



## CHAPTER cxciv.

An Act to authorise the construction of Tramways in certain parts of the City of Aberdeen and its suburbs; and for other purposes. A.D. 1872.  
[10th August 1872.]

**W**HEREAS the laying down of tramways in certain streets and roads in this Act mentioned, all in the county of Aberdeen, 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, and 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 clerk for the county of Aberdeen, 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 it is expedient that the agreement between the Lord Provost, Magistrates and Town Council of the Royal Burgh and City of Aberdeen, and the promoters of the Company hereby incorporated, which is set forth in the schedule to this Act, should be confirmed :

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,

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A.D. 1872. — 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 Aberdeen District Tramways Act, 1872."

Incorporation of general Acts. 2. "The Companies Clauses Consolidation (Scotland) Act, 1845," Part I. (relating to cancellation and surrender of shares) of "The Companies Clauses Act, 1863," "The Lands Clauses Consolidation (Scotland) Act, 1845," (except the provisions thereof with respect to the purchase and taking of lands otherwise than by agreement, and with respect to the entry upon lands by the promoters of the undertaking,) "The Lands Clauses Consolidation Acts Amendment Act, 1860," 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. 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 expressions "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 expressions "centre line of the road" or "centre line of the street" shall mean in all cases an imaginary line drawn along the centre of the streets or roads along which the respective tramways are intended to be laid; the expression "road authority" shall mean the Lord Provost, Magistrates, and Town Council of the Royal Burgh and City of Aberdeen, or the road trustees, or other body having the control of the street or road referred to; and the word "contingencies" in "The Companies Clauses Consolidation (Scotland) Act, 1845," (section one hundred and twenty-five) 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.

Company incorporated. 4. George Jamieson, John Cardno Couper, John Cook, John Moir Clark, Thomas Douglas, James Chalmers, Alexander Milne

Ogston, James Walker, and Lauchlan McKinnon, junior, 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 "The Aberdeen District 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.

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5. Subject to the provisions of this Act and Parts II. and III. of "The Tramways Act, 1870," 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—

Power to  
make tram-  
ways.

1. A Tramway (No. 1), three furlongs six and one half chains or thereabouts in length, wholly in the parish of Old Machar, commencing in the Skene Road, opposite or nearly opposite the smithy or workshop situate at the south-eastern end of the Rubislaw Granite Quarries, and thence proceeding eastwardly along that road, and terminating in that road at a point opposite or nearly opposite the westernmost branch of the road leading to Rubislaw Bleach-works, where the last-mentioned road joins the Skene Road.

The Tramway (No. 1) will consist of a single line of tramway laid along the centre of the road along which it is intended to pass, except that at the place herein-after specified the tramway will, for a length of three chains or thereabouts, consist of two lines, which will gradually diverge for three quarters of a chain or thereabouts from and on opposite sides of the centre line of the road until they respectively attain the distance of four feet therefrom, continuing respectively at that distance from the centre line of the road for a length of one chain and a half or thereabouts, and again for three quarters of a chain or thereabouts gradually approaching until they again respectively reach the centre of the road.

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The place above referred to, at which the tramway will consist of a double line, is—

Between two points, respectively four chains or thereabouts, and one chain or thereabouts, from the commencement of the tramway.

2. A Tramway (No. 2), one mile five furlongs and six chains or thereabouts in length, wholly in the parishes of Old Machar and St. Nicholas, and the divisions of St. Nicholas known as the South, East, Greyfriars, and North parishes, or some or one of them, commencing by a junction with Tramway (No. 1) at the point herein-before described as the termination of that tramway, thence proceeding eastwardly along the Skene Road, Queen's Road, Queen's Cross, into and along Albyn Place, Alford Place, and north-eastwardly into and along Union Place, Union Street West, Union Bridge, Union Street, Union Buildings, and Castle Street, and terminating in the last-mentioned street at a point at or near the western side of the Duke of Gordon's statue in Castle Street.

The Tramway (No. 2) will consist of a single line of tramway laid along the centre of the respective roads or streets along which it is intended to pass, except that at the places hereinafter specified the tramway will, for a length of four chains or thereabouts, consist of two lines, which will gradually diverge for three quarters of a chain or thereabouts from and on opposite sides of the centre line of the road or street until they respectively attain the distance of four feet therefrom, continuing respectively at that distance from the centre line of the road or street for a length of two chains and a half or thereabouts, and again for three quarters of a chain gradually approaching until they again respectively reach the centre of the road or street.

The places above referred to, at which the tramway will consist of a double line, are as follow; viz.,

Between two points, respectively ten chains and three quarters or thereabouts, and fourteen chains and three quarters or thereabouts, from its commencement before described :

Between two points, respectively two chains and a half or thereabouts, and six chains and a half or thereabouts, measured eastward from the western entrance to Rubislaw Terrace from Albyn Place :

Between two points, respectively one chain and a half or thereabouts, and five chains and a half or thereabouts,

measured north-eastward from the junction of Wellington Place with Union Place : A.D. 1872.

