



## CHAPTER cxcviii.

An Act to authorise the construction of Tramways from Glasgow to Bothwell and Hamilton, with a branch to Motherwell and Wishaw ; and for other purposes. [10th August 1872.] A.D. 1872.

**W**HEREAS the laying down of tramways in certain streets and roads in this Act mentioned, all in the county of Lanark, 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 the tramways herein-after described communicate with the tramways leased to the Glasgow Tramway and Omnibus Company (Limited), and it is expedient that that company and the Company should be empowered to enter into agreements for working the tramways in connexion with the tramways authorised by "The Glasgow Street Tramways Act, 1870," and that the agreement between that company and the promoters of the Company, dated the twenty-eighth and twenty-ninth days of November one thousand eight hundred and seventy-one, which is set forth in the schedule to this Act, should be confirmed :

And whereas the Glasgow Tramway and Omnibus Company (Limited) have assented to the application to Parliament for this Act :

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

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A.D. 1872. of Lanark, and those plans, sections, and books of reference are in  
— this Act referred to as the deposited plans, sections, and books of  
reference :

And whereas the objects of this Act cannot be attained without  
the authority of Parliament :

May it therefore please Your Majesty that it may be enacted ; and  
be it enacted by the Queen's most Excellent Majesty, by and with  
the advice and consent of the Lords Spiritual and Temporal, and  
Commons, in this present Parliament assembled, and by the authority  
of the same, as follows :

Short title. 1. This Act may be cited for all purposes as "The Glasgow,  
Bothwell, Hamilton, and Wishaw 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), Part II. (construction of tramways) and Part III.  
(general provisions) of "The Tramways Act, 1870," and "The  
Lands Clauses Consolidation Acts Amendment Act, 1860," are  
(except where expressly varied by this Act) incorporated with and  
form part of this Act.

Alteration of  
Tramways  
Act as ap-  
plied to this  
Act. 3. Parts II. and III. of "The Tramways Act, 1870," incorpo-  
rated with this Act, shall, for the purposes of this Act, have effect,  
subject and according to the provisions following ; namely,

Section twenty-six shall have effect as if fourteen days were  
therein mentioned instead of seven days :

Section twenty-seven shall have effect as if it were therein pro-  
vided that any penalty therein mentioned shall belong to and  
be paid over to the road authority :

Section twenty-eight shall have effect as if five feet were therein  
mentioned instead of four feet, and as if it were therein pro-  
vided that if the Company abandon their undertaking, or any  
part of the same, and take up any tramway or any part of  
any tramway belonging to them, the portion of the road upon  
which such tramway is laid shall be restored by them in  
manner therein mentioned to as good a condition as that in  
which it was before the tramway was laid thereon, or at the  
time of abandonment, as the road authority shall direct :

Sections thirty-three, forty-six, and fifty-eight shall have effect as  
if the sheriff of the county in which the subject of the matter



in difference is situate, or to which the byelaws relate, or in which the turnpike road is situate, as the case may be, was therein mentioned instead of the Board of Trade :

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

4. In this Act the several words and expressions to which meanings are assigned by the Acts wholly or in part incorporated herewith shall have the same respective meanings, unless there be something in the subject or context repugnant to such construction, or unless herein otherwise expressly provided ; the expression " the Company " shall mean the Company incorporated by this Act ; the expression " the tramway," " the tramways," or " the undertaking " shall mean the tramways and works and undertaking by this Act authorised, or any part thereof ; the words " street " or " road " shall mean respectively the carriageway of any street, road, bridge, thoroughfare, or place along or across which any tramway authorised by this Act is intended to be laid, and include the surface, pavement, soil, and subsoil of a street, and any bridge forming part of or leading to the same, and being under the control of the road authority ; the " imaginary centre line " of any street or road shall mean in all cases an imaginary line drawn along the centre of the carriageway of the street or road along which the tramway is intended to be laid ; the expression " road authority " shall mean the board of police or the road trustees or other body having the control of the street or road referred to ; 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.

Interpretation.

5. David Carrick Robert Carrick Buchanan, William Alston Dykes, Stewart Souter Robertson, George Alston, John Meek, John Addie, John Hendrie, William Shaw, and John Sheffield Gilbert Ryley, 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

Company incorporated.



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A.D. 1872. — 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 Glasgow, Bothwell, Hamilton, and Wishaw Tramways Company," and by that name shall be a body corporate, with perpetual succession and a common seal, and with power to purchase, take, hold, and dispose of lands and other property for the purposes of this Act.

Power to  
make tram-  
ways.

