation shall be entitled to vote at any meeting of the trustees of the said roads in relation to any matter connected with these tramways.

Provision as to voting at meetings of road trustees in certain events.

Power to Corporation to construct Glasgow street tramway on the gauge of Vale of Clyde tramways.

54. Whereas the tramways hereby authorised communicate with the tramways authorised by "The Glasgow Street Tramways Act, 1870," and it may be expedient that a uniform gauge should be established on both systems: Therefore the Corporation of Glasgow may, if they think fit, with consent of their lessees, construct those tramways on the gauge of the tramways hereby authorised, anything in that Act to the contrary notwithstanding.

3 G. 4. c. 91. not to apply to Nos. 1 and 1*a*, or to Glasgow street tramways.

55. Whereas under the provisions of "The Glasgow Street Tramways Act, 1870," the Corporation of Glasgow have elected to be and become substituted in place of the Company incorporated by that Act, and have undertaken the powers, rights, and liabilities conferred by that Act on the last-mentioned Company, and they are now about to proceed to construct the tramways authorised thereby, and they have executed an agreement for a lease of those tramways for a period of twenty-three years, from the first day of July one thousand eight hundred and seventy-one, on the terms and conditions therein mentioned: And whereas, in the event of the Corporation electing, under the provisions of this Act, to be substituted in place of the Company in so far as relates to the tramways Nos. 1 and 1*a*, it may be expedient that those last-mentioned tramways should be leased to and worked as part of one system by the same lessees as

those leasing and working the system of tramways authorised by "The Glasgow Street Tramways Act, 1870;" but doubts have been raised as to the application of the Act of the 3rd George IV., cap. 91, to tramways, and as to the effect of the restrictions and provisions therein contained, and it is expedient that such doubts should be removed: Be it enacted, that the said Act of the 3rd George IV., cap. 91, shall not apply to any tramways belonging to or authorised to be constructed by the Corporation of Glasgow either under "The Glasgow Street Tramways Act, 1870," or under this Act.

Power to town council of Paisley to acquire the tramways in Paisley.

56. The town council of Paisley may, within six months after the passing of this Act, intimate to the Company their desire to be substituted in place of the Company in regard to so much of the tramways as will be situate within the parliamentary burgh of Paisley, and on such intimation, and on payment by the town council to the Company of such proportion of the expense which the Company may have been put to in obtaining this Act, as may be agreed upon between the Company and the said town council, or, failing agreement, as may be settled by the Dean of the Faculty of Procurators, Glasgow, the Company shall execute a notarial instrument declaring such transference, and the same shall be published once in the Edinburgh Gazette and twice in a newspaper published in Paisley, and thereupon the town council shall have, possess, and enjoy all the powers conferred by this Act on the Company with reference to the construction, maintenance, use, and working of so much of the tramways as will be situate within the parliamentary burgh of Paisley, which powers shall thereupon be transferred to and vested in the town council with the authorities and privileges connected therewith, and the same shall, so far as applicable, attach to and apply to the town council in the same manner and to the same effect as if in respect to these provisions the town council had been expressly named in this Act instead of the Company, and the powers of this Act, so far as they relate to the matters aforesaid, may forthwith be executed by the town council.

Provisions as to payment to town council of Paisley for use of streets.

57. In the event of the town council so electing and leasing to the Company under the powers herein-after contained, then the Company shall, as soon and so long as and whenever the divisible profits of the Company are sufficient to pay to the shareholders a minimum dividend at the rate of five pounds per centum per annum on the stock or shares of the Company, pay to the town council a rateable proportion of the sum of one hundred and fifty pounds per annum for every mile of paved street within the burgh of Paisley, from the centre of the bridge over the river Cart westwards, on which the tramways shall be laid (except in so far as such streets are for the time being turnpike roads), and to the road trustees for

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the New Town of Paisley a rateable proportion of the said sum of one hundred and fifty pounds per annum for every mile of paved street under the jurisdiction of those trustees within the burgh of Paisley from the centre of the bridge over the Cart eastwards, such payments to be made half-yearly, termly and proportionally at the terms of Whitsunday and Martinmas, from and after the opening for traffic of any of the tramways within the burgh of Paisley, and to be recoverable, in case of default, in any court of competent jurisdiction in Scotland: Provided that such payments shall only be made to the extent to which the Company shall have earned profits in excess of the minimum dividend at the rate of five pounds per centum; and in the event of the town council not so electing, then the said payment of one hundred and fifty pounds per annum per mile shall be made as above mentioned to the town council and trustees respectively, whether the divisible profits of the Company be sufficient to pay to the shareholders such minimum dividend or not.

Town council of Paisley to be subject to the provisions of this Act if they acquire tramways.

58. In the event of a sale of so much of the Company's undertaking within the parliamentary burgh of Paisley being made to the town council under the provisions of this Act, or in the event of the town council electing, as before provided, to be substituted in place of the Company, the town council shall be subject to the provisions of this Act with respect to the construction, maintenance, use, and working of so much of the tramways as aforesaid, and the conveyance and regulation of the traffic thereon, and shall be bound to perform and observe all the obligations and conditions by this Act imposed on the Company with respect to the several matters above mentioned, including the payment to the road trustees for the New Town of Paisley mentioned in the immediately preceding section, in the same manner and to the same extent and effect as if the town council had been authorised by this Act to construct so much of such tramways as aforesaid, and had been named in this Act instead of the Company.

Power for town council to lease tramways.

