

[3 EDW. 7.] *Glasgow Corporation Tramways Order* [Ch. ccxxviii.]  
*Confirmation Act, 1903.*



**CHAPTER ccxxviii.**

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Corporation Tramways. [14th August 1903.] A.D. 1903.

**W**HEREAS His Majesty's Secretary for Scotland has after inquiry held before Commissioners made the Provisional Order set forth in the Schedule hereunto annexed under the provisions of the Private Legislation Procedure (Scotland) Act 1899 and it is requisite that the said Order should be confirmed by Parliament: 62 & 63 Vict. c. 47.

Be it therefore enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

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

2. This Act may be cited as the Glasgow Corporation Tramways Order Confirmation Act 1903. Short title.

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SCHEDULE.

GLASGOW CORPORATION TRAMWAYS.

*Provisional Order to authorise the Corporation of the city of Glasgow to construct new tramways and acquire certain tramways to authorise a supplementary valuation roll to raise further moneys and for other purposes.*

WHEREAS by the Glasgow Street Tramways Act 1870 and subsequent Acts amending and enlarging the same the Corporation of the city of Glasgow (hereinafter called "the Corporation" and "the city" respectively) were authorised to make and maintain tramways within the city and its neighbourhood and to borrow money for that purpose :

And whereas the Corporation have constructed the greater part of the tramways authorised by those Acts :

And whereas it is expedient that the Corporation should be authorised to construct additional tramways :

And whereas the tramways of the Corporation form a connection with the tramways authorised by the Clydebank Burgh Tramways Order 1901 (hereinafter called "the Clydebank tramways") and it is expedient and would be for the public advantage that the Clydebank tramways should be vested in and constructed and worked by the Corporation as part of their undertaking as hereinafter provided :

And whereas it is expedient that the agreement set forth in the schedule to this Order and made between the Corporation and the provost magistrates and councillors of the burgh of Clydebank with respect to the tramways authorised by the Clydebank Burgh Tramways Order 1901 should be confirmed :

And whereas it is expedient that the Corporation should be authorised to borrow further sums of money for the purposes of this Order and the Glasgow Corporation Tramways Acts 1870 to 1902 :

And whereas it is expedient that the Corporation should be authorised to borrow further moneys for the purposes of the Glasgow Corporation Parks Acts 1878 to 1899 :

And whereas it is expedient that a supplementary valuation roll for the city should be authorised :

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And whereas it is expedient that the other powers in this Order contained should be conferred on the Corporation : A.D. 1903.

And whereas plans and sections showing the lines and levels of the tramways and other works authorised by this Order and also books of reference to those plans containing the names of the owners and lessees or reputed owners and lessees and of the occupiers of the lands required or which may be taken for the purposes or under the powers of this Order were duly deposited with the principal sheriff-clerk of the county of Lanark and with the town clerk of the city and such plans sections and books of reference are hereinafter respectively referred to as the deposited plans sections and books of reference :

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

Now therefore in pursuance of the powers contained in the last-mentioned Act the Secretary for Scotland orders as follows :—

1. This Order may be cited as the Glasgow Corporation Tramways Order 1903. Short title  
and citations.

This Order and the Glasgow Corporation Tramways Acts 1870 to 1902 and the Clydebank Burgh Tramways Order 1901 may be cited together as the Glasgow Corporation Tramways Acts 1870 to 1903.

This Order and the Glasgow Corporation Parks Acts 1878 to 1899 may be cited as the Glasgow Corporation Parks Acts 1878 to 1903.

This Order and the Glasgow Corporation Acts 1855 to 1902 and any other Order or Act passed during the present session of Parliament relating to the Corporation may be cited as the Glasgow Corporation Acts 1855 to 1903.

2. Section 3 (Interpretation of terms) and Parts II. and III. of the Tramways Act 1870 except— Incorpora-  
tion of  
Tramways  
Act 1870.

Section 34 (Carriages) except so much thereof as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage ;

Section 44 (Powers of sale) ;

Section 46 (Byelaws by local authority) ;

Section 47 (Penalties may be imposed in byelaws) ;



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Section 48 (Powers to local authority to license drivers conductors &c.); and

Section 54 (Penalty for persons using tramways with carriages with flange wheels &c.);

so far as they are applicable for the purposes of and are not varied by or inconsistent with this Order are hereby incorporated with and form part of this Order and the expression "the promoters" in the Tramways Act 1870 shall mean the Corporation and this Order shall be deemed to be a special Act within the meaning of the Tramways Act 1870.

Amendment  
of Tramways  
Act 1870.

3. Parts II. and III. of the Tramways Act 1870 incorporated with this Order shall for the purposes of this Order have effect subject and according to the provisions following viz. :—

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 it were therein provided that if the Corporation 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 :

Section 41 shall have effect as if it were therein provided that the materials of any tramway or part of any 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 Corporation.