Between two points, respectively five chains and a quarter or thereabouts, and one chain and a quarter or thereabouts, measured south-westward from the junction of South Silver Street with Union Street West :

Between a point nearly opposite the junction of Back Wynd with Union Street, and a point four chains or thereabouts, measured north-eastward of the junction of that Wynd with Union Street :

Between a point nearly opposite the junction of Broad Street with Union Street, and a point two chains or thereabouts, measured south-westward, from the termination of the tramway as herein-before described.

3. A Tramway (No. 3), three miles and one chain and a half or thereabouts in length, wholly in the parishes of Old Machar and Banchory Devenick, commencing in the North Deeside or Aboyne Road at a point one chain and a half or thereabouts, measured north-westward, from the junction of the road leading from Cults to the Cults station of the Deeside Railway with the North Deeside or Aboyne Road, thence proceeding north-eastwardly along the said North Deeside or Aboyne Road into and along Cuparstone Road, Ashley Place, Cuparstone Place, Holburn Street, Wellington Place, Union Place, and terminating in Union Place by a junction with Tramway (No. 2) at a point three chains or thereabouts south-west of the junction of Rose Street with Union Place.

The Tramway (No. 3) will consist of a single line of tramway laid along the centre of the respective streets or roads along which it is intended to pass, except that at each of the places next herein-after specified the tramway will, for a length of three chains or thereabouts, consist of two lines, which will gradually diverge for three quarters of a chain or thereabouts from and on opposite sides of the centre line of the street or road until they respectively attain the distance of four feet therefrom, continuing respectively at that distance from the centre line of the street or road for a length of one chain and a half or thereabouts, and again for three quarters of a chain or thereabouts gradually approaching until they again respectively reach the centre of the street or road.

The places above referred to, at which the tramway will consist of a double line, are as follow :

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Between two points, respectively two chains or thereabouts, and five chains or thereabouts, from the commencement of the said tramway :

Between two points, respectively half a chain or thereabouts, and three chains and a half or thereabouts, north-eastward of the third milestone from Aberdeen on the North Deeside or Aboyne Road :

Between two points, respectively three chains and a half or thereabouts, and half a chain or thereabouts, south-westward of the junction of the road leading to the hill of Pitfodel's Road with the North Deeside or Aboyne Road :

Between two points, respectively one chain or thereabouts south-west, and two chains or thereabouts north-eastward of the second milestone from Aberdeen on the North Deeside or Aboyne Road :

Between two points, respectively three chains and a half or thereabouts, and half a chain or thereabouts, south-west of the south-east entrance gate to Forbesfield Nursery :

Between a point three chains or thereabouts south-west of and a point opposite the Nellfield Road, where that road joins the North Deeside or Aboyne Road.

4. A Tramway (No. 4), two miles six furlongs and seven chains and a half or thereabouts in length, wholly in the parishes of Newhills and Old Machar, commencing in the Inverurie Road, opposite or nearly opposite the post office at Auchmull, thence proceeding in a south-easterly direction along that road, thence into and in an easterly direction along Barron Street, Woodside, thence south-easterly into and along Hadden Street, Wellington Street, and the Inverurie Road, and terminating in the last-mentioned road at a point seven chains and a half or thereabouts north-east of the junction of the Inverurie Road with Causewayend.

The Tramway (No. 4) will consist of a single line of tramway laid along the centre of the respective streets or roads along which it is intended to pass, except that at each of the places next herein-after specified the tramway will, for a length of three chains or thereabouts, consist of two lines, which will gradually diverge for three quarters of a chain or thereabouts from and on opposite sides of the centre line of the street or road until they respectively attain the distance of four feet therefrom, continuing respectively at that distance from the centre line of the street or road for a length of one chain and a half or thereabouts, and again for three quarters of a chain or

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The places above referred to, at which the tramway will consist of a double line, are as follow; viz.,

Between two points, respectively one chain or thereabouts, and four chains or thereabouts, from the commencement of the tramway :

Between two points, respectively three chains and a half or thereabouts, and six chains and a half or thereabouts, south-east of the lane leading to the eastern side of the Dancing Cairn Granite Quarries, where that lane joins the Inverurie Road :

Between two points, respectively four chains or thereabouts, and one chain or thereabouts, west of the road leading to the Upper Middlefield Private Lunatic Asylum, where that road joins the Inverurie Road :

Between two points, respectively eight chains and a half or thereabouts, and five chains and a half or thereabouts, west of High Street, Woodside, where High Street joins Barron Street :

Between two points, respectively five chains or thereabouts, and eight chains or thereabouts, south-east of the junction of Tanfield Walk with Wellington Street :

Between two points, respectively thirteen chains and a half or thereabouts, and ten chains and a half or thereabouts, north-west of the principal entrance gate to the Kitty Brewster railway station of the Great North of Scotland Railway.