6. Subject to the provisions of this Act and the Acts and parts of Acts incorporated herewith, 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—

A Tramway (No. 5), two miles four chains four yards or thereabouts in length, and a Tramway (No. 5A) one mile six furlongs two yards or thereabouts in length, commencing respectively in Great Hamilton Street in the city of Glasgow at points in that street respectively distant fourteen yards or thereabouts, measuring in a south-westerly direction, from the south-west corner of Kent Street at its junction with Great Hamilton Street; Tramway (No. 5) there forming a junction with the Glasgow Street Tramway (No. 2) authorised by the "Glasgow Street Tramways Act, 1870," and Tramway (No. 5A) there forming a junction with the Glasgow Street Tramway (No. 2A) authorised by that Act; Tramways (No. 5) and (No. 5A) thence passing respectively in a northerly direction into and along Kent Street, and into and along Gallowgate, Great Eastern Road, and Glasgow and Shotts turnpike road leading to Hamilton in an easterly direction; Tramway (No. 5) terminating in the last-mentioned road at a point distant one hundred and twenty-two yards or thereabouts, measuring in an easterly direction, from the southmost pillar of the entrance of the approach to Tollcross Manse at the junction of that approach with the last-mentioned road; and Tramway (No. 5A) terminating in the said turnpike road by a junction with Tramway (No. 5) at a point distant thirty-four yards or thereabouts, measuring in a north-westerly direction, from the north-east corner of Helenvale Street at its junction with said turnpike road:



A Tramway (No. 6), nine miles one chain eleven yards or thereabouts in length, commencing at the point herein-before described as the termination of Tramway (No. 5); Tramway (No. 6) there forming a junction with Tramway (No. 5), thence passing in a south-easterly direction along the Glasgow and Shotts turnpike road to Hamilton, Bothwell Road, Cadzow Street, the Cross of Hamilton, Townhead Street, and the Glasgow and Carlisle turnpike road leading to Larkhall, and terminating in the last-mentioned road at a point distant thirty-four yards or thereabouts, measuring in a south-easterly direction, from the north-west corner of Miller Street in Hamilton at its junction with Townhead Street :

The Tramway (No. 6) will consist of a single line of tramway, except that at each of the places next herein-after specified (under the numbers 6A, 6B, 6C, 6D, 6E, 6F, 6G, 6H, 6K, 6L, 6M, and 6N) in the Glasgow and Shotts turnpike road to and in Hamilton, on the northern side of that tramway, an additional tramway or a passing-place three chains in length or thereabouts, commencing and terminating by junctions with Tramway (No. 6), will be laid; (that is to say,)

6A. Between a point twenty-two yards or thereabouts, measuring in a southerly direction, and a point eighty-six yards or thereabouts, measuring in a south-easterly direction, respectively, from the centre of the gate of the carriageway to Toll-cross House, at the junction of said carriageway with the Glasgow and Shotts turnpike road to Hamilton :

6B. Between a point distant twenty-two yards or thereabouts, measuring in a south-easterly direction, and a point distant eighty-six yards or thereabouts, measuring in an easterly direction, respectively, from the south-east corner of Calton Street at its junction with the Glasgow and Shotts turnpike road to Hamilton (main street of Toll-cross) :

6C. Between a point distant twenty-two yards or thereabouts, measuring in an easterly direction, and a point eighty-seven yards or thereabouts, measuring in an easterly direction, respectively, from the centre of the gateway of the approach to Boghead at the junction of said approach with the Glasgow and Shotts turnpike road to Hamilton :

6D. Between a point distant twenty-two yards or thereabouts, measuring in a north-easterly direction, and a point eighty-seven yards or thereabouts, measuring in an easterly

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direction, respectively, from the centre of the gateway of the approach to Greenoakhill House at the junction of that approach with the Glasgow and Shotts turnpike road to Hamilton :

- 6E. Between a point distant twenty-two yards or thereabouts, measuring in a south-easterly direction, and a point eighty-eight yards or thereabouts, measuring in the same direction, respectively, from the north-east corner of the bridge carrying the Glasgow and Shotts turnpike road to Hamilton over the Calder Water :
- 6F. Between a point distant twenty-two yards or thereabouts, measuring in a southerly direction, and a point distant eighty-eight yards or thereabouts, measuring in the same direction, respectively, from the Powburn turnpike gate on the Glasgow and Shotts turnpike road to Hamilton :
- 6G. Between a point distant twenty-two yards or thereabouts, measuring in a northerly direction, and a point forty-four yards or thereabouts, measuring in a southerly direction, respectively, from the centre of the bridge carrying the Glasgow and Shotts turnpike road to Hamilton over the Caledonian Railway :
- 6H. Between a point distant forty-four yards or thereabouts, measuring in a north-westerly direction, and a point twenty-four yards or thereabouts, measuring in a southerly direction, respectively, from the centre of the gateway of the approach to the Bothwell and Uddingston Gasworks at the junction of said approach with the Glasgow and Shotts turnpike road to Hamilton :
- 6K. Between a point twenty-two yards or thereabouts, measuring in a south-easterly direction, and a point eighty-seven yards or thereabouts, measuring in the same direction, respectively, from the north-east corner of the Blantyre Road at its junction with the Glasgow and Shotts turnpike road to Hamilton, opposite the Free Church in Bothwell :
- 6L. Between a point twenty-two yards or thereabouts, measuring in a northerly direction, and a point forty-nine yards or thereabouts, measuring in a south-easterly direction, respectively, from the centre of the gateway of the approach to Alderbank at the junction of that approach with the Glasgow and Shotts turnpike road to Hamilton :
- 6M. Between a point in the Glasgow and Shotts turnpike road to Hamilton (Bothwell Road) twenty-two yards or



