



CHAPTER xi.

An Act to enlarge the powers of the Lord Provost, Magistrates, and Council of the City of Glasgow as Trustees for carrying into effect the provisions of the Glasgow Improvements Acts of 1866 and 1871. [29th June 1880.] A.D. 1880.

WHEREAS by the Glasgow Improvements Act, 1866, (hereinafter called the Act of 1866,) on the preamble that various portions of the city of Glasgow were so built and the buildings thereon were so densely inhabited as to be highly injurious to the moral and physical welfare of the inhabitants, and that many of the thoroughfares were narrow, circuitous, and inconvenient, and that it would be of public and local advantage if various houses and buildings were taken down, and those portions of the said city reconstituted, and new streets constructed in and through various parts of the said city, and several of the existing streets altered and widened and diverted, and that in connexion with the reconstitution of those portions of the city provision should be made for dwellings for the labouring classes who might be displaced in consequence thereof, the Lord Provost, magistrates, and council of the city of Glasgow, and their successors in office (hereinafter called the trustees), were appointed trustees for executing and carrying into effect the purposes of that Act, and were authorised compulsorily to acquire the lands and houses situated within the several areas described in the deposited plans referred to in that Act, and to construct the new streets therein described, and to widen, alter, and divert various existing streets therein specified, and to take down the whole or any portion of the buildings situated within the areas before referred to, and to lay out the said lands of new in such way and manner as they might deem best, and to sell and dispose of the grounds and buildings, or to lease or feu the same, or to erect buildings thereon, and dispose thereof, or lease the same, and generally to deal with the lands, houses, and heritages acquired

29 & 30 Vict.
c. lxxxv.

A.D. 1880. by them as absolute proprietors thereof, and to erect and maintain on any lands acquired by them dwelling-houses for mechanics, labourers, and other persons of the working and poorer classes, and to let the same, and also to acquire ground for a public park for the inhabitants of the north-eastern districts of the said city :

And whereas, in addition to the compulsory powers of purchase above specified, the trustees were authorised from time to time by agreement to purchase and acquire any lands and houses which they might think expedient for any of the purposes of the Act :

And whereas the trustees were authorised to borrow any sum not exceeding £1,250,000 for the purposes of the said Act, and to assess and levy upon and from the occupiers of all lands and heritages within the city an annual assessment not exceeding sixpence per pound on the rental or annual value of such heritages for the first five years from the date of the Act coming into operation, and not exceeding threepence per pound for ten years after the expiry of the said first period of five years :

34 & 35 Vict.
c. lxxiv.

And whereas by the Glasgow Improvements Act, 1871, (hereinafter called the Act of 1871,) the period limited by the Act of 1866 for the compulsory purchase of property for the purposes of that Act was extended as regards the lands therein described for a period of five years after the expiration of the period by that section limited :

And whereas the trustees within the period extended by the Act of 1871 purchased and acquired all the lands which they were authorised to take compulsorily, so far as the same were considered to be necessary for the purposes of the said Acts, and the trustees also acquired by agreement various other lands and houses which they thought it expedient to have for effectually carrying out the purposes and objects of the said Acts :

And whereas the trustees in virtue of the powers conferred upon them by the said Acts have constructed various new streets in and through various parts of the city, and have altered, widened, and diverted other streets in the said city, and have taken down and removed various properties acquired by them, and have sold and disposed of considerable portions thereof, and have also acquired and laid out the public park authorised by the Act of 1866, and have erected various lodging-houses and dwellings for the working and poorer classes, and have to a large extent put in force the powers conferred by the Act with the view of accomplishing the objects thereby authorised :

And whereas it is expedient that provision should be made, if it should be so agreed, for transferring to and vesting in the

magistrates and council of the city and royal burgh of Glasgow, acting under the General Police and Improvement (Scotland) Act, 1862, Order Confirmation (Glasgow) Act, 1877, in execution of the powers and duties of the Glasgow Police Acts, 1866, 1872, 1873, 1875, and 1877, and the Glasgow Municipal Act, 1878, the dwelling-houses for mechanics, labourers, and others of the working classes acquired and erected by the trustees under the Act of 1866, or any part thereof, and to authorise the said magistrates and council acting as aforesaid to apply the rents, assessments, or funds which they may possess or be entitled to levy and assess for such purposes :

A.D. 1880.
 40 & 41 Vict.
 c. cxxviii.
 29 & 30 Vict.
 c. cclxxiii.
 35 & 36 Vict.
 c. xli.
 36 & 37 Vict.
 c. xxxviii.
 38 & 39 Vict.
 c. liii.
 40 & 41 Vict.
 c. clxvii.
 41 & 42 Vict.
 c. c.

And whereas the period within which the trustees can levy assessments under the Act of 1866 will expire on the second day of July 1881, but a considerable portion of the lands and property acquired and held by the trustees is still unsold :

And whereas, under the borrowing powers conferred by the Act of 1866, the trustees have borrowed on mortgage the sum of £1,226,591.0s.6d., and on temporary loans the sum of £80,712.15s.8d., making a total amount borrowed of £1,307,303.16s.2d., and have expended for the purposes of the said Act the sum of £1,869,116, less the sum of £379,410.10s.5d. received for properties resold by them, and have also contracted for the purchase of other properties, the price of which has not yet been paid, and have to form further new streets, and to provide for the cost of management and interest up to the completion of the scheme :

And whereas under the Act of 1866 the trustees, instead of levying the assessments by that Act authorised, which up to the date when these powers will expire would amount to the sum of £515,995.17s.9d., have levied only the maximum assessment of sixpence per pound for the first year, fourpence per pound for the four following years, threepence per pound for the next subsequent two years, and twopence per pound for the last six years, and which assessment so levied and to be levied, if continued to be levied for the next two years at the rate of twopence per pound, would only amount to the sum of £373,155.0s.8d. :

And whereas the trustees have sold various properties acquired by them in consideration of feu duties and ground annuals secured on the properties so conveyed, and the trustees now hold such feu duties and ground annuals to the estimated value of £550,167.5s.6d. :

And whereas, in carrying into effect the objects of the Act of 1866, the trustees found it necessary and expedient as before mentioned to acquire houses and properties other than those shown on the deposited plans, the cost of which has been defrayed partly

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Act, 1880.

