



ANNO DECIMO SEPTIMO & DECIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. cxxxi.

An Act for constructing a Bridge for Foot Passengers across the River *Clyde*, opposite to the North End of *MacNeil Street* in the City of *Glasgow*. [3d July 1854.]

WHEREAS it is necessary and expedient that a Bridge for Foot Passengers should be erected across the River *Clyde*, from a Point on the North Bank of the said River Forty Yards or thereby to the East of the Humane Society House, to a Point on the South Bank of the said River at or near to the North End of *MacNeil Street* in the City of *Glasgow*, for the Accommodation of the numerous Persons who require to cross the said River at the said Points, and who at present are conveyed in open Boats: And whereas the Magistrates and Council of the said City are desirous to make and maintain the said Bridge, and it will be for the public Advantage that Power should be given to them for that Purpose, and to raise the necessary Funds on the Security of a Toll or Pontage to be levied from Passengers using the said Bridge; but these Objects cannot be effected without the Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and

[*Local.*]

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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. I. This Act may be cited for all Purposes as "The *Glasgow New Suspension Bridge Act, 1854.*"
- Interpre-
tation of
Terms. II. The following Words and Expressions in this Act shall have the Meanings hereby assigned to them ; that is to say,
The Word "Council" shall mean the Magistrates and Council of the City of *Glasgow* for the Time being :
The Word "Magistrates" shall mean the Magistrates of the City of *Glasgow*, or any One of them, and shall include the Lord Provost and Bailies :
The Word "Chamberlain" shall mean the Chamberlain of the City of *Glasgow* for the Time being.
- 8 & 9 Vict.
c. 19. incor-
porated. III. "The Lands Clauses Consolidation (*Scotland*) Act, 1845," is hereby incorporated with this Act.
- 10 & 11 Vict.
c. 16. incor-
porated. IV. "The Commissioners Clauses Act, 1847," with the Exception of the Clauses and Provisions with respect to the following Matters, that is to say, with respect to the Qualification of Commissioners, with respect to the Election and Rotation of the Commissioners where the Commissioners are to be elected by the Ratepayers or other like Class of Electors, and with respect to the Meetings and other Proceedings of the Commissioners and their Liabilities, is hereby incorporated with this Act ; and the Word "Commissioners" in the said Act shall mean the Magistrates and Council of the City of *Glasgow* for the Time being.
- Magistrates
and Council
to carry Act
into execu-
tion. V. The Magistrates and Council of the City of *Glasgow* for the Time being, as representing and for and on behalf of the Community of the said City, shall be and they are hereby empowered to carry this Act into execution.
- Meetings of
Council. VI. It shall be lawful for the Council, at any Meeting duly called by Order of the Lord Provost or acting Chief Magistrate of the said City for the Time being, to proceed to put this Act into execution.
- Committee
may be
appointed. VII. The Council may appoint out of their own Body from Time to Time a Committee, consisting of such Number of Persons as they shall think fit, for carrying into execution the Purposes of this Act, and may name a Convener and Sub-Convener thereof.

VIII. The

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VIII. The Committee so appointed may meet from Time to Time and may adjourn from Place to Place as they may think proper for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of such Committee, unless the Quorum of Members, if any, fixed by the Council, and if no Quorum be fixed, Three Members, be present; and at all Meetings of such Committee the Convener or Sub-Convener appointed by the Council, or in their Absence any other Member to be appointed by the Members present, shall be Chairman; and all Questions shall be determined by a Majority of the Votes of the Members present; and in case of an equal Division of Votes the Chairman shall have a Casting Vote in addition to his Vote as a Member of the Committee.

Quorum and
Proceedings
of Com-
mittee.

IX. The Chamberlain shall keep a separate and distinct Account, to be called "The New Suspension Bridge Account," of all Monies received and paid under the Powers and Provisions of this Act; and all Pontages and Monies received by the Council or the Chamberlain under the Provisions of this Act shall be carried to the Credit of the said Account.

Bridge
Account to
be kept.