thereabouts, measuring in a northerly direction, and a point fifty-four yards or thereabouts, measuring in a south-easterly direction, respectively, from the northmost corner of the dwelling-house called Buckmuir Lodge :

6N. Between a point in the Glasgow and Shotts turnpike road to Hamilton (Bothwell Road) distant twenty-two yards or thereabouts, measuring in a northerly direction, and a point fifty-four yards or thereabouts, measuring in an easterly direction, respectively, from the north-west corner of Almada Street at its junction with said road :

A Tramway (No. 6o), two furlongs three chains twenty yards or thereabouts in length, commencing in Townhead Street, Hamilton, by a junction with Tramway (No. 6) at a point distant seventeen yards or thereabouts, measuring in an easterly direction, from the north-east corner of Quarry Street at its junction with Townhead Street, thence passing along Townhead Street in a south-easterly direction, and terminating in the Glasgow and Carlisle turnpike road leading to Larkhall at a point distant thirty-four yards or thereabouts, measuring in a south-easterly direction, from the north-west corner of Miller Street, Hamilton, at its junction with Townhead Street :

A Tramway (No. 7), five miles five furlongs one chain sixteen yards or thereabouts in length, commencing in Cadzow Street, Hamilton, at a point distant twenty-one yards or thereabouts, measuring in a northerly direction, from the north-east corner of Quarry Street at its junction with Townhead Street, thence diverging in a northerly direction into and along Castle Street, Hamilton, till it reaches the junction of the Glasgow and Shotts turnpike road leading to Motherwell with Castle Street, thence passing along said turnpike road into and through the following streets in the burgh of Motherwell, namely, Clyde Street, the Cross, Brandon Street, and Windmillhill Street, thence passing along the Carluke turnpike road into and through the following streets in the burgh of Wishaw, namely, Glasgow Road, Main Street, the Cross, and Stewarton Street, and terminating in the last-mentioned street at a point distant twenty-two yards or thereabouts, measuring in a southerly direction, from the south-west corner of Graham Street in the last-mentioned burgh at its junction with Stewarton Street :

The Tramway (No. 7) will consist of a single line of tramway, except that at each of the places next herein-after specified (under the numbers 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, and 7K), on the northern side of that tramway, an additional tramway

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or a passing-place three chains or thereabouts in length, commencing and terminating by junctions with Tramway (No. 7), will be laid ; (that is to say,)

7A. Between a point in the Glasgow and Shotts turnpike road to Motherwell distant twelve yards or thereabouts, measuring in a north-easterly direction, and a point seventy-four yards or thereabouts, measuring in an easterly direction, respectively, from the south-west corner of the Glasgow and Shotts turnpike road to Motherwell at its junction with Castle Street :

7B. Between a point in the last-mentioned turnpike road distant twenty-two yards or thereabouts, measuring in a westerly direction, and a point forty-six yards or thereabouts, measuring in a north-easterly direction, respectively, from the north-west corner of the road leading to Ross Bridge at the junction of that road with the Glasgow and Shotts turnpike road to Motherwell :

7C. Between a point in the Glasgow and Shotts turnpike road to Motherwell in the centre of Kethers Bridge, and a point distant three chains or thereabouts northward therefrom :

7D. Between a point in the Glasgow and Shotts turnpike road to Motherwell (Clyde Street) at the Motherwell turnpike gate, and a point distant three chains or thereabouts north-eastward therefrom :

7E. Between a point in the Carluke turnpike road leading from Motherwell to Wishaw (Brandon Street) distant twenty-two yards or thereabouts, measuring in a southerly direction, and a point in the same road distant eighty-seven yards or thereabouts, measuring in a south-easterly direction, respectively, from the south-west corner of the road to the Motherwell railway station for passengers at the junction of that road with Brandon Street :

7F. Between a point in the Carluke turnpike road leading from Motherwell to Wishaw distant three chains or thereabouts, measuring in a north-westerly direction, from the Dalziel turnpike gate in that road, and the said turnpike gate :

7G. Between a point in the Carluke turnpike road leading from Motherwell to Wishaw distant twenty-two yards or thereabouts, measuring in a southerly direction, and a point distant eighty-three yards or thereabouts, measuring in a south-easterly direction, respectively, from the centre



of the gateway of the approach to Glencairn Cottage at the junction of that approach with the said road : A.D. 1872.