A.D. 1880. — out of moneys borrowed by the trustees in excess of the borrowing powers conferred by the said Act, and partly out of the proceeds of properties and ground annuals sold by them :

And whereas doubts have been raised as to whether, under section 35 of the Act of 1866, the trustees were authorised so to act, and it is expedient that such doubts should be removed :

And whereas, in addition to the said feu duties and ground annuals, the trustees still hold property purchased by them for the purposes of the said Act of the estimated value of £791,400 :

And whereas it would be inexpedient and might entail serious loss if the trustees were compelled to proceed to realise the said feu duties, ground annuals, and property except gradually and as demand arises ; and it is expedient therefore that the powers of the trustees should be continued until the operations of the trust can be completed, the property advantageously realised, the debt extinguished, and the trust wound up :

And whereas it is expedient to make provision for establishing and setting aside a sinking fund for the payment of any balance which may be due by the trustees after the operations of the trust are completed :

And whereas it is expedient that until the operations of the trust can be completed, the property realised, and the debt extinguished, the trustees should be authorised to continue to levy the assessment by the Act of 1866 provided, but limited in amount as herein-after specified :

And whereas the objects aforesaid 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 ; (that is to say,)

Short title.

1. This Act may be cited as the Glasgow Improvements Amendment Act, 1880, and the Glasgow Improvements Act, 1866, the Glasgow Improvements Act, 1871, and this Act may be cited together as the Glasgow Improvements Acts, 1866, 1871, and 1880, and the recited Acts as respectively amended by any subsequent Act and by this Act shall be read and construed as one Act with this Act.

Power to borrow.

2. Section 30 of the Act of 1866 shall be read and have effect as if the sum of one million five hundred thousand pounds instead of the sum of one million two hundred and fifty thousand pounds had been inserted therein.

3. Section 32 of the Act of 1866 shall be read and have effect as if the limitations of five and ten years therein respectively mentioned were omitted therefrom, and as if the maximum rate of assessment authorised to be levied did not exceed the sum of twopence per pound.

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Power of
assessment.

4. Notwithstanding section 35 of the Act of 1866, the trustees may sell properties acquired by them in consideration of ground annuals, and the action of the trustees with respect to the sale of properties in consideration of ground annuals, and the application of part of the prices of properties, feu duties, and ground annuals sold by them to the acquisition of other properties, is hereby confirmed.

Confirmation
of action of
trustees.

5. Without prejudice to the right of the trustees to sell and dispose, under the Act of 1866, of the dwelling-houses for mechanics, labourers, and others of the working classes acquired and erected by them under section 23 of the said Act, the trustees and the magistrates and council of the city and royal burgh of Glasgow, acting under the General Police and Improvement (Scotland) Act, 1862, Order Confirmation (Glasgow) Act, 1877, in execution of the powers and duties of the Glasgow Police Acts, 1866, 1872, 1873, 1875, and 1877, and the Glasgow Municipal Act, 1878, (hereinafter called the magistrates and council,) may, if the trustees think it expedient so to do, arrange and agree for the transference and conveyance to the magistrates and council of the said houses erected by the trustees and presently vested in them, or of any such houses, or any part thereof, and that without consideration, or for such consideration, or under the burden of any sum or sums of money, or in such other manner and on such terms and conditions, as the said trustees and the said magistrates and council may arrange and agree, and the magistrates and council may and are hereby authorised to hold and maintain the said several houses and property so to be conveyed to them absolutely, with power to sell, lease, or otherwise dispose thereof, or of any part thereof, at such prices, at such rents, in such manner, and on such terms and conditions, as they may deem expedient, and to apply for these purposes any portion of the rates, assessments, or funds which the magistrates and council, acting as aforesaid, at any time possess, or are entitled to levy and assess, and to make other provisions with reference to the matters aforesaid.

Labourers
houses, &c.

6. So soon as the trustees shall have completed the works by the recited Acts authorised, and shall have sold and realised the various properties acquired and held by them, the powers of assessment by this and the recited Acts authorised shall be leviable

Sinking
fund.

A.D. 1880. — and applicable only to meet the expenses of carrying on and managing the said trust, and to provide and set aside as a sinking fund such an annual sum as shall by accumulation with compound interest thereon at the rate of four per centum per annum be sufficient to pay off in twenty years the whole of the money then owing by the trustees, and such sinking fund shall be from time to time applicable to the redemption of any mortgages and money borrowed and due by the trustees: Provided always, that whenever any such mortgages or debts shall have been paid off, the trustees shall thenceforward, until the whole of the principal moneys due by them have been paid off, pay into the sinking fund for or in addition to the sums herein-before set apart and appropriate a sum equal to the amount of the annual interest of the principal moneys so paid off.

Expenses of
Act.

7. The costs, charges, and expenses of and incident to the preparing for, obtaining, and passing this Act, or otherwise in relation thereto, shall be paid by the trustees out of the moneys raised or to be raised under the recited Acts or this Act.