59. If the town council elect as aforesaid, they shall, if required by the Company within three months from the time of such election, lease to the Company for the period of twenty-three years from the passing of this Act the right of user of so much of the said tramways as aforesaid, and also any tramway made by the town council, and of demanding and taking in respect thereof the tolls and charges authorised by this Act, and that at an annual rent equivalent to the interest paid by the town council on the total money expended by them in the construction of the tramways (including the proportion of the expense of this Act paid by the town council), and they shall also pay two pounds per centum per annum additional thereon,

which shall be set aside and accumulated as a sinking fund, and shall be applied by the town council towards reducing the cost of constructing the tramways.

Section 20 of Tramways Act to apply to town council of Paisley if they acquire tramways.

60. If the town council of Paisley shall so elect, the provisions of section 20 of "The Tramways Act, 1870," shall apply to the town council and to the tramways within the burgh of Paisley to the same effect as if the town council were the promoters of those tramways; and the town council shall have and may exercise with respect to those tramways all the powers conferred by that section, and the purchase money and all expenses incurred by the town council in the acquisition and construction of the tramways within the burgh of Paisley shall be paid out of the rate authorised to be levied by that section; and they shall have all the powers of borrowing under the same as if such expenses had been incurred in applying for, obtaining, and carrying into effect a provisional order obtained by them under "The Tramways Act, 1870."

Application or receipts and expenses.

61. All money coming to the town council of Paisley under this Act shall be applied to the general purposes of the town council, and all expenses of the execution by the town council of any powers and authorities under or by virtue of this Act, or of or connected with the exercise by the town council of any power of purchase or other power vested in the town council by this Act, shall be defrayed by the town council.

Cheap fares for the labouring classes in Paisley.

62. The Company shall and they are hereby required, at all times after the opening of the tramways within the burgh of Paisley for public traffic, to run within that burgh at least two carriages each way every morning in the week and every evening in the week (Sundays and sacramental fast days excepted), at such hours, not being later than seven in the morning nor earlier than six in the evening respectively, as the Company think most convenient, for artisans, mechanics, and daily labourers, at fares not exceeding one halfpenny per mile (the Company nevertheless not being required to take any fare less than one penny): Provided that in case of complaint being made to the town council of Paisley by twenty ratepayers of the hours appointed by the Company for the running of such carriages, the town council shall have power to fix and regulate the same from time to time; and, if the Company think fit, they may appeal to the Board of Trade against any orders or regulations so made by the town council, and the decision of the Board of Trade on such appeal shall be final.

Saving powers and rights of Commis-

63. Nothing in this Act contained shall prejudice or affect the powers, rights, or privileges of the Commissioners of Police of the burgh of Govan, or the magistrates of the said burgh, over or with

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sioners of Police of Govan.

respect of the roads and streets of the said burgh, and the regulation of the traffic thereon, under "The General Police and Improvement (Scotland) Act, 1862," nor any of the powers, rights, or privileges of the said Commissioners or magistrates under "The Tramways Act, 1870."

Local authority in event of purchase of tramways to be subject to provisions of this Act.

64. Where any sale of the Company's undertaking, or any part of the same, shall be made to the local authority under the powers contained in section 43 of "The Tramways Act, 1870," all the rights, powers, authorities, obligations, and liabilities of the Company in respect to the undertaking sold shall be transferred to, vested in, and may be exercised by and shall attach to the local authority to whom the same has been sold, in like manner as if the tramway or tramways so sold had been constructed by such local authority under powers conferred on them by this Act, and in reference to the same they shall be deemed to be the promoters.

Proof of byelaws.

65. The production of a written or printed copy of any byelaws made under the authority of this Act authenticated by the signature of the sheriff shall, without proof of the signature of the sheriff, be evidence of the existence of such byelaws, and that all preliminaries requisite to the making and operation thereof have been duly observed and fulfilled.

Form and delivery of notices.

66. With respect to notices and to the delivery thereof by or to the Company, the following provisions shall have effect; namely,

1. Every notice shall be in writing or print, or partly in writing and partly in print, and if given by any road authority, by being signed by their clerk or secretary:
2. Any notice to be delivered by or to the Company to or by any road authority or other body, or any company, may be delivered by being left at the principal office of that authority, body, or company, or of the Company, as the case may be, or by being sent by post in a registered letter addressed to their respective clerk or secretary at their principal office, and every such letter shall be deemed to be received by the authority, body, or company, or by the Company (as the case may be), on the day on which the same ought to be delivered at their principal office in the ordinary course of post.

Interest not to be paid on calls paid up.

67. The Company shall not, out of any money by this Act authorised to be raised by calls or by borrowing, pay interest or dividend to any shareholder on the amount of calls made in respect of the shares held by him: Provided always, that this Act shall not prevent the Company from paying to any shareholder such interest on money advanced by him beyond the amount of the calls actually

made as is in conformity with "The Companies Clauses Consolidation (Scotland) Act, 1845."

Deposit for future Bills not to be paid out of capital.

68. The Company shall not, out of any money by this Act authorised to be raised, pay or deposit any sum which, by any standing order of either House of Parliament now or hereafter in force, may be required to be deposited in respect of any application to Parliament for the purpose of obtaining an Act authorising the Company to construct any other tramway, or to execute any other work or undertaking.

Tramways not exempt from provisions of general Acts.

69. Nothing herein contained shall be deemed or construed to exempt the tramways from the provisions of any general Act relating to tramways now in force, or which may hereafter pass during this or any future session of Parliament.

Expenses of Act.

70. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Company.

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