7H. Between a point in the Carluke turnpike road leading from Motherwell to Wishaw distant eighty-eight yards or thereabouts, measuring in a westerly direction, and a point twenty-three yards or thereabouts, measuring in the same direction, respectively, from the south-east corner of the eastmost dwelling of the houses called Sunnyside :

7K. Between a point in the Carluke Road leading from Motherwell to Wishaw (Glasgow Road) distant one chain or thereabouts, measuring in a westerly direction, and a point forty-six yards or thereabouts, measuring in a north-easterly direction, respectively, from the north-west corner of Marshall Street at its junction with that road :

A short connecting Tramway (No. 7L), one chain thirteen yards or thereabouts in length, commencing in Townhead Street, Hamilton, by a junction with Tramway (No. 6) at the point herein-before described as the commencement of the Tramway (No. 6), thence passing in a northerly direction into the Cross of Hamilton and Castle Street, Hamilton, and terminating in Castle Street by a junction with Tramway (No. 7) at a point distant thirty yards or thereabouts, measuring in a northerly direction, from the north-east corner of Quarry Street at its junction with Townhead Street :

A Tramway (No. 7M), three chains or thereabouts in length, commencing in Stewarton Street, Wishaw, by a junction with Tramway (No. 7) at a point distant twenty-four yards or thereabouts, measuring in a westerly direction, from the south-west corner of Graham Street at its junction with Stewarton Street, thence passing in a south-easterly direction along Stewarton Street, and terminating in that street three chains or thereabouts from the commencement of said Tramway (No. 7M) :

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 of them ; (that is to say,) the royal burgh of Glasgow, the city parish of Glasgow, the barony parish of Glasgow, the parishes of Calton, Shettleston, Old Monkland, Bothwell, Hamilton, Dalziel, Cambusnethan, and the villages or towns of Toll Cross, Mount Vernon, Uddingston, Bothwell, Hamilton, Motherwell, and Wishaw, all in the county of Lanark.



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Tramways to  
be inspected  
before being  
opened.

7. 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 which may be prescribed by the sheriff of the county of Lanark.

Mode of  
formation of  
tramways.

8. Every tramway to be made, formed, or laid down under the authority of this Act shall be laid and maintained in such manner that the groove in the rail shall in no case exceed one inch and a quarter in width.

Tramways to  
be kept level  
with surface  
of roads.

9. 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.

Further pro-  
visions as to  
laying of  
tramways on  
roads.

10. Notwithstanding anything in this Act contained, the Company shall not lay more than one tramway, consisting of two rails, along or across any road or part of a road where the road authority shall require only one such tramway to be laid, and in all such cases, and all cases whatsoever where a single line of tramway only is to be laid, such tramway shall be laid on such road or part of a road in the line or position directed by such road authority, not being further from the centre of the road than the line or position of one of the tramways authorised to be laid thereon as shown on the deposited plans; and, except as herein-after provided, no sidings, works, or other conveniences in connexion with the tramways which are not delineated on the deposited plans shall be made on any road or part of a road without the consent of the trustees of such road.

Power to  
make addi-  
tional cross-  
ing-places,  
&c.

11. Subject to the provisions of this Act, the Company may, with consent of the road authority and the local authority, and other persons or bodies interested, from time to time make, maintain, alter, and remove such crossings, passing-places, sidings, and junctions, 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-houses or works of the Company or their lessees connected with the undertaking.

One line of  
double tram-  
way to be  
laid before  
second line

12. Where a double line of tramway is intended to be laid on any turnpike road, one of the lines of tramway forming such double line shall be completed for such length at any one part as the



trustees of such road may require before the second line at such part shall be commenced.

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is com-  
menced.  
Company to  
widen out  
metalled bed  
of road when  
required.