5. A Tramway (No. 5), one mile and one chain or thereabouts in length, wholly in the parishes of Old Machar and St. Nicholas, and the divisions of St. Nicholas known as the West, East, and South parishes, or some of them, commencing by a junction with Tramway (No. 4) at the point of termination of that tramway herein-before described, and thence proceeding in a south-easterly direction along the Inverurie Road, North Broadford, George Street, St. Nicholas Street, and Union Street, and terminating in the last-mentioned street by a junction with Tramway (No. 2), about half a chain to the north-east of the junction of Union Street with Market Street.

The Tramway (No. 5) will consist of a single line of tramway laid along the centre of the respective streets or roads along which it is intended to pass, except that at each of the places next herein-after specified the tramway will, for a length of

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three chains or thereabouts, consist of two lines, which will gradually diverge for three quarters of a chain from and on opposite sides of the centre line of the street or road until they respectively attain the distance of four feet therefrom, continuing respectively at that distance from the centre line of the street or road for a length of one chain and a half or thereabouts, and again for three quarters of a chain or thereabouts gradually approaching until they again respectively reach the centre of the street or road.

The places above referred to, at which the tramway will consist of a double line, are as follow; viz.,

Between two points, respectively one chain or thereabouts, and four chains or thereabouts, south-east of Millbank Lane, where that lane joins North Broadford:

Between two points, respectively five chains or thereabouts, and eight chains or thereabouts, south-east of Hutcheon Street, where that street joins George Street:

Between two points, respectively one chain and a half or thereabouts, and four chains and a half or thereabouts, south-east of Saint Andrew Street, where that street joins George Street.

6. A Tramway (No. 6), seven furlongs and four chains or thereabouts in length, wholly in the parish of Old Machar, commencing in the King Street Road at a point half a chain or thereabouts south of the southern end of the new Bridge of Don, thence continuing in a south-westerly direction along King Street Road, and terminating in that road opposite the junction of University Road with King Street Road.

The Tramway (No. 6) will consist of a single line of tramway laid along the centre of the road along which it is intended to pass, except that at each of the places next herein-after specified the tramway will, for a length of three chains or thereabouts, consist of two lines, which will gradually diverge for three quarters of a chain from and on opposite sides of the centre line of the road until they respectively attain the distance of four feet therefrom, continuing respectively at that distance from the centre line of the road for a length of one chain and a half or thereabouts, and again for three quarters of a chain or thereabouts gradually approaching until they again respectively reach the centre of the road.

The places above referred to, at which the tramway will consist of a double line, are as follow; viz.,



Between two points, respectively two chains or thereabouts, and five chains or thereabouts, south-west of the point of commencement herein-before described :

Between two points, respectively eight chains or thereabouts, and five chains or thereabouts, north-east of New Street, where that street joins King Street Road.

7. A Tramway (No. 7), one mile and one chain and a half or thereabouts in length, wholly situate in the parishes of Old Machar and Saint Nicholas, and the divisions thereof known as the Greyfriars, North, and East parishes, or some of them, commencing in the King Street Road by a junction with the Tramway (No. 6) at the termination thereof herein-before described, thence proceeding in a southerly direction along King Street Road, King Street, and Castle Street, and terminating in the last-mentioned street by a junction with Tramway (No. 2) at a point one chain or thereabouts westward of the termination of that tramway herein-before described.

The Tramway (No. 7) will consist of a single line of tramway laid along the centre of the respective roads and streets along which it is intended to pass, except that at each of the places next herein-after specified the tramway will, for a length of three chains or thereabouts, consist of two lines, which will gradually diverge for three quarters of a chain or thereabouts from and on opposite sides of the centre line of the street or road until they respectively attain the distance of four feet therefrom, continuing respectively at that distance from the centre line of the street or road for a length of one chain and a half or thereabouts, and again for three quarters of a chain or thereabouts gradually approaching until they again respectively reach the centre of the street or road.

The places above referred to, at which the tramway will consist of a double line, are as follow :

Between two points, respectively four chains or thereabouts, and one chain or thereabouts, north of the entrance gate to Saint Peter's Cemetery from the said King Street Road :

Between two points, respectively one chain and a half or thereabouts, and four chains and a half or thereabouts, south of Roslin Terrace, where that terrace joins King Street.

8. A Tramway (No. 8), one furlong three chains and three quarters or thereabouts in length, wholly in the parish of St. Nicholas, and the divisions thereof known as East, South,

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and Saint Clement's parishes, or some of them, commencing in Saint Nicholas Street by a junction with Tramway (No. 5) at a point one chain or thereabouts north of the junction of Saint Nicholas Street with Union Street, thence proceeding in a south-easterly direction across Union Street and into and along Market Street and Quayside, and terminating on Quayside by a junction with the existing tramways of the Aberdeen Harbour Commissioners or their lessees, the Deeside Railway Company, the Great North of Scotland Railway Company, and the Caledonian Railway Company, at a point three chains or thereabouts south-east of the junction of Guild Street with Market Street and Trinity Quay.

The Tramway (No. 8) will throughout its entire length be laid along the centre of the respective roads or streets along which it is intended to pass, except that at a distance of three chains or thereabouts from its termination before described it will gradually diverge in a westerly direction until at its termination it attains a distance of eighteen feet or thereabouts from and on the western side of the centre line of the street called Quayside.