Interpreta-  
tion.

4. In this Order the several words and expressions to which meanings are assigned by the Act incorporated herewith have the same respective meanings unless there be something in the subject or context repugnant to such construction And in this Order—

"The city" means the city and royal burgh of Glasgow :

"The Corporation" means the Corporation of the city :

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“The intended tramways” means the tramways by this Order authorised: A.D. 1903.

“The Clydebank Council” means the provost magistrates and council of the burgh of Clydebank:

“The Clydebank Order” means the Clydebank Burgh Tramways Order 1901:

“The Clydebank tramways” means the tramways authorised by the Clydebank Order:

“The tramway undertaking” means the tramways authorised by the Glasgow Corporation Tramways Acts 1870 to 1902 and this Order:

“Sheriff” means the sheriff of the county of Lanark and includes his substitutes:

“The Lands Valuation (Scotland) Acts” means the Lands Valuation (Scotland) Act 1854 and the Acts amending the same:

“The Tramways Acts” means the Glasgow Corporation Tramways Acts 1870 to 1902 and the Clydebank Order:

“The Parks Acts” means the Glasgow Corporation Parks Acts 1878 to 1899:

“The Act of 1878” means the Glasgow Public Parks Act 1878:

“The Act of 1891” means the Glasgow Corporation Act 1891:

“The Act of 1893” means the Glasgow Corporation Act 1893:

“The Act of 1899” means the Glasgow Corporation (Tramways Libraries &c.) Act 1899.

5. Subject to the provisions of this Order and of Parts II. and III. of the Tramways Act 1870 so far as extended and applied to and as varied by this Order the Corporation may make form lay down work use and maintain the tramways hereinafter described in the lines and according to the levels shown on the deposited plans and sections with all necessary and proper rails chairs plates wires poles posts conduits section boxes tubes ropes engines engine-houses subways manholes shafts junctions cross-overs passing-places points turntables houses offices stables carriages buildings warehouses works and conveniences connected therewith Provided that nothing in this Order shall authorise any interference with

Power to Corporation to make new tramways.

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A.D. 1903. — electric lines and works of any undertakers under the Electric Lighting Acts 1882 and 1888 to which the provisions of section 15 of the former Act apply except in accordance with and subject to the provisions of that section. The tramways hereinbefore referred to and authorised by this Order are—

A Tramway (No. 1) 3 furlongs 9·02 chains or thereabouts in length commencing by a junction with the existing tramways in Dumbarton Road at a point 3 yards or thereabouts east of the east building line of Finnieston Street thence turning into and passing along Finnieston Street in a southerly direction thence turning into and passing along Finnieston Quay in a westerly direction and terminating on that quay at a point 57 yards or thereabouts west of the east building line of Tunnel Street:

A Tramway (No. 2) 1 furlong 8·54 chains or thereabouts in length commencing by a junction with the existing tramways in St. Vincent Street at a point 4 yards or thereabouts west of the west building line of North Street thence turning into and passing along North Street in a northerly direction thence turning into Sauchiehall Street in an easterly direction and terminating in that street by a junction with the existing tramways at a point 6 yards or thereabouts east of the east building line of North Street:

A Tramway (No. 3) 2·25 chains or thereabouts in length commencing by a junction with the existing tramways in Sauchiehall Street at a point 27 yards or thereabouts east of the east building line of North Street thence turning into and passing along St. George's Road in an easterly and northerly direction and terminating in that road by a junction with the existing tramways at a point 20 yards or thereabouts north of the north building line of Sauchiehall Street:

A Tramway (No. 4) 3 furlongs 0·67 chain or thereabouts in length commencing by a junction with the existing tramways in St. George's Road at a point 11 yards or thereabouts south of the south building line of New City Road thence passing along St. George's Road in a north-easterly direction and crossing Garscube Road thence turning into and terminating in Possil Road by a junction with the existing tramways in that road at a point 28 yards or thereabouts north of the north building line of Fleming Street:



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A Tramway (No. 5) 4 furlongs 5·45 chains or thereabouts in length commencing by a junction with the existing tramways in Duke Street at a point 72 yards or thereabouts west of the east building line of Haghill Road thence turning into and passing along New Road in a south-easterly and southerly direction thence turning into Great Eastern Road and terminating in that road by a junction with the existing tramways at a point 5 yards or thereabouts west of the west building line of New Road :

A Tramway (No. 6) 2 furlongs 7·85 chains or thereabouts in length commencing by a junction with the existing tramways in Langside Road at a point 92 yards or thereabouts north of the west building line of Grange Road thence passing along Langside Road in a south-westerly direction and terminating in that road at a point 4 yards or thereabouts east of the centre of Langside Monument :

A Tramway (No. 7) 5 furlongs 9·06 chains or thereabouts in length commencing by a junction with the existing tramways in Albert Road at a point 2 yards or thereabouts west of the west building line of Kenmure Street thence passing along Albert Road and Albert Drive in a westerly direction thence turning into and passing along St. Andrew's Drive in a southerly direction and terminating in that drive by a junction with the existing tramways at a point 28 yards or thereabouts north of the north building line of Nithsdale Road The said Tramway (No. 7) is in substitution for an existing single line of tramway on the said Albert Road Albert Drive and St. Andrew's Drive.