X. It shall be lawful for the Council to borrow on Mortgage or Assignment in Security any Sums not exceeding in the whole the Sum of Five thousand five hundred Pounds, and to make and grant Mortgages and Assignations of the Tolls and Pontages authorized to be levied by this Act, in security of the Payment of the Sums so borrowed, and Interest thereon; and if, after having borrowed the said Sums, or any Part thereof, the Council shall pay off the same by any other Means except the Application of the Sinking Fund herein-after mentioned, it shall be lawful for them again to borrow the Amount so paid off, and so from Time to Time; and the Mortgages or Assignations to be made and granted by the Council as aforesaid may be partly printed and partly in Writing, and shall be subscribed at a Meeting of the Council by at least Two of the Members of Council and the Chamberlain.

Money may
be borrowed
by the
Council.

XI. It shall be lawful for the Council to take from any Bank or Banking Company Credit on a Cash Account to be opened and kept with such Bank or Banking Company in the Name of the Council, according to the Usage of Bankers in *Scotland*, to the Extent of the Sum which the Council are authorized to borrow as aforesaid, or any Part thereof, and to make and grant Mortgages and Assignations of the Tolls and Pontages authorized to be levied by this Act, in security of the Payment of the Amount of such Credit, or of the Sums advanced from Time to Time on such Cash Account, with Interest thereon: Provided always, that the whole Sum due and owing by the Council on such Cash Account, and for Money borrowed by them on

Council
may borrow
on Cash
Account.

Mortgages

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Mortgages or Assignations as aforesaid, shall never, when taken together, exceed the said Sum of Five thousand five hundred Pounds.

Application of Money borrowed,

XII. The Money borrowed by the Council under the Authority of this Act shall be applied in defraying the Expense of executing the Works by this Act authorized, and to no other Purpose whatsoever.

Power to construct Bridge according to deposited Plan.

XIII. And whereas a Plan and Section of the said Bridge, and the Works therewith connected, to be constructed under the Authority of this Act, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in or through which the same are intended to be constructed, have been deposited with the Sheriff Clerk of the County of *Lanark* at *Glasgow*: Be it enacted, That it shall be lawful for the Council, and they are hereby authorized, subject to the Provisions and Restrictions contained in this Act, and the Acts incorporated herewith, to make and maintain the said Bridge for Foot Passengers across the River *Clyde*, of Iron or other sufficient Material, with all proper Piers, Abutments, Walls, Banks, Approaches, Ways, Roads of Communication, and other necessary Works connected therewith, in the Lines and on the Levels and upon the Lands delineated on the said Plan and Section, and described in the said Book of Reference, and to enter upon and compulsorily take and use such of the Lands delineated on the said Plan, and described in the said Book of Reference, as shall be necessary for that Purpose.

Errors and Omissions in Plan may be corrected by the Sheriff, who shall certify the same.

XIV. If any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands described on the said Plan, or in the said Book of Reference, the Council, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by the proposed Correction, may apply to the Sheriff of the County of *Lanark*, or any One of his Substitutes, for the Correction thereof; and if it shall appear to the said Sheriff or his Substitute, that such Omission, Mis-statement, or erroneous Description arose from Mistake, he shall certify the same accordingly, and shall, in such Certificate, state the Particulars of any such Omission, Mis-statement, or erroneous Description; and such Certificate shall be deposited with the Sheriff Clerk of the said County at *Glasgow*, and with the Schoolmasters, or, if there be no Schoolmasters, with the Session Clerks of the several Parishes in which such Lands are situated, and with the Town Clerks of the City of *Glasgow*, and shall be kept by such Sheriff Clerk, Schoolmasters, or Session Clerks and Town Clerks respectively along with

Certificate to be deposited.

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with the other Documents to which it relates, and thereupon such Plan and Book of Reference shall be deemed to be corrected according to such Certificate; and it shall be lawful for the Council to make the Works in accordance with such Certificate as if such Omission, Misstatement, or erroneous Description, had not been made.

XV. In constructing the Works by this Act authorized, it shall be lawful for the Council to make lateral Deviations from the Line of such Works not exceeding the Limits of lateral Deviations defined on the said Plan, and to make vertical Deviations from the Levels of such Works, as shown on the said Section, to any Extent not exceeding Three Feet.

Powers of Deviation.