9. A short connecting Tramway (No. 9), one chain and a half or thereabouts in length, wholly in the parish of St. Nicholas, and the divisions thereof known as the East and South parishes, or one of them, commencing in Union Street by a junction with Tramway (No. 2) at a point half a chain or thereabouts south-west of the junction of St. Nicholas Street with Union Street, thence proceeding in a south-easterly direction into and along Market Street, and terminating in Market Street by a junction with Tramway (No. 8) at a point one chain or thereabouts south-east of the junction of that street with Union Street.

The Tramway (No. 9) will at its commencement and termination be in the centre of the respective streets in which it is intended to commence and terminate, and will be in a gradually curved line from its commencement to its termination.

10. A short connecting Tramway (No. 10), two chains or thereabouts in length, situate wholly in the parish of Saint Nicholas, and the division thereof known as the South parish, commencing in Market Street by a junction with Tramway (No. 8) at a point nearly opposite the south-west corner of the old Fish Market, thence proceeding in a south-easterly direction into and along Trinity Quay, and terminating on that quay by a junction with the existing tramways belonging to the Aberdeen

Harbour Commissioners or their lessees, the Deeside Railway Company, the Great North of Scotland Railway Company, and the Caledonian Railway Company at a point three quarters of a chain or thereabouts south-east of the south-east corner of the old Fish Market.

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The Tramway (No. 10) will at its commencement be laid in the centre of Market Street, and will thence gradually diverge in a curved line in a south-easterly direction till at its termination it attains the distance of seven feet from and on the south side of the imaginary centre line of Trinity Quay.

All which tramways will pass or be made from, in, through, or into, or be situate within the several parishes and places following, or some or one of them; (that is to say,) the parish of St. Nicholas and the divisions thereof known as the East, West, North, South, Greyfriars, and St. Clement's parishes, the parish of Old Machar, and the parishes of Banchory Devenick and Newhills, and the royal burgh of Aberdeen, all in the county of Aberdeen.

6. 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 Aberdeen and Kincardine.

Tramways to be inspected before being opened.

7. 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 so altered.

Tramways to be kept level with surface of roads.

8. Subject to the provisions of this Act, the Company may, with consent of the road or street authority, and of the local authority, and any other persons or bodies interested, from time to time make, maintain, alter, and remove such crossings, passing-places, sidings, junctions, and other works, in addition to those particularly specified in this Act or on the deposited plans, as they find necessary or convenient for the efficient working of the tramways, or for providing access to any stables or carriage-house or works of the Company or their lessees connected with the undertaking.

Power to make additional crossing places, &c.

9. The Company may use on the tramways carriages or other vehicles with flange wheels, or wheels specially adapted to run on a grooved rail, and the Company shall have the exclusive use of their tramways for carriages or other vehicles with flange wheels or other wheels specially adapted to run on a grooved rail. No part of any carriage or other vehicle used on any tramway, or of the

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

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loading thereon, shall extend beyond the outer edges of the wheels of such carriage more than eleven inches on each side: Provided nevertheless, if the Company see fit, 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 tramways, but the loading thereof shall in no case extend beyond the sides of such vehicles.

Tramways  
to be parts  
of roads.

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

Further pro-  
visions as to  
construction  
and use of  
tramways.

11. The following provisions shall be applicable to the construction and use of the tramways, and may be enforced by the Lord Provost, Magistrates, and Town Council of the Royal Burgh and City of Aberdeen (herein-after called the Town Council); that is to say,

1. It shall not be lawful for the Company to lay or maintain any tramway in Market Street in the said royal burgh and city of Aberdeen (herein-after called "the city") without the previous consent in writing of the Town Council.
2. The Company shall pave with granite blocks or such other materials as the Town Council may direct, and shall maintain to the satisfaction of the Town Council, so much of every road or street within the city on which any tramway may be laid as lies between the rails of the tramway, and where two tramways are laid in any road or street within the city at a distance of not more than four feet from each other the portion of road or street between the two tramways, and in every case so much of the road or street as extends eighteen inches beyond the rails, and on each side of the tramways.
3. The paving materials between the rails of the tramways, and for eighteen inches beyond the rails on each side of the tramways, in any street or road within the city on which the tramways may be laid, and which is already paved, or which may be paved previous to the time when the laying down of the tramways is commenced, shall, as then existing, be available to the Company for repaving the streets, without any payment to the Town Council for such paving materials; but the whole of such paving materials shall be and remain the property of the Town Council; and in the event of the Company at any time abandoning their undertaking, or taking up any tramway belonging to them, within the city, they shall be bound to make good the surface of the road or street within the city on

which the tramway was laid, and to the satisfaction of the Town Council to put the portion of the road or street on which the tramway was laid into as good condition as that in which the other portion of such road or street shall be at the time; and the Company shall not have any claim for payment or compensation for any paving materials which they may have laid on such road or street: Provided that nothing herein contained shall prejudice the rights and powers of the Town Council under section forty-one of "The Tramways Act, 1870."