The said tramways shall be laid as double lines throughout and are situate in the parishes of Glasgow Govan and Cathcart wholly in the city in the county of Lanark.

6. Whereas Tramway No. 2 will be laid over and across the tunnel of the City and District Railway belonging to the North British Railway Company (in this section referred to as "the railway company") And whereas Tramway No. 5 will be laid under the bridge carrying the Coatbridge Branch Railway of the North British Railway over New Road Therefore the following provisions shall apply for the protection of the railway company :—

For protection of North British Railway Company.

- (1) The Corporation shall not in the construction maintenance or use of the said intended tramways injure alter or interfere with the structure or masonry or brickwork of the

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said tunnel or of the bridge carrying the said branch railway over New Road or cause any interruption to the traffic on the said railways of the railway company and before commencing any works or operations over such tunnel the Corporation shall submit plans and sections of their intended works to the engineer for the time being of the railway company and shall obtain his approval thereof and the said works and operations shall be constructed and carried out in conformity with the plans and sections so approved at the sight and to the reasonable satisfaction of such engineer and shall thereafter be maintained and repaired under his superintendence Provided always that if the engineer of the railway company does not within twenty-one days after service of such plans and sections intimate to the Corporation his approval or disapproval of said plans and sections the Corporation may thereupon proceed to execute such works :

- (2) If any injury to or interference with said tunnel or bridge or interruption to the traffic on the railways of the railway company shall arise or be occasioned at any time by the works or operations of the Corporation in connection with the said intended tramways and not by reason of any fault or neglect of the railway company or their servants or any person using their railways the Corporation shall forthwith make good or remove such injury interference or interruption at their own expense or in default of their doing so the railway company may execute the necessary works for that purpose at the expense of the Corporation and the Corporation shall repay to the railway company all costs and expenses incurred by them in so doing and all loss or damage sustained by that company in consequence of such injury interference or interruption :
- (3) If any difference shall at any time arise between the Corporation and the railway company or the engineer of that company with respect to the meaning of this section or any of the matters referred to herein such difference shall be referred to and determined by an arbiter to be agreed on or failing agreement to be appointed by the Board of Trade on the application of either party and such arbiter shall have power to determine the matter in difference and the costs of the reference shall be borne and paid as such arbiter shall direct.



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7. Whereas Tramway No. 1 will be laid along the portion of Finnieston Street which is carried over and across the bridge belonging to the Caledonian Railway Company (in this section referred to as "the railway company") And whereas Tramway No. 5 will be laid along the portion of New Road which passes under the bridge carrying the Caledonian Railway over said New Road Therefore the following provisions shall apply for the protection of the railway company :—

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For protec-  
tion of Cale-  
donian Rail-  
way Com-  
pany.

- (1) Before commencing any works or operations affecting either of the said bridges of the railway company or works connected therewith the Corporation shall submit plans sections working drawings and specifications of such works or operations to the railway company for their approval and the said works and operations shall be constructed and carried on in conformity only with said plans sections working drawings and specifications at the sight and to the reasonable satisfaction of the railway company's engineer and such works shall thereafter be maintained and repaired by the Corporation under his superintendence Provided that the approval of the railway company as aforesaid shall not be unreasonably withheld and that it shall be deemed to have been given unless the railway company signify their disapproval within fourteen days after submission of the said plans sections working drawings and specifications :
- (2) The Corporation shall not in the construction maintenance or use of the said tramways injure alter or interfere with the structure of the said bridges of the railway company or of any of the works of the railway company or cause any interruption to or interference with the traffic on the said railways :
- (3) The electric wires of the Corporation to be attached to the underside of the said bridge of the railway company over Tramway No. 5 in New Road shall be fixed to the satisfaction of the engineer of the railway company and so as not to injure the said bridge :
- (4) If any injury to or interference with said bridges or works of the railway company or any interruption to the traffic on the railways shall arise or be occasioned at any time by the works or operations of the Corporation in connection with said tramways and not by reason of any fault or neglect of the company or their servants or any person using their railways the Corporation shall forthwith make