**13.** The Company shall be bound, on the requisition of the trustees of any road on which the tramways are intended to be laid, and at such time as the trustees may desire, on receiving notice from the trustees so to do, to widen out to the satisfaction of such trustees and at the Company's expense the bottoming and metalled surface of any road on which the tramways are intended to be constructed, at such place or places and to such extent as such trustees may consider necessary to admit of carts and vehicles using the roads passing with safety the vehicles using the tramways without being necessitated to go upon the soft or unmetalled parts of the roads, as also to reconstruct the side drains of any roads where it may be necessary to remove these to admit of such widening, and to make such other alterations in the side drains or on the footpaths of such roads as may be considered necessary by the trustees in consequence of such widening out, and to surface and maintain the portions of road so widened out to the satisfaction of the trustees for twelve months after the completion thereof: Provided always, that such notice shall have been given by the trustees before the tramway or tramways shall have been laid at the place at which such widening out of the road and reconstruction of the drains is required by the trustees: Provided further, that for the purposes of their undertaking the Company shall be entitled to use such road metal and other material as it shall be necessary to remove in the construction of their works, but any road metal or other material so removed and not used for such purposes shall remain the property of the road trustees.

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

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

**15.** Where any tramway shall be constructed on a bridge carrying a road over a railway the following provisions shall have effect:

Construction  
of tramways  
on bridges  
over railways.



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The Company shall give fourteen days notice in writing to the railway company whose railway is crossed of the intention to commence the construction of the tramway, and shall at the same time send sufficient specifications or other information to show the nature of the interference with the bridge :

If the engineer of the railway company be of opinion that the proposed mode of constructing the tramway will render the bridge insecure or injure it, and no method is agreed on of constructing the tramway to the satisfaction of the said engineer, the matter shall be referred to some neutral engineer to be agreed on between the parties, or, if they cannot agree, to be appointed by the Board of Trade on the application of either party, and the award of such neutral engineer shall be binding on both companies, and the costs of the reference shall be in the discretion of the referee :

The works on the bridge shall be executed under the superintendence and to the reasonable satisfaction of the engineer of the railway company :

Any additional expense in the maintenance of the bridge or of the roadway on the same, or of the approaches thereto, occasioned by the construction, use, and maintenance of the tramway, shall be paid by the Company.

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

**16.** The Company may use on their 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. Subject to the provisions herein-after made, no part of any carriage or other vehicle used on any tramway 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.

Provisions as  
to portions of  
road where  
trampates  
for ordinary  
traffic have  
been laid.

**17.** In every case in which trampates have been laid by the road authority along any portion of any road the tramways shall, if required by such road authority before the tramways are commenced to be constructed, be constructed upon and along such portion of road with such description, width, and section of rail as shall be specially suited for public or ordinary cart traffic as well as for the tramway carriages and the flanged wheels thereof,



and all the operations connected with such construction shall be executed at the sight and to the satisfaction of the surveyor for the time being of the portions of road upon which the tramways are to be constructed as aforesaid; and the Company shall make good to the road authority any expense which such road authority shall incur in removing the tramplates and causeway stones in connexion therewith (which plates and stones shall remain the property of the road authority) and in repairing or macadamising the road.

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**18.** In the event of the trustees of any turnpike road on which the tramways shall be laid being of opinion, within six months after the opening of the tramways over all or any of the bridges on such turnpike road, that the laying of the tramways on such bridges or bridge necessitates the widening or altering thereof, it shall be in the power of such road trustees to intimate the same to the Company, and thereafter to proceed to widen or alter such bridges, or one or more of them, and the Company shall be obliged to pay to such road trustees one half of the expense incurred by them in widening or altering such bridges or bridge: Provided always, that in the event of the Company being of opinion that it is unnecessary to widen or alter all or one or more of such bridges, it shall be competent to the Company, within eight days after the date of receiving notice from such trustees of their intention to widen or alter such bridges, or one or more of them, to apply to the sheriff, who shall have power to decide whether the due conduct of the traffic over the said bridges or bridge intended to be widened or altered requires the widening or altering thereof, and in the event of the sheriff deciding that it is unnecessary to widen or alter such bridges or bridge, then and in that event the Company shall not be obliged to pay the half of the expense before referred to, but with power to such road trustees to proceed to widen or alter such bridges or bridge, as they shall think proper, at the expense of the trust.

As to widening or altering bridges on turnpike roads.

**19.** 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.

Penalty for not maintaining tramways.

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Tramways to  
be parts of  
roads.

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

Facilities to  
railway  
companies.

**21.** In the event of the Company granting any facilities, running powers, or other advantages on and over the tramways to any railway company, the Company shall give to any other railway company requiring the same the like facilities, powers, and advantages.

Power to  
make agree-  
ments as to  
tolls.

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

Company to  
make good  
loss of tolls  
during con-  
struction of  
tramways.

**23.** The Company shall be bound to make good to the trustees of any turnpike road on which any tramways may be laid any diminution in the tolls taken at the toll-bars on such road consequent upon and occurring during the period of construction of the tramways on such roads, and fairly attributable to such construction, or to free and relieve such trustees from any claims which may be made against them by the tacksmen or lessees of any of the toll-bars on such road for or in respect of any such diminution.