4. When the undertaking of the Company shall yield a revenue sufficient to pay a dividend of five pounds per centum per annum on their capital, the Company shall thenceforth pay to the Town Council an annual rent at the rate of twenty pounds per mile for the use of the roads or streets within the city on which the tramways are laid; and such rent shall be calculated according to the length of the tramways in the said roads or streets, and shall be payable half-yearly by equal instalments at the terms of Whitsunday and Martinmas in each year; and the first payment of such rent shall be made at the term of Whitsunday or Martinmas which shall first occur after the declaration of a dividend at the rate of five pounds per centum per annum or upwards on the capital of the Company.
5. The Company shall not run any carriages on Sundays for the conveyance of passengers or goods on the tramways within the city, without the consent in writing of the Town Council previously obtained.
6. The Company shall not carry any article or parcel exceeding one hundred and twenty pounds in weight (not being passengers luggage) in any carriage in which passengers are conveyed.
7. The Company shall not, without the consent in writing of the Town Council previously obtained, be entitled to carry on any goods car within the city any parcels or articles unless subject to rules and regulations in regard to the time and manner of carrying such traffic, to be laid down from time to time by the Town Council, whose determination shall be final.
8. The mode of laying the tramways and the construction of the works connected therewith, and all details in regard to sidings, crossings, and other matters relating to or affecting the public convenience or safety, shall, previous to the commencement of the works, be submitted to an engineer to be appointed by the Town Council, who may require such

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alterations to be made as he may think fit; and any question or difference between the engineer of the Company and the engineer of the Town Council shall be referred to and determined by a neutral engineer, to be appointed by the sheriff of Aberdeen and Kincardine on the application of the Company or the Town Council; and the tramways shall be laid and the works connected therewith shall be executed to the satisfaction of the engineer of the Town Council, or of such neutral engineer, in case of difference as aforesaid; and all costs, charges, and expenses incurred by the Town Council in or with respect to such application and reference, and the fees of the neutral engineer, shall be paid by the Company.

9. The Town Council shall have full power to lay down, construct, and alter from time to time such sewers, drains, and water and gas pipes as they think fit in any street or road in which any tramway shall be laid, and in laying down and maintaining the tramways and the works connected therewith the sewers, drains, and water and gas pipes belonging to the Town Council shall not be interfered with, altered, or removed without the previous consent in writing of the Town Council; and the Town Council shall at all times have access to all sewers, drains, and water and gas pipes already constructed or laid, or to be constructed or laid, in any street or road in which a tramway shall be laid, for the purpose of inspecting and repairing such sewers, drains, and pipes.

10. The provisions contained in section thirty-two of "The Tramways Act, 1870," shall apply to all cases where the Town Council may lay down, construct, repair, alter, remove, or make a connexion with any sewer or drain within the city; and in all such cases any additional expense imposed on the Town Council by reason of the existence of the tramways in any road, street, or place within the city, where any sewers or drains, or any mains, pipes, tubes, or apparatus for the supply of water or gas belonging to the Town Council shall have been formed or laid before or after the construction of the tramways, shall be borne by the Company; and the Company shall also in all such cases pay the whole expense (beyond the cost of ordinary causewaying, which shall be borne by the Town Council,) incurred in replacing the rails and repaving the portions of roads or streets which had been paved by the Company as required by this section.

Penalty for  
not main-  
taining tram-  
ways.

12. The Company shall at all times maintain and keep in good condition and repair, and so as not to be a danger or annoyance to

the ordinary traffic, the rails of the tramways and so much of the road on which the same are laid as the Company are bound to maintain, and the substructure on which the same rest; and if the Company at any time fail to comply with this provision, or with the provisions of section twenty-eight of "The Tramways Act, 1870," they shall be subject to a penalty not exceeding five pounds for every day on which such non-compliance continues; and such penalty shall be a penalty within the meaning of section fifty-six of the said Act.

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**13.** The capital of the Company shall be seventy-five thousand pounds, in seven thousand five hundred shares of ten pounds each.

Capital.

**14.** 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 a sum not less than one fifth of the amount of such share shall have been paid in respect thereof.

Shares not to be issued until one fifth paid up.

**15.** One fifth of the amount of a share shall be the greatest amount of a call, and three months at least shall be the interval between successive calls, and three fourths of the amount of a share shall be the utmost aggregate amount of calls in any year upon any share.

Calls.

**16.** 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 in their capital when fully paid up into half shares, of which one shall be called "preferred half share," and the other shall be called "deferred half share:" Provided always, that the Company shall not divide any share under the authority of this Act unless and until not less than sixty per centum upon such share has been paid up, and upon every such division fifty per centum upon the entire share shall be carried to the credit of the deferred half share (being the whole amount payable thereon), and the residue to the credit of the preferred half share.

Power to divide shares; shares not to be divided until sixty per cent. paid up.

**17.** 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 once for all at a general meeting of the Company

Dividends on half shares.