XVI. The Powers hereby granted for the compulsory Purchase of Lands shall not be exercised after Two Years from the passing of this Act.

Powers for compulsory Purchase of Lands limited.

XVII. After the Expiration of Four Years from the passing of this Act all the Powers for completing the Bridge and other Works by this Act authorized shall cease to be exercised, except as to so much thereof as are then completed.

Period for completing Bridge.

XVIII. Previously to commencing the said Bridge over the River *Clyde*, or the Works connected therewith, the Council shall deposit at the Admiralty Office Plans, Sections, and Working Drawings of the said Bridge and Works connected therewith, for the Approval of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid, such Approval to be signified in Writing under the Hand of the Secretary of the Admiralty, and such Bridge, and the Headway and Waterway thereof, and such Works, shall be constructed and provided only in accordance with such Approval.

Plans to be deposited at the Admiralty previous to commencing Works.

XIX. It shall not be lawful for the Council to construct any Bridge or Work hereby authorized to be made without the previous Consent of the Lord High Admiral of the United Kingdom of *Great Britain* and *Ireland*, or the Commissioners for executing the Office of Lord High Admiral aforesaid for the Time being, to be signified in Writing under the Hand of the Secretary of the Admiralty, and then only according to such Plan and under such Restrictions and Regulations as the said Lord High Admiral or the said Commissioners for executing the Office of Lord High Admiral may approve, such Approval being signified as last aforesaid; and where any such Bridge or Work shall have been constructed, it shall not be lawful for the

Works not to be constructed without Consent of the Admiralty.

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Council at any Time to alter or extend the same, without obtaining, previously to making any such Alteration or Extension, the like Consent or Approval, and if any such Bridge or Work shall be commenced or completed, or be altered or extended, contrary to the Provisions of this Act, it shall be lawful for the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, to abate, alter, and remove the same, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Council, and the Amount thereof shall be a Debt due from the Council to the Crown, and be recoverable accordingly, with Costs of Suit.

Power to Admiralty to order a local Survey at Expense of Council.

XX. If at any Time or Times it shall be deemed expedient by the Lord High Admiral of the United Kingdom, or the Commissioners for executing the Office of Lord High Admiral, to order a local Survey and Examination of any Works of the Council to be constructed under the Authority of this Act, or of the intended Site thereof, the Council shall defray the Costs of every such local Survey and Examination, and the Amount thereof shall be a Debt due to Her Majesty from the Council, and if not paid upon Demand may be recovered as a Debt due to the Crown with the Costs of Suit, or may be recovered with Costs as a Penalty is or may be recoverable from the Council.

Works abandoned may be removed at the Expense of the Council.

XXI. If any such Work to be constructed by the Council shall be abandoned or suffered to fall into Disuse or Decay, it shall be lawful for the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral, to abate and remove the same, or such Part or Parts thereof as he or they may at any Time or Times deem fit and proper, and to restore the Site thereof to its former Condition, at the Cost and Charge of the Council, and the Amount thereof shall be a Debt due from the Council to the Crown, and be recoverable accordingly, with Costs of Suit.

Minerals belonging to W. Dixon not to be taken, &c., without Consent.

XXII. Except as herein-after specially provided, it shall not be lawful for the Council to enter upon, take, or acquire any of the Minerals belonging to *William Dixon* of *Govan* Colliery, his Heirs or Successors, or to restrain, control, or in any way interfere with the working of such Minerals by him or them, or his or their Lessees, or to inspect or call for Inspection of his or their Mines.

Minerals beyond Forty Yards from Bridge may be worked as

XXIII. It shall be lawful for the said *William Dixon*, his Heirs and Successors, and his and their Lessees, to work and get the Minerals to which he or they may have Right, at any Distance not less than Forty Yards from the Works by this Act authorized, in such Manner
as

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as he and they shall think fit, and neither he nor they shall be liable for any Injury or Damage which may thereby, or in consequence thereof, be occasioned to any of the said Works. Owner thinks fit.