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good or remove such injury interference or interruption at their own expense or the railway company may execute the necessary works for that purpose at the expense of the Corporation and the Corporation shall repay to the railway company all costs and expenses incurred by them in so doing and all loss or damage sustained by the railway company in consequence of such injury interference or interruption :

(5) Nothing in this Order contained or which may be done in pursuance thereof shall prevent the railway company so far as they have power to do so from maintaining and repairing and when necessary altering or reconstructing said bridges or other works of the railway company without interference on the part of the Corporation in respect of the said tramways and without incurring any liability to the Corporation or to any party working or using the tramways for any loss injury damage expense or interruption of traffic on the said tramways which may arise from such maintenance repair alteration or reconstruction and any extra expense which the railway company may incur in such maintenance repair alteration or reconstruction by reason of the construction or existence of the said tramways shall be paid by the Corporation. Provided that all such operations shall be executed by the railway company in such manner as to cause as little interruption or inconvenience as practicable to the traffic on the said tramways and that the railway company shall if necessary lay at their own expense temporary tramways to maintain the continuity of the tramway traffic and the railway company shall give fourteen days' notice (in writing) to the Corporation before commencing any such operations and the same so far as interfering with the said tramways shall be conducted at the sight and to the reasonable satisfaction of the engineer of the Corporation :

(6) If any difference shall arise between the Corporation and the railway company or their engineer under any of the preceding subsections as to any plans sections working drawings and specifications or as to any works or the method of executing the same or as to any costs or expenses referred to in this section the same shall be determined by an engineer to be agreed upon between the Corporation and the

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railway company or failing agreement to be nominated by the Board of Trade on the application of either party and the costs of the reference shall be borne and paid as such engineer shall direct. A.D. 1903.

8. The intended tramways shall for all purposes form part of the tramway undertaking. Intended tramways to form part of tramway undertaking.

9. Whereas the Trustees of the Clyde Navigation (hereinafter called "the Clyde Trustees") have in order to facilitate the working of the portion of Tramway No. 1 proposed to be constructed on the street known as Finnieston Quay agreed subject to the conditions hereinafter set forth to set back the existing railing belonging to them along the south side of that street to the line shown on a plan signed by Eugene Wason the Chairman of the Commissioners acting under the provisions of the Private Legislation Procedure (Scotland) Act 1899 to whom this Order was referred which plan is referred to as "the signed plan" (copies of which signed plan have been deposited in the Private Bill Office of the House of Commons the Parliament Office of the House of Lords and with the principal sheriff clerk of the county of Lanark) and to consent to the ground between the new and existing line of the said railing being used for traffic purposes Therefore be it enacted as follows:— For protection of Clyde Trustees.

(1) The Corporation shall construct the said portion of Tramway No. 1 situated on Finnieston Quay on the line and in the manner shown on the signed plan and in connection therewith they shall set back the said railing to the new line shown on the signed plan and shall remove the weighing machine water meter police call office and boxes to the several positions shown on the signed plan and shall also replace any surface gratings which may be disturbed and make good any drainage connections which may be interfered with:

(2) The surface of the ground belonging to the Clyde Trustees shown in red on the signed plan shall be causewayed and maintained by the Corporation and shall be available for traffic but the Clyde Trustees shall retain their full and unrestricted rights of property in the said ground and the use thereof by the public for traffic purposes shall not entitle the public or any person to acquire rights of way or other rights over the said ground:



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- (3) In the event of the portion of Tramway No. 1 before referred to being at any time abandoned the Clyde Trustees shall be entitled to resume possession of said ground and to replace the said railing on its former line :
- (4) The Corporation shall bear the whole cost of carrying out the several works and operations provided for in this section (including the cost of replacing said railing and works) and shall relieve the Clyde Trustees of any expense in connection therewith. These several works and operations shall be carried out by the Corporation at the sight and to the satisfaction of the engineer of the Clyde Trustees :
- (5) In the event of any difference arising between the Corporation and the Clyde Trustees in connection with any of the matters or things referred to in this section the matter in difference shall failing agreement be settled by an arbiter to be nominated by the sheriff of Lanarkshire on the application of the Corporation or of the Clyde Trustees.

Period for  
completion  
of works.

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

Application  
of sections of  
Tramway  
Acts of 1893  
and 1899  
and Water  
Order of  
1903.