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specially convened for the purpose, on the preferred half share, and the remainder (if any) in payment of dividend on the deferred half share; and the Company shall not pay any greater amount of dividend on the two half shares than would have from time to time been payable on the entire share if the same had not been divided.

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

**18.** 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 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.

**19.** 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, and 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.

Forfeiture of preferred shares.

**20.** The provisions of "The Companies Clauses Consolidation (Scotland) Act, 1845," with respect to the forfeiture of shares for nonpayment of calls shall apply to all preferred half shares to be created under the authority of this Act, and every such preferred half share shall for that purpose be considered a whole share, distinct from the corresponding deferred half share: Provided always, that until any forfeited preferred half share shall be sold by the directors of the Company all dividends which would be payable thereon if the same had not been forfeited shall be applied in or towards payment of any expenses attending the declaration of forfeiture thereof, and of the arrears of calls for the time being due thereon, with interest.

Terms of issue to be stated in certificates.

**21.** 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.

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



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

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Half shares to be half shares in capital.

**24.** If any money be payable to any shareholder being a minor, idiot, or lunatic, the receipt of his guardian or curator shall be a sufficient discharge to the Company for the same.

Receipts on behalf of incapacitated persons.

**25.** The Company may from time to time borrow on mortgage any sum or sums not exceeding in the whole eighteen thousand seven hundred and fifty pounds, and of that sum they may borrow not exceeding ten thousand pounds in respect of the first forty thousand pounds of their capital, and they may borrow the balance of eight thousand seven hundred and fifty pounds in respect of the remaining thirty-five thousand pounds of their capital, but no part of such sums of ten thousand pounds and eight thousand seven hundred and fifty pounds shall be borrowed until the whole of the said forty thousand pounds and thirty-five thousand pounds respectively is subscribed for, issued, and accepted, and one half thereof is paid up, and the Company have proved to the sheriff of Aberdeen and Kincardine, 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 said forty thousand pounds and thirty-five thousand pounds respectively of capital has been bonâ fide subscribed for, issued, and accepted, and that one half thereof has been paid up, and that not less than one fifth part of the amount of each separate share in such forty thousand pounds and thirty-five thousand pounds respectively has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the said forty thousand pounds and thirty-five thousand pounds respectively of capital was issued bonâ fide, and is held by the subscribers or their assigns, and that such subscribers or their assigns are legally liable for the same; 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.

Power to borrow.

**26.** Every mortgage of the Company's undertaking shall be deemed to comprise all purchase money which may be paid to the Company in the event of a compulsory sale to the local authority

Mortgages to comprise purchase money paid

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A.D. 1872. under section 43 of "The Tramways Act, 1870," or in the event of a sale to the Town Council, under the agreement set forth in the schedule to this Act annexed, and may comprise all or any moneys carried to a contingency fund according to the terms of the mortgage.

Indorsement of notice of power of future purchase by the local authority. **27.** Every mortgage deed to be granted by the Company under this Act shall be indorsed with notice that such mortgage will not be a charge upon the tramways in the event of their being purchased by the local authority under section 43 of "The Tramways Act, 1870," or by the Town Council under the before-mentioned agreement.

For appointment of a judicial factor. **28.** 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 judicial factor. In order to authorise the appointment of a judicial factor in respect of arrears of principal, the amount owing to the mortgagees by whom the application for a judicial factor shall be made shall not be less in the whole than one thousand five hundred pounds.

Moneys borrowed on mortgage to have priority. **29.** All moneys to be borrowed on mortgage under this Act from time to 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 tramways, or by the exercise of any of the powers conferred upon the Company.

Not to create debenture stock. **30.** The Company shall not create nor issue debenture stock.

Application of money. **31.** All moneys raised under this Act, whether by shares or borrowing, shall be applied for the purposes of this Act only.

First ordinary meeting. **32.** The first ordinary meeting of the Company after the passing of this Act shall be held not earlier than three months nor later than six months next after the passing of this Act.

Quorum of general meetings. **33.** 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. **34.** The prescribed scale of voting shall be as follows: Every shareholder who holds less than fifty pounds of paid-up capital of

the Company shall be entitled to one vote, and every shareholder who holds more than fifty pounds of paid-up capital of the Company shall be entitled to one vote in respect of every fifty pounds of such paid-up capital held by him. A.D. 1872.

**35.** The number of directors shall be eight, but the Company may from time to time reduce the number of the directors, so that the number be not less than four. Number of directors.

**36.** The qualification of a director shall be the possession in his own right of not less than twenty shares. Qualification of directors.

**37.** The quorum of a meeting of directors shall be three. Quorum.

**38.** George Jamieson, John Cardno Couper, John Cook, John Moir Clark, Thomas Douglas, James Chalmers, Alexander Milne Ogston, and James Walker shall be 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 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. First directors.

**39.** 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. Period for completion of works.

**40.** 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 five acres. Purchase of land by agreement.

**41.** The Company may demand and take for every passenger travelling upon any 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 Tolls for passengers.

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such conveyance, any tolls or charges not exceeding one penny per mile for second-class passengers, and not exceeding one penny half-penny per mile for first-class passengers.