XXIV. When and as soon as the said *William Dixon*, his Heirs or Successors, or his or their Lessees, shall commence to work the Minerals within Sixty Yards from any Part of the Works by this Act authorized, he or they shall give Notice thereof in Writing to the Council, and the Council shall thereupon, and for One Month thereafter, have the Option of requiring him or them by Notice in Writing to leave unworked (excepting as after mentioned) the whole of the Minerals to which he or they may have Right, beneath and within Forty Yards from the said Works, or such Portion thereof as shall by the Council be thought necessary for the Safety of the said Works, and as shall be specified in such Notice, upon compensating him or them for the Value of the Minerals which shall be so required to be left unworked, and for all Loss and Inconvenience which may thereby or in consequence thereof be occasioned to him or them in relation to the working of the Remainder of the Mineral Field to which he or they may have Right, and the Amount of such Compensation shall, in case of Difference, be ascertained by Arbitration in the Manner provided by the "Lands Clauses Consolidation (*Scotland*) Act, 1845," in relation to Questions of disputed Compensation. Council may require Minerals within Forty Yards from Bridge to be left unworked on compensating Owner.

XXV. It shall be lawful for the said *William Dixon*, his Heirs and Successors, and his and their Lessees, to cut and make such and so many Airways, Headways, Gateways, Water Levels, and other Communications through the Minerals which the Council may have required to be left unworked as aforesaid, as may be requisite to enable him or them to ventilate, drain, and work his or their Mines, but no such Airway, Headway, Gateway, Water Level or other Communication shall be of greater Dimensions than Eight Feet wide and Eight Feet high, nor shall the same be cut or made so as to injure the Works by this Act authorized. Provision for Mining Communications through Minerals.

XXVI. If the Council shall not, within the said Period of One Month, avail themselves of the said Option, by giving Notice in Writing as aforesaid to the said *William Dixon*, his Heirs or Successors, or his or their Lessees, or if the Council shall, by such Notice to him or them, have required a Portion only of such Minerals to be left unworked, or if, after having given any such Notice, the Council shall fail to pay to him or them the Amount of Compensation which shall be ascertained as aforesaid, it shall be lawful for him and them If Council do not require Minerals to be left unworked, Owner may work the same as he thinks fit.

to

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to work and get the Minerals to which he or they may have Right, beneath and within the aforesaid Distance of Forty Yards from the Works by this Act authorized, or such Portion thereof as the Council shall not have required to be left unworked, in such Manner as he and they shall think fit, and neither he nor they shall be liable for any Injury or Damage which may thereby or in consequence thereof be occasioned to any of the Works by this Act authorized.

Regulating
Right of In-
spection of
Mines by
Council.

XXVII. During the said Period of One Month it shall be lawful for any Engineer and Men of Skill whom the Council may appoint for that Purpose, to inspect such of the Mines of the said *William Dixon*, his Heirs or Successors, or his or their Lessees, in the Neighbourhood of the Works by this Act authorized, as shall be necessary for enabling the Council to determine whether or not, and to what Extent, to exercise the said Option; and after the Council shall have exercised the said Option, and made Payment of the Compensation which shall be ascertained as aforesaid, the Council shall have the same Right of applying to the Sheriff of the County for having the said Mines inspected by a neutral Engineer, to ascertain that no Encroachment is made upon the Minerals or Portion of Minerals for which Compensation shall have been made as aforesaid, as any Proprietor of Minerals would have at Common Law in regard to the Mines of coterminous Proprietors in similar Circumstances.

Tolls or
Pontages.

XXVIII. It shall be lawful for the Council, under the Authority of this Act, to demand and take from every Person passing along the said Bridge any Toll or Pontage not exceeding One Halfpenny for each Time every such Person shall pass along the same: Provided always, that no such Toll or Pontage shall be demanded or taken from any Officer of Customs when passing along the said Bridge in the Execution of his Duty.

Pass or Re-
turn Tickets
may be
granted.

XXIX. It shall be lawful for the Council to grant to Foot Passengers Pass or Return Tickets for passing along the said Bridge, on such Terms and for such Periods as may be agreed on, but such Pass or Return Tickets shall not be transferable, and shall not be used by or available to any Person except the Person who has paid for the same, nor shall such Pass or Return Tickets be used by the Person who may have paid for the same after the Period limited by such Tickets for the Use thereof; and every Person acting in any way contrary to or contravening this Enactment, or using or attempting to use any false or counterfeit Tickets, or passing or attempting to pass along the said Bridge without paying the said Toll or Pontage,
or

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or exhibiting a Pass or Return Ticket, shall be liable in a Penalty not exceeding Twenty Shillings for each such Offence, to be recovered with Costs of Suit in a summary Form before the Magistrates, at the Instance of the Procurator Fiscal of the City of *Glasgow*: Provided always, that such Pass or Return Tickets shall be granted equally to all Persons on the same Terms for similar Periods.