11. The following sections of the Act of 1893 the Act of 1899 and the Glasgow Corporation (Water and General) Order 1902 shall so far as not varied by or inconsistent with the provisions of this Order extend and apply to the intended tramways and the Clydebank Tramways (that is to say) :—

Act of 1893—

- Section 8 (Tramways to be kept on level of surface of road) ;
- Section 9 (Further provisions as to construction of tramways) ;
- Section 10 (As to rails of tramways) ;
- Section 11 (Penalty for not maintaining rails and roads) ;
- Section 13 (Corporation may be required to use improved form of rails) ;
- Section 14 (Passing places to be constructed where less than a certain width left between footway and tramway) ;

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- Section 15 (Gauge of tramways);  
Section 16 (Tramways not to be opened until certified by Board of Trade);  
Section 17 (Power to make additional crossings &c.);  
Section 18 (Temporary tramways);  
Section 22 (Penalty for damage to tramways);  
Section 24 (Exclusive right of Corporation to use vehicles with flange wheels on the rails);  
Section 26 (Application of Glasgow Tramway Acts);  
Section 27 (Variation of routes setting out of stations &c. and fixing tolls);  
Section 28 (As to running through cars and charges for same);  
Section 30 (Byelaws and regulations);  
Section 31 (Penalties for offences against byelaws);  
Section 32 (Confirmation of byelaws &c. by sheriff);  
Section 33 (Notice of confirmation of byelaws);  
Section 34 (Recovery of tolls charges &c.);  
Section 35 (Saving for Glasgow Police Commissioners);  
Section 38 (Power to run omnibuses &c.);  
Section 39 (Power to form junctions levy tolls &c.);  
Section 48 (Provision as to General Tramway Acts):

Act of 1899—

- Section 10 (Provisions as to motive power);  
Section 11 (Power to construct subsidiary works for working tramways by mechanical power);  
Section 12 (Mechanical power works to be subject to sections 30 and 31 of Tramways Act 1870);  
Section 15 (Prohibiting the raising of fares on Sundays and holidays);  
Section 16 (For protection of Postmaster-General) Provided always that that section shall be and is hereby amended as follows:—

(A) Subsection (3) thereof shall be read as if the words within brackets "or the laying of lines crossing the lines of the " Postmaster-General at right angles at the point of " shortest distance and so continuing for a distance of six " feet on each side of such point " were omitted and such words shall be deemed to be omitted from the said subsection;

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(B) The following provisions shall have effect in addition to and shall be read with the provisions contained in the said section :—

If any telegraphic line of the Postmaster-General situate within one mile of any portion of the works of the Corporation is injuriously affected and he is of opinion that such injurious affection is or may be due to the construction of the Corporation's works or to the working of their undertaking the engineer-in-chief of the Post Office or any person appointed in writing by him may at all times when electrical energy is being generated by the Corporation enter any of the Corporation's works for the purpose of inspecting the Corporation's plant and the working of the same and the Corporation shall in the presence of such engineer-in-chief or such appointed person as aforesaid make any electrical tests required by the Postmaster-General and shall produce for the inspection of the Postmaster-General the records kept by the Corporation pursuant to the Board of Trade regulations ;

Section 18 (Extending application of section 32 of Glasgow Bridge &c. Act 1894) ;

Section 20 (Power to make byelaws to facilitate traffic) ;

Section 27 (Application of money borrowed under Tramway Acts) :

Glasgow Corporation (Water and General) Order 1902—

Section 33 (Amendment of section 20 of Glasgow Corporation (Tramways Libraries &c.) Act 1899).

Lease of tramways not subject to section 98 of Town Councils (Scotland) Act 1900.

12. Section 23 (Lease of tramways not subject to 3 Geo. IV. cap. 91) of the Act of 1893 is hereby repealed and the Corporation shall as regards the leasing of the intended tramways have the same powers and be subject to the same obligations as they have or are subject to with respect to the existing tramways and section 98 (all alienations of heritable property to be by public roup) of the Town Councils (Scotland) Act 1900 shall not apply to the tramway undertaking.

Confirming scheduled agreement.

13. The agreement set forth in the schedule to this Order and made between the Corporation and the Clydebank Council is hereby confirmed and made binding upon the parties thereto.

Power to Corporation to exercise

14. The Corporation may in pursuance of the said agreement construct the Clydebank Tramways subject to the provisions of the



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Clydebank Order and the said agreement and upon the completion thereof the said tramways shall for all purposes (including the levying and recovery of rates tolls and charges) form part of the tramway undertaking and the Tramways Acts shall subject to the provisions of this Order apply to such tramways. Provided always that nothing in this section contained shall prejudice or affect the provisions of section 13 (For the protection of railway companies) section 14 (Tramways crossing the Forth and Clyde Canal and for protection of the canal) section 15 (For protection of Corporation of Glasgow) and section 16 (For protection of the county council of the county of Dumbarton &c.) of the Clydebank Order.

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—  
powers of  
Clydebank  
Order.

15. For the protection of the Clydebank Council the following provisions shall unless otherwise agreed have effect and be binding on the Corporation while the Clydebank Tramways belong to the Corporation :—

For pro-  
tection of  
Clydebank  
Council.