Maximum  
rate for  
cattle and  
goods.

**42.** The maximum rate of charge to be made by the Company for the conveyance of animals and goods on the tramways, including the tolls for the use of the tramways, and for waggons or trucks and motive power, and every other expense incidental to the conveyance, 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, sixpence per head :

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

For calves, pigs, sheep, and small animals, threepence farthing per head :

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

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 fireclay), and for wrought iron not otherwise specifically classed herein, and for heavy iron castings, including railway chairs, per ton not exceeding threepence :

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 fourpence :

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

For every carriage, of whatever description (not being a carriage adapted and used for travelling on a tramway, and not weighing more than one ton), tenpence ; and if weighing more than one ton, not exceeding twopence per mile for every quarter of a ton or fractional part of a quarter of a ton additional.

Regulations  
as to tolls.

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

Short dis-  
tances.

For articles or animals conveyed on the tramways for a less distance than four miles the Company may demand tolls and charges as for four miles :

For persons conveyed on the tramways for a less distance than two miles the Company may demand tolls and charges as for two miles : A.D. 1872.

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

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 : Fractional parts of a ton.

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

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 other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity. Weight of stone and timber.

**44.** 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,) Tolls for small parcels and articles of great weight.

For the carriage of small parcels on the tramways, as follows :

For any parcel not exceeding seven pounds in weight, three-pence :

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 articles 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 three tons, the Company may demand any such sum as they think fit.

**45.** Provided always, that the Company shall not be bound to carry, unless they think fit, any parcel, goods, articles, or things, Company not bound to carry goods.

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other than passengers luggage, not exceeding the weight in this Act in that behalf mentioned.

Carriage of luggage, goods, &c.

46. A passenger on the tramways may take with him his personal luggage, not exceeding twenty-eight pounds in weight, without any charge being made for the carriage thereof.

Tolls to be paid as directed by the Company.

47. 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.

48. The Company on the one hand, and any road authority, corporation, or any other body, or any other party or parties, on the other hand, may, subject to the provisions of Part III. of "The Railways Clauses Act, 1863," which shall apply as if tramways were therein mentioned instead of railways, 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 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 incidental to or consequent on the making or carrying into effect of any such contract or arrangement as aforesaid.

Confirmation of agreement with Town Council.

49. The agreement set forth in the schedule to this Act annexed is hereby confirmed and made part of this Act, and shall be carried into effect by the Company and the Lord Provost, Magistrates, and Town Council of the Royal Burgh and City of Aberdeen.

Form and delivery of notices.

50. 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 shall be 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.

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**51.** The Company shall not, out of any money by this Act authorised to be raised by calls or 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."

Interest not to be paid on calls paid up.

**52.** 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.

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

**53.** 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.

Provisions as to general Acts.

**54.** 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.

Costs of Act.

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**SCHEDULE** referred to in the foregoing Act.

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IT IS AGREED between the parties following; namely, the Lord Provost, Magistrates, and Town Council of the Royal Burgh and City of Aberdeen (herein-after called the Town Council), of the first part, and the several persons hereto subscribing and named and designed in the testing clause hereof, Promoters of the Bill now before Parliament, intituled "A Bill to authorise the construction of Tramways in certain parts of the city of Aberdeen and its suburbs; and for other purposes," (herein-after called the Promoters,) of the second part, in manner following; that is to say, the said parties, considering that by the said Bill it is proposed to obtain authority to lay down tramways on certain roads and streets within the city of Aberdeen and the suburbs thereof, to be worked by animal power only, and to be constructed so as not to impede or injure the ordinary traffic of the streets, and that it is further proposed by the said Bill to incorporate the persons therein named, with others, into a Company, and to empower them to lay down and maintain the said street tramways, and further considering that the Promoters have applied to the Town Council to give their consent to the said Bill as the local authority under "The Tramways Act, 1870," for the city of Aberdeen, and that the Town Council have, after due inquiry and consideration, resolved to give such consent, subject to the provisions of the said Bill, and on the conditions herein-after set forth: Therefore the Town Council and the Promoters have agreed, and the Promoters bind and oblige themselves, conjunctly and severally, and the Company to be incorporated by the said Bill (herein-after called the Company), as follows:

First. Within six months after the expiration of seven years from the time when the Company are empowered to construct the said tramways, and again within six months after the expiration of fourteen years from the said time, the Town Council may by notice require the Company to sell, and thereupon the Company shall be bound, six months after the receipt of such notice, to sell to the Town Council their undertaking on the terms of paying the then value of the said tramways, and all lands, buildings, works, materials, and plant of the Company suitable to and used by them for the purposes of their undertaking; such value to be, in case of difference, determined either by an arbiter nominated by the Board of Trade in the manner prescribed by section forty-three of "The Tramways Act, 1870," or, in the option of the Town Council, by arbitration under the provisions of "The Lands Clauses Consolidation (Scotland) Act, 1845;" and when any such sale has been made, all the rights, powers, and authorities of the Company in respect of the undertaking sold shall be transferred to and vested in and may be exercised by the Town Council in like manner as if the said tramways had been constructed by the Town Council under the powers of a provisional order or Act of Parliament obtained by themselves for that purpose.