Capital.

**24.** The capital of the Company shall be one hundred and ten thousand pounds, in eleven thousand shares of ten pounds each.

Shares not  
to be issued  
until one  
fifth paid up.

**25.** 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 being less than one fifth of the amount of such share shall have been paid in respect thereof.

Calls.

**26.** 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.

Power to  
divide  
shares.

**27.** 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 Com-



pany specially convened for the purpose, may from time to time divide any share when fully paid up in their capital 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.

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

**29.** 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 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.

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

**30.** 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.

Half shares  
to be regis-  
tered and  
certificates  
issued.

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and Wishaw Tramways Act, 1872.*

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Terms of  
issue to be  
stated in  
certificates.

Forfeiture of  
preferred  
shares.

**31.** 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.

**32.** 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.

Preferred  
shares not to  
be cancelled,  
&c.

Half shares  
to be half  
shares in  
capital.

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

**34.** 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.

Receipts on  
behalf of  
incapacitated  
persons.

**35.** 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.

Power to  
borrow.

**36.** The Company may from time to time borrow on mortgage any sum or sums not exceeding in the whole twenty-seven thousand five hundred pounds, and of that sum they may borrow not exceeding fifteen thousand pounds in respect of the first sixty thousand pounds of their capital, and they may borrow the balance of twelve thousand five hundred pounds in respect of the remaining fifty thousand pounds of their capital, but no part of any such sums of fifteen thousand pounds and twelve thousand five hundred pounds respectively shall be borrowed until the whole of the said sixty thousand pounds and fifty thousand pounds respectively is subscribed for, issued, and accepted, and one half thereof is paid up, and the Company have proved to the sheriff, who is to certify under the forty-second section of "The Companies Clauses Consolidation (Scotland) Act, 1845," before he so certifies, that the whole of the



said sixty thousand pounds and fifty 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 sixty thousand pounds and fifty thousand pounds respectively has been paid on account thereof before or at the time of the issue or acceptance thereof, and that the said sixty thousand pounds and fifty thousand pounds respectively of capital were issued bonâ fide, and are 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.

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**37.** 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 under section forty-three of "The Tramways Act, 1870," and may comprise all or any moneys carried to a contingency fund, according to the terms of the mortgage.

Mortgages to comprise purchase money paid on compulsory sale.

**38.** 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 forty-three of "The Tramways Act, 1870."

Indorsement of notice of power of future purchase by the local authority.

**39.** 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 three thousand pounds.

For appointment of a judicial factor.

**40.** 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.

Moneys borrowed on mortgage to have priority.



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and Wishaw Tramways Act, 1872.*

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No debenture stock.

41. The Company shall not create nor issue debenture stock.

Application of money.

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

First ordinary meeting.

43. 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 meeting.

44. 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.

45. 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.

Number of directors.

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

Qualification of directors.

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

Quorum.

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

First directors.

49. David Carrick Robert Carrick Buchanan, William Alston Dykes, Stewart Souter Robertson, George Alston, John Meek, John Addie, John Hendrie, William Shaw, and John Sheffield Gilbert Ryley 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. A.D. 1872.

**50.** 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.

**51.** 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 ten acres. Purchase of land by agreement.

**52.** 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 tramways and of carriages, and for motive power, and every other expense incidental to such conveyance, any tolls or charges not exceeding twopence per mile: Provided always, that in no case shall the Company be bound to charge a less sum than threepence. Tolls for passengers.

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

**54.** 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,) Maximum rate of toll 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:

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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.

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

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 :

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

With respect to all articles, except stone and timber, the weight shall be determined according to the usual avoirdupois 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 any other timber, shall be deemed one ton weight, and so in proportion for any smaller quantity.

Tolls for  
small parcels  
and articles  
of great  
weight.

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

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

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

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

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

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



For any parcel exceeding fifty-six pounds the Company may demand any sum which they think fit: A.D. 1872.

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.

**57.** Provided always, that the Company shall not be bound to carry, unless they think fit, any parcel, goods, articles, or things other than passengers luggage not exceeding the weight in that behalf herein-before mentioned. Carriage of luggage, goods, &c.

**58.** The tolls and charges which the Company are herein-before authorised to levy shall not be held to include tolls or rates exigible under any Act of Parliament by the trustees of any turnpike road along which the tramways are laid, and the Company may levy such last-mentioned tolls or rates, or such proportion thereof as they think fit, as an addition to the maximum tolls and charges herein-before authorised to be levied. Tolls and charges not to include tolls payable to turnpike road trustees.