- (1) The Clydebank Council shall have full power at any time to open or break up any road along or across which any of the Clydebank Tramways are laid for the purpose of laying down or constructing pipes drains sewers tubes wires or apparatus for the purposes of such council and shall also at all times have free access to and communication with all their pipes drains sewers tubes wires and apparatus and power to lay lateral and private connections to communicate therewith without the consent or concurrence of the Corporation and the provisions contained in sections 32 and 33 of the Tramways Act 1870 shall be applicable in the case of any such pipe drain sewer tube wire or apparatus already formed or laid or to be hereafter formed or laid or any lateral or private connections to communicate therewith as if the same were a pipe for the supply of gas or water :

Further and without prejudice to the provisions of section 31 of the Tramways Act 1870 the new altered or substituted works to be executed by the Corporation shall include the alteration of any existing manholes connected with the sewers of the Clydebank Council or the construction of any manholes in lieu thereof so that the openings of such altered or new manholes shall if necessary be placed at the side of the road with a diagonally-built means of access for such sewers :

- (2) The Corporation shall pay to the Clydebank Council the costs and expenses which they may reasonably incur or be put to

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in superintending the works authorised by this Order in the burgh of Clydebank and shall also pay to the Clydebank Council any extra expense they may at any time be put to by reason of the construction and existence of the tramways or other works authorised by the Clydebank Order in respect of any constructions re-constructions alterations repairs connections conversions or otherwise upon or connected with bridges culverts mains pipes tubes wires sewers manholes drains watercourses or apparatus and generally in carrying into effect any of the powers to execute works vested in or conferred on the Clydebank Council by any Act of Parliament existing at the date of the passing of the Act confirming this Order or which may be subsequently passed including any connections in the roads requiring to be made from properties ex adverso thereto Provided that the Corporation may if they so desire execute the whole or any part of the removal construction or repair of the foresaid works provided that they do so forthwith on due notice from the Clydebank Council and execute the work at the sight and to the satisfaction of the Clydebank Council :

- (3) The Clydebank Council shall with respect to any of the Clydebank Tramways have the same power of making and enforcing regulations and byelaws as to the rate of speed to be observed in travelling upon such tramways the distances at which carriages using such tramways shall be allowed to follow one after the other the stopping of carriages using such tramways and the traffic on the road or street in which such tramways are laid as are by this Order conferred on the Corporation and no byelaws made by the magistrates of the city with respect to the matters above mentioned or any of them shall be of any force or effect in the burgh of Clydebank :

Any regulations and byelaws which may be made by the Clydebank Council under the powers hereby conferred upon them or under section 20 (Power to make byelaws to facilitate traffic) of the Act of 1899 (which shall also be applicable to the burgh of Clydebank) shall be subject to confirmation by the sheriff of Stirling Dumbarton and Clackmannan in the same way as if that sheriff had been mentioned in the provisions of the Tramways Acts relating to the making and confirming of byelaws thereunder :



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(4) In the event of any difference arising between the Corporation and the Clydebank Council in connection with any of the matters or things referred to in this section the matter in difference shall failing agreement be settled by an arbiter to be nominated by the Board of Trade on the application of the Corporation or of the Clydebank Council. A.D. 1903.

16. Section 50 (Power to borrow for tramway purposes) of the Clydebank Order is hereby repealed. Repeal of section 50 of Clydebank Order of 1901.

17. For the purposes of the Tramways Acts and the tramways purposes of this Order section 20 (Extension of borrowing powers) of the Act of 1891 as amended by section 19 (Extension of borrowing powers) of the Glasgow Corporation (Tramways and General) Order 1901 shall be read and have effect as if the sum of two million six hundred thousand pounds were therein specified instead of the sum of two million four hundred thousand pounds. Extension of borrowing powers.

18. Sections 44 (Tramway sinking fund) and 45 (Application of sinking fund) of the Act of 1893 shall be and are hereby made applicable to the moneys authorised to be borrowed under the immediately preceding section of this Order. As to tramways sinking fund.

19. The Corporation may in addition to the sums they are authorised to borrow under the Parks Acts borrow for the purposes of carrying out the powers conferred upon them by the Parks Acts any sum or sums of money not exceeding in the whole the sum of one hundred thousand pounds and they may again borrow any such sum or sums or part thereof which may be repaid by them from time to time otherwise than by means of the sinking funds provided by this Order and any moneys so borrowed by them shall be deemed to have been borrowed under the powers and for the purposes of the Parks Acts and shall form part of the money authorised to be borrowed under those Acts and the maximum sum which may be borrowed under section 27 of the Act of 1878 section 6 of the Glasgow Corporation Loans Act 1883 section 44 of the City of Glasgow Act 1891 section 12 of the Glasgow Corporation Act 1892 section 18 of the Glasgow Corporation (General Powers) Act 1896 and section 51 of the Act of 1899 is hereby increased accordingly. Power to Corporation to borrow for purposes of Glasgow Public Parks Acts.