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Second. The Town Council shall not purchase the undertaking of the Company under the provisions of this agreement unless they shall decide to make such purchase by resolution passed at a special meeting of the Town Council, which resolution shall be made in the same manner and shall be subject to the same conditions as to validity as resolutions made in regard to the purchase authorised by section forty-three of "The Tramways Act, 1870;" and in the event of the Town Council exercising the power of purchase conferred on them by this agreement, the Town Council may pay the purchase money and all expenses incurred by them in making such purchase out of the like funds and for the like purposes, and shall have the same powers and be subject to the same conditions, as if such purchase were made under the authority of section forty-three of "The Tramways Act, 1870."

Third. In the event of the Town Council exercising the powers of purchase conferred by this agreement previous to the expiration of twenty-one years from the time when the Company are empowered to construct the said tramways, or after the expiration of the said period of twenty-one years under the provisions of section forty-three of "The Tramways Act, 1870," the Town Council shall be entitled to have free inspection at all times of the books and accounts of the Company, in order to ascertain the expenditure in connexion with their undertaking, and the purposes of such expenditure.

Fourth. In the event of the Town Council exercising the powers of purchase conferred by this agreement within the said period of twenty-one years, the allowance for past and future profits of the undertaking, including compensation for compulsory sale, and every other consideration whatsoever, other than and except the then value of the tramways, and all lands, buildings, works, materials, and plant of the Company suitable to and used by them for the purposes of their undertaking, shall not be less than ten per cent. nor more than twelve and a half per cent. per annum on the expended capital of the Company for the period to elapse between the time at which such purchase shall be made and the expiration of the said period of twenty-one years.

Fifth. The whole expenses incurred and to be incurred by the Town Council in relation to the said Bill and to this agreement shall be borne and paid by the Promoters and the Company. And both parties consent to the registration hereof for preservation and execution. In witness whereof these presents, written on stamped paper by John Duncan, law stationer, residing in Aberdeen, are subscribed and sealed in duplicate as follows; viz., are subscribed by George Jamieson, jeweller in Aberdeen; John Cardno Couper, of Craigiebuckler in the county of Aberdeen; John Cook, shipowner in Aberdeen; John Moir Clark, merchant in Aberdeen; Thomas Douglas, of Airyhall, residing in Aberdeen; James Chalmers, printer in Aberdeen; Alexander Milne Ogston, of Ardoe in the county of Kincardine; James Walker, merchant in Aberdeen; and Lauchlan McKinnon, junior, advocate in Aberdeen, being the Promoters, all at Aberdeen, as follows, namely, by the said John Cardno Couper, John Moir Clark, Thomas Douglas, James Chalmers, Alexander Milne Ogston, James Walker, and Lauchlan McKinnon, junior, the twenty-first day of May in the year of our Lord one thousand eight hundred and seventy-two, in presence of these witnesses, namely, James Reid Moir and Andrew Reid, both residing in Aberdeen, and both clerks to the said Lauchlan McKinnon, junior, by the said

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A.D. 1872. George Jamieson and John Cook, the twenty-second day of May in the year one thousand eight hundred and seventy-two, as under, namely, by the said George Jamieson in presence of these witnesses, namely, the said James Reid Moir and Andrew Reid, and by the said John Cook in presence of these witnesses, namely, Andrew Leslie, his clerk, residing in Aberdeen, and George Milne Cook, his son, residing at Ashley, near Aberdeen; and are subscribed by authority and on behalf of the Town Council by William Leslie, the Lord Provost, and Robert Urquhart, the senior baillie of the said royal burgh and city of Aberdeen, and by John Angus, the town clerk of the said burgh and city, and are sealed with the common seal of the Town Council, all at Aberdeen, at a meeting of the Town Council duly convened on the said twenty-second day of May in the year one thousand eight hundred and seventy-two, before these witnesses, namely, William Gordon, chamberlain of the said city of Aberdeen, and George Robb, writer in the town clerk's office in Aberdeen.

(Signed) JAMES R. MOIR, witness.

( „ ) ANDREW REID, witness.

( „ ) JAMES R. MOIR, witness.

( „ ) ANDREW REID, witness.

( „ ) ANDREW LESLIE, witness.

( „ ) GEORGE M. COOK, witness.

( „ ) W. GORDON, witness.

( „ ) GEO. ROBB, witness.

(Signed) GEO. JAMIESON.

( „ ) J. C. COUPER.

( „ ) JOHN COOK.

( „ ) J. MOIR CLARK.

( „ ) JA. CHALMERS.

( „ ) A. M. OGSTON.

( „ ) JAMES WALKER.

( „ ) L. M'KINNON, junior.

( „ ) THOMAS DOUGLAS.

(Signed) WM. LESLIE, Lord Provost.

( „ ) ROBERT URQUHART, Senior Baillie.

( „ ) JOHN ANGUS, Town Clerk.

L.S.