XXX. After the said Bridge shall have been completed, the same shall be a public Bridge, and all Persons, upon Payment of the Tolls or Pontages by this Act authorized to be levied, shall be entitled to pass on Foot along the same.

Bridge to be free upon Payment of Tolls.

XXXI. The said Bridge shall be used exclusively for Foot Passengers, and no Horses, Carts, Carriages, Waggon, Trucks, Wheelbarrows, or other Vehicles shall be permitted to pass along the same; and every Person making or attempting to make use of the said Bridge otherwise than as herein provided, shall be liable to a Penalty not exceeding Five Pounds for each such Offence, to be recovered with Costs of Suit in a summary Form before the Magistrates, at the instance of the Procurator Fiscal of the City of *Glasgow*.

Bridge to be used exclusively for Foot Passengers.

XXXII. The Tolls or Pontages levied under the Authority of this Act shall be applied by the Council,—

Application of Tolls.

First, in Payment of the Costs, Charges, and Expenses of applying for, obtaining, and passing this Act, and incidental thereto:

Second, in Payment of the Interest on Money borrowed under the Authority of this Act:

Third, in Payment of the Expense of keeping the said Bridge, and Approaches and Works connected therewith, in proper Repair, and of lighting and cleansing the same:

Fourth, in Payment of the Expense of Management and of levying the Tolls and Pontages hereby authorized, provided that such last-mentioned Expense shall not exceed One hundred Pounds *per Annum*:

And lastly, the Surplus of the said Tolls or Pontages, after providing for the Purposes before specified, shall be appropriated and set apart as a Sinking Fund, to be applied in paying off the Money borrowed under the Authority of this Act.

XXXIII. The said Sinking Fund shall from Time to Time be applied by the Council in Payment, so far as the same will extend, of the Money borrowed under the Authority of this Act, or the same shall be invested in the Public Funds, or in Government or Real Securities, or in the Purchase of Stock or Shares in any Bank in

Investment and Application of Sinking Fund.

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Scotland incorporated by Act of Parliament or Royal Charter, or shall be deposited at Interest in any such Bank in the Name of the Council; and the Dividends or Interest shall be annually accumulated with the Principal Sums so invested or deposited; and when such accumulated Fund shall amount to a Sum which in the Opinion of the Council may be conveniently applied for that Purpose, the Stocks, Shares, Funds, or Securities whereon the same shall be invested shall be sold or otherwise converted into Money, and the Proceeds arising from any such Sale or Conversion shall be applied in Payment, so far as the same shall extend, of the Money borrowed as aforesaid.

Tolls may
be leased.

XXXIV. It shall be lawful for the Council to lease the Tolls or Pontages by this Act authorized to be levied to any Person for any Term not exceeding Three Years, at such Rents and on such Terms and Conditions as may be mutually agreed upon; and the Lessees of the said Tolls or Pontages shall have the same Powers and Privileges for collecting and levying the same, and granting Pass or Return Tickets, as are by this Act conferred on the Council; and the Rents received from such Lessees shall be applied by the Council in the same Manner as is herein-before provided with respect to the Application of the said Tolls or Pontages.

On Cost^r of
Bridge being
paid off, Tolls
to cease.

XXXV. On the Cost and Expense of the said Bridge and Works connected therewith, and the Management thereof, and the Money borrowed as aforesaid, being paid off and discharged, the said Tolls or Pontages shall cease and determine, and the Passage along the said Bridge shall thenceforth be free for Foot Passengers.

Saving
Rights of the
Crown.

XXXVI. Nothing contained in this Act shall extend to authorize the Council to purchase, take, or use any Land or Soil, or any Rights in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by Her Majesty, Her Heirs and Successors.

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