20. The Corporation shall during the year ending thirty-first day of May one thousand nine hundred and four and annually thereafter set apart and pay into the Glasgow Corporation Loans Fund established and formed under the Glasgow Corporation Loans Act 1883 as a sinking fund on the amount borrowed by the .. As to parks sinking fund.



[Ch. ccxxviii.] *Glasgow Corporation Tramways Order* [3 EDW. 7.]  
*Confirmation Act, 1903.*

A.D. 1903. — under the immediately preceding section of this Order such sum as will secure that the amount so borrowed shall be repaid within a period not exceeding sixty years from the date of such borrowing The Corporation shall from time to time apply such sinking fund in paying off debt.

Provision for supplementary valuation roll.

21.—(1) The assessor for the city under the Lands Valuation (Scotland) Acts shall make up on or before the fifteenth day of March annually a supplementary valuation roll showing for the portion of the year to Whitsunday then next in the form prescribed for the valuation roll of the city the rental or value of all subjects not included and of all subjects included but entered as unoccupied in the valuation roll made up at the fifteenth August annually which may have come into existence or occupancy after the Whitsunday preceding and the provisions of the said Acts including the provisions as to notices appeals and courts for hearing the same shall apply to such supplementary valuation roll as if it were therein referred to.

(2) For the purposes of hearing and disposing of appeals against such supplementary valuations the burgh valuation courts of appeal as established under the said Acts shall be held between the fifteenth day of March and the first day of April annually.

(3) The Corporation and other assessing authorities in the city imposing any assessment upon the basis of the valuation roll may impose a supplementary assessment upon all subjects entered in the supplementary valuation roll which shall be made under similar conditions and with the same powers of recovery as the principal assessment Provided that no subject shall be liable to double assessment in respect of the same rental or value.

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

22. If there be any omission misstatement or wrong description of any lands or of the owners lessees or occupiers of any lands shown on the deposited plans or described in the deposited books of reference the Corporation after giving ten days' notice to the owners lessees and occupiers affected by such proposed correction may apply to the sheriff for the correction thereof and if it appear to the sheriff that such omission misstatement or wrong description arose from accident or mistake he shall certify the same accordingly and shall in his certificate state the particulars of the omission and in what respect any such matter is misstated or wrongly described and such certificate shall be deposited with the sheriff clerk of the county of Lanark and a duplicate thereof with the town clerk of the city and such certificate and duplicate respec-

[3 EDW. 7.] *Glasgow Corporation Tramways Order* [Ch. ccxxviii.]  
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tively shall be kept by the said sheriff clerk and town clerk respectively with the other documents to which the same relate and thereupon the deposited plans and books of reference shall be deemed to be corrected according to such certificate and the Corporation may take the lands and execute the works in accordance with such certificate.

A D. 1903.

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

Power to take servitudes &c. by agreement.

24. The Corporation shall not under the powers of this Order purchase or acquire ten or more houses which on the fifteenth day of December last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers or except with the consent of the Secretary for Scotland ten or more houses which were not so occupied on the said fifteenth day of December but have been or shall be subsequently so occupied.

Restriction on taking houses of labouring class.

If the Corporation acquire or appropriate any house or houses for the purposes of this Order in contravention of the provisions of this section they shall be liable to a penalty of five hundred pounds in respect of every such house which penalty shall be recoverable by the Secretary for Scotland by action in the Court of Session and shall be carried to and form part of the Consolidated Fund of the United Kingdom Provided that the Court may if it think fit reduce such penalty.

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

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A.D. 1903.

Costs of  
Order.

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

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The SCHEDULE referred to in the foregoing Order.

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MINUTE OF AGREEMENT between the CORPORATION OF THE CITY OF GLASGOW (hereinafter called "Glasgow Corporation") of the first part and the PROVOST MAGISTRATES AND COUNCIL OF THE BURGH OF CLYDEBANK (hereinafter called "Clydebank Council") of the second part.

It is agreed between the parties hereto as follows viz. :—

(1) The powers contained in the Clydebank Burgh Tramways Order 1901 (hereinafter called "the Clydebank Order") to construct and work tramways within the Burgh of Clydebank (hereinafter called "the Burgh") shall be transferred to and be exerciseable by Glasgow Corporation in the same way and to the like effect as if the tramways described in that Order had been authorised by the Glasgow Corporation Tramways Order 1901 Glasgow Corporation shall relieve the Clydebank Council of all obligations incumbent upon them under that Order but sections 34 and 35 and 49 to 66 of the Clydebank Order relating to finances borrowing &c. shall not apply to Glasgow Corporation.