**59.** 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. Tolls to be paid as directed by the Company.

**60.** The agreement dated the twenty-eighth and twenty-ninth days of November one thousand eight hundred and seventy-one, and made between the Glasgow Tramway and Omnibus Company (Limited) and the promoters of the Company, which is set forth in the schedule to this Act, is hereby confirmed and made binding on the respective companies: Provided that the said agreement, or this confirmation thereof, shall not prejudice or affect any agreement or lease heretofore entered into between the Lord Provost, magistrates, and town council of Glasgow (in this Act referred to as "the corporation of Glasgow") of the one part, and the Glasgow Tramway and Omnibus Company (Limited), or any other party or parties, of the other part, with reference to tramways authorised or which may hereafter be authorised, to be constructed by the corporation of Glasgow. Confirmation of agreement with the Glasgow Tramway and Omnibus Company.

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Suspension  
of powers as  
to certain of  
the tram-  
ways.

**61.** The exercise of every power whatsoever conferred by this Act on the Company shall, in the case of the Company, and unless the corporation of Glasgow elect as herein-after mentioned, be suspended for the period of six months from the passing of this Act so far as these powers extend and apply to the Tramways Nos. 5 and 5A hereby authorised.

Power to  
Corporation  
of Glasgow  
to acquire  
certain of  
the tram-  
ways.

**62.** The corporation of Glasgow may, within the said six months after the passing of this Act, intimate to the Company their desire to be substituted in place of the Company, and to have transferred to them all the powers of the Company so far as respects the said Tramways Nos. 5 and 5A, and on such intimation, and on payment to the Company by the corporation of such proportion of the expenses which the Company have been put to in obtaining this Act as may be agreed upon between the Company and the corporation, or, failing agreement, as may be settled by the Dean of the Faculty of Procurators in Glasgow, the Company shall execute a notarial instrument declaring such transference, and the same shall be published once in the "Edinburgh Gazette" and twice in a newspaper published in Glasgow, and thereupon the corporation of Glasgow shall have all the powers conferred by this Act on the Company, as to the construction, maintenance, use, and working of the said last-mentioned tramways, which powers shall thereupon be transferred to and vested in the corporation of Glasgow, with all authorities and privileges connected therewith, and the same shall, so far as applicable, attach to and apply to the corporation of Glasgow in the same manner and to the same effect as if in respect of these provisions the corporation of Glasgow had been expressly named in this Act instead of the Company, and as if this Act had been confined to the said last-mentioned tramways; and the powers of this Act with reference to the last-mentioned tramways shall be executed by the corporation of Glasgow, within a reasonable time, not exceeding nine months, after the completion of three fourths of the tramways hereby authorised, connecting with Tramways Nos. 5 and 5A; and the Act of the third George the Fourth, chapter ninety-one, shall not apply to the said tramways.

Provisions  
as to con-  
struction of  
Tramways 5  
and 5A, and  
voting at  
meetings of  
road trustees  
in certain  
events.

**63.** In the event of the corporation of Glasgow, under the provisions of this Act, electing as aforesaid to be substituted in place of the Company, in so far as relates to Tramways 5 and 5A, the corporation shall be subject to the provisions of "The Glasgow Street Tramways Act, 1870," with respect to the construction, maintenance, use, and working of the last-mentioned tramways by this Act authorised, and the conveyance and regulation of the traffic thereon, and "The Glasgow Street Tramways Act, 1870," shall be



read and have effect as if the said last-mentioned tramways by this Act authorised, had been included in and authorised by that Act; and no person whose qualification as a trustee of the roads upon which the Tramways 5 and 5A are to be laid is derived from his holding the office of Lord Provost, bailie, dean of guild, or deacon convener in the said corporation shall be entitled to vote at any meeting of the trustees of the said roads in relation to any matter connected with these tramways.

A.D. 1872.

**64.** The production of a written or printed copy of any byelaw made under the powers of "The Tramways Act, 1870," in relation to the tramways hereby authorised, authenticated by the signature of the sheriff of the county, shall, without proof of the signature of such sheriff, be evidence of the existence of such byelaw, and that all preliminaries requisite to the making and operation thereof have been duly observed and fulfilled.

Proof of  
byelaws.

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

Form and  
delivery of  
notices.

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.

**66.** 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.

**67.** 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

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



## SCHEDULE.

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HEADS OF AGREEMENT between the Glasgow Tramway and Omnibus Company (Limited), the Lessees of the Glasgow Street Tramways, of the first part, and the Promoters of the Glasgow, Bothwell, Hamilton, and Wishaw Tramways Company's Bill of the second part.

FIRST. The proposed lines of tramway promoted by the second parties, so far as the same extend westwards from the parliamentary boundary of the city of Glasgow to join the Glasgow Street Tramways at the Cross of Glasgow, Kent Street, east end of Duke Street, and the Cross of Bridgeton, to be made over to the corporation of Glasgow on payment of a fair proportion of the expense of the Act if authorised by the Bill promoted by the second parties, and if required by the said corporation, but if Bill for the construction of said lines of tramway within the parliamentary boundaries of the city of Glasgow to the said points of junction shall be applied for by the said corporation and sanctioned by Parliament in the ensuing session of Parliament, then these lines within the said parliamentary boundaries to be omitted from the second party's Bill.

SECOND. The Glasgow Tramway and Omnibus Company (Limited), lessees of the Glasgow Street Tramways, to give all reasonable and proper facilities for taking on and returning the cars and other vehicles of the second party over their lines within the city, the said lessees having the entire control of such cars and other vehicles within the city, and being entitled to pick up all fares within the city as their own, and to charge for the through passengers the usual fares, but allowing the second party a rebate of ten per cent. on the fares payable to them (the first party) for such through traffic, to be evidenced by through tickets. If the cars of the second party shall be constructed with places for first and second class passengers, the said lessees of the Glasgow Street Tramways shall still only charge their ordinary fares for through passengers as between themselves and the second party, but making a distinction as regards the public between the charges for first and second class passengers, and all through booking shall be by tickets, which shall be issued by the first and second parties, and the first party shall use all reasonable means in their power to secure places for the through passengers of the second parties.

THIRD. The second party to supply the cars and other vehicles, and the first party to supply the horses, drivers, and conductors necessary for the proper working of the traffic within the city boundaries; but where the cars or other vehicles of the one party are used upon the tramways of the other party, the party on whose tramways the cars or other vehicles of the other party shall be used shall pay for the said use to the other party at the rate of one farthing per mile.



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FOURTH. Where any goods or mineral traffic shall be brought by the second party on any portion of the Glasgow Street Tramways the rates therefor shall be divided between the first and second parties by mileage, subject to all proper allowances for haulage, use of cars or other vehicles, and for loading and discharging, but the first party shall not be bound to carry any goods or minerals at any time except at such hours during the night as may be afterwards arranged, but so as not to interfere with the passenger traffic.

FIFTH. A more formal agreement based on these heads to be prepared at the request of either party, and to be settled, in case of difference, on behalf of both parties, by John Horatio Lloyd, Esquire, barrister-at-law, London, whom failing, by an English or Scotch barrister to be nominated at request of either party by the Lord Advocate for Scotland for the time being.

SIXTH. All questions arising or which may from time to time arise in the working of this agreement to be referred to George Cunningham, Esquire, civil engineer, Edinburgh, whom failing, to the principal engineer for the time being of the Caledonian Railway Company as a standing referee between the parties.

SEVENTH. This or the more formal agreement to be scheduled to the Bill of the second parties, or to be embodied in the same. In witness whereof these presents written on this and the preceding page of stamped paper by Robert Fraser, clerk to Keydens, Strang, and Girvan, writers in Glasgow, are subscribed as follows; viz., by William Morris, Esquire, contractor, London, and William Sheldon, Esquire, Langeveld-Uccle, near Brussels, presently residing in London, contractor, two of the directors of and for and on behalf of the said Glasgow Tramway and Omnibus Company (Limited), and the common seal of that company exhibited hereto, all at London, on the twenty-eighth day of November in the year eighteen hundred and seventy-one, before these witnesses, Joseph Barber Glenn, secretary of the British and Foreign Tramways Company, Limited, Seven, Lothbury, London, and Frederick Samuel Plowright, clerk to Ashurst, Morris, and Company, solicitors, Six, Old Jewry, London; and by Lieutenant-Colonel John Sheffield Gilbert Ryley, of number Twenty-five, Royal Terrace, Edinburgh, and George Alston, Esquire, of Craighhead, merchant, Glasgow, two of the provisional directors of the said Glasgow, Bothwell, Hamilton, and Wishaw Tramways Company, for and on behalf of the promoters of that Company, at Glasgow, on the twenty-ninth day of November and year last mentioned, before these witnesses, James Keyden and James Graham Girvan, both writers in Glasgow; the said two provisional directors having been authorised to subscribe these presents at a meeting of said directors held at Glasgow on said last-mentioned date.

(Signed)

FRED. S. PLOWRIGHT, Witness.

J. BARBER GLENN, Witness.

JAMES KEYDEN, Witness.

J. GRAHAM GIRVAN, Witness.

(Signed)

W. MORRIS, Director.

WM. SHELDON, Director.

JOHN S. G. RYLEY, Director.

GEORGE ALSTON, Director.

L.S.