(2) It shall be in the sole option of Glasgow Corporation whether they shall construct and work Tramway No. 5 described in said Order.

(3) Glasgow Corporation shall on the 15th day of May 1903 repay to the Clydebank Town Council the expense incurred by them in obtaining and passing the Clydebank Order with interest thereon at  $3\frac{1}{2}$  per cent. per annum.

(4) The Clydebank Council shall within six months after the expiry of forty-two years from the 15th May 1903 and within six months after the expiration of every subsequent period of seven years have the option to take over subject to the provisions of the Tramways Act 1870 the tramway undertaking in Clydebank authorised by the Clydebank Order and all lands buildings works lines bridges electric equipment plant &c. suitable to and used for the purposes of the undertaking within the burgh at a valuation in terms of section 43 of the Tramways Act 1870 but exclusive of any allowance for goodwill.



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*Confirmation Act, 1903.*

A.D. 1903.

(5) The roadway between the rails and for eighteen inches outside of the rails shall be paved and maintained to the satisfaction of Clydebank Council. The existing material may be used so far as available.

(6) All fares tolls and charges levied by Glasgow Corporation within the burgh shall be at the same rate as those charged generally within the city.

(7) Glasgow Corporation shall construct Tramways Nos. 1 to 4 described in the Clydebank Order within the time specified in that Order viz. before 26th July 1906 and the Clydebank Council will give facilities for the construction and maintenance of these tramways.

(8) The Glasgow Corporation shall have power to provide and place appliances for or in connection with electric or mechanical traction in or under the roads or streets within the burgh but always in such a manner as will not interfere with the free and safe passage of ordinary traffic on such roads and the Glasgow Corporation shall also if necessary have power to place poles section boxes and appliances for carrying wires at the side of those roads or streets or on the footpath thereof but the position design and form of construction of such appliances poles and boxes shall be subject to the approval of the Clydebank Council and in the event of difference of opinion with reference thereto the same shall be determined by an arbiter to be nominated by the Board of Trade. The Glasgow Corporation shall immediately on the completion of their operations which they shall be bound to carry out with all speed restore to the satisfaction of the Clydebank Council such portions of the footpaths with corresponding kerb and channel as may have been disturbed by their operations.

(9) The poles which shall be the same as those used generally within the city shall be subject to the approval of the Clydebank Council who will have power to use such poles for electric lighting purposes subject to the provisions contained in subsection (15) of section 14 of the Glasgow Corporation (Tramways and General) Order 1901.

(10) The service of cars throughout the burgh of Clydebank shall not at any time be less than one car in each direction every twenty minutes between the hours of 8 a.m. and 11 p.m.

(11) Glasgow Corporation shall pay all landlords' and tenants' taxes upon the said tramways in the burgh.

(12) This agreement is subject to the sanction of Parliament and the Glasgow Corporation hereby undertake within one year from the date hereof to make application to Parliament for the necessary powers to give effect to this agreement and to carry on said application to its termination and the Clydebank Council undertake at the expense of the Glasgow Corporation to support said application.

(13) In the event of differences arising between Glasgow Corporation and Clydebank Council these shall be referred to an arbiter to be nominated by the Board of Trade.

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A.D. 1903.

In witness whereof these presents duly stamped are executed in duplicate as follows (viz.) They are sealed with the seal of the burgh of Clydebank and subscribed by Alexander Stewart provost John Taylor magistrate and John Hepburn town clerk all of the said burgh on behalf of and as specially authorised by the said provost magistrates and council of said burgh at a special meeting of the town council thereof held at Clydebank on the nineteenth day of September nineteen hundred and two years before these witnesses Thomas Calder clerk to the said John Hepburn and Robert Dunlop Brown clerk in the office of the sanitary inspector Clydebank and are sealed with the seal of the Corporation of the City of Glasgow and subscribed by Alexander M'Cutcheon and James Henderson Martin two members of the said Corporation and by Sir James David Marwick town clerk of Glasgow on behalf of and as specially authorised by the said Corporation at Glasgow on the second day of October year last mentioned before these witnesses David Elder and John Hercus both clerks in the Town Clerk's Office Glasgow.

DAVID ELDER Witness.  
JOHN HERCUS Witness.

ALEX. M'CUTCHEON.  
J. H. MARTIN.  
J. D. MARWICK Town Clerk.



ALEXANDER STEWART Provost.  
THOMAS CALDER Witness. JOHN TAYLOR Magistrate.  
ROBERT D. BROWN Witness. JOHN HEPBURN Town Clerk.



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T. DIGBY FIGOTT, Esq., C.B., the King's Printer of Acts of Parliament.

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