



CHAPTER clvi.

An Act to authorise the Lord Provost, Magistrates, and Council of the City of Glasgow to construct additional tramways; and for other purposes. [6th August 1885.]

A.D. 1885.

WHEREAS by the Glasgow Street Tramways Act, 1870 (herein-after referred to as "the Glasgow Tramways Act of 1870"), the Vale of Clyde Tramways Act, 1871 (herein-after referred to as "the Glasgow Tramways Act of 1871"), the Glasgow Corporation Tramways Act, 1872 (herein-after referred to as "the Glasgow Tramways Act of 1872"), the Glasgow Corporation Tramways Act, 1875 (herein-after referred to as "the Glasgow Tramways Act of 1875"), and by the Glasgow Corporation Tramways Act, 1879 (herein-after referred to as "the Glasgow Tramways Act of 1879"), and by the Glasgow Corporation Act, 1884 (herein-after referred to as "the Act of 1884"), the Lord Provost, magistrates and council of the city of Glasgow (herein-after referred to as "the Corporation"), were authorised to make and maintain tramways in the city of Glasgow and its neighbourhood, and to borrow money:

And whereas the Corporation have constructed sundry of the said tramways, and under the powers conferred by the Glasgow Tramways Act of 1870, the Glasgow Tramways Act of 1871, the Glasgow Tramways Act of 1875, the Glasgow Tramways Act of 1879, and the Act of 1884, the Corporation on the one hand, and the Glasgow Tramway and Omnibus Company (Limited) (herein-after called "the tramway company"), on the other hand, have entered into a lease for the maintenance and working of the tramways of the Corporation:

And whereas it is expedient that the Corporation should be authorised to construct additional tramways, and to raise money for that purpose, and to lease the said tramways:

And whereas Tramway No 10 by this Act authorised will connect the existing tramways of the Corporation near the Queen's Park of the Corporation:

A.D. 1885.

And whereas it is expedient that further powers be conferred on the Corporation as in this Act provided :

And whereas plans and sections, showing the lines and levels of the proposed tramways, and the lands to be taken for the purposes thereof, and a book of reference to those plans, containing the names of the owners or reputed owners, lessees or reputed lessees, and of the occupiers of those lands, have been deposited with the principal sheriff clerks of the counties of Lanark and Renfrew, which plans, sections and book of reference are in this Act referred to as the deposited plans, sections and book of reference respectively :

And whereas the objects of this Act cannot be effected 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 Corporation Tramways Act, 1885, and the Glasgow Street Tramways Act, 1870, the Vale of Clyde Tramways Act, 1871, the Glasgow, Bothwell, Hamilton, and Wishaw Tramways Act, 1872, the Glasgow Corporation Tramways Act, 1872, the Glasgow Corporation Tramways Act, 1875, the Glasgow Corporation Tramways Act, 1879, and the Glasgow Corporation Act, 1884 (so far as it relates to tramways), and this Act may be cited together as the Glasgow Corporation Tramway Acts, 1870 to 1885, and those Acts are collectively referred to in this Act as "the Glasgow Tramway Acts."

Incorporation of Acts.

2. The following Acts and parts of Acts (that is to say):—

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 Corporation), and the Lands Clauses Consolidation Acts Amendment Act, 1860 ;

Section three (interpretation of terms), and Parts II. and III. of the Tramways Act, 1870, except—

Section thirty-four (carriages) ; except so much thereof as limits the extent of the carriage used on any tramway beyond the outer edge of the wheels of such carriage ;

Section forty-three (future purchase of undertaking by local authority) ;

A.D. 1885.

Section forty-four (powers of sale);

Section forty-six (byelaws by local authority);

Section forty-seven (penalties may be imposed in byelaws);

Section forty-eight (powers to local authority to license drivers, conductors, &c.); and

Section fifty-four (penalty for persons using tramways with carriages with flange wheels, &c.);

as far as they are applicable for the purposes of and are not varied by or inconsistent with this Act are hereby incorporated with and form part of this Act, and the expression the Company in the Tramways Act, 1870, shall mean the Corporation.

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:—

Interpreta-
tion clause

“The lease” means the lease confirmed by the Glasgow Tramways Act of 1875 or any lease to be granted in pursuance of this Act;

“Tramway route” means the route traversed by any single tramway car;

“Person” includes trustees, corporations, and companies;

“The tramway,” or “the tramways,” means the tramways and works by this Act authorised, or any part thereof;

“The tramway undertaking” means the tramway undertaking of the Corporation;

“Existing Corporation tramways” means the tramways now belonging to the Corporation;

“Street” or “road” means respectively the carriageway of any street, road, bridge, thoroughfare, or place along or across which any tramway by this Act is intended to be laid, and includes 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 Corporation” means the Lord Provost, magistrates and council of the city and royal burgh of Glasgow;

“The Board of Police” or “the Board of Police of Glasgow” means the magistrates and council of the city and royal burgh of Glasgow acting in the execution of the Glasgow Police Acts, 1866, 1872, 1873, 1875, 1877, 1878, 1879, and 1882;

A.D. 1885.

“Road authority” means the Board of Police or the Commissioners of Police of Crosshill, or the road trustees or other body having the control of the street or road referred to ;

“Tramway company” means the Glasgow Tramway and Omnibus Company (Limited) ;

“Sheriff” means the sheriff of Lanark or of Renfrew, as the case may be, and includes his substitutes ;

“Justice” or “justices” means a justice or justices of the peace for the county of Lanark or the county of Renfrew, as the case may be.

Alterations
of Tramways
Act as
applied to
this Act in
certain
instances.

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

Section 27 shall have effect as if it were therein provided that any penalty therein mentioned shall belong to and be paid over to the road authority ;

Section 28 shall have effect as if five feet were therein mentioned instead of four feet, and as if it were therein provided that if the Corporation abandon their undertaking, or any part of the same, and take up any tramway, or any part of any tramway, belonging to them, the portion of the road upon which such tramway is laid shall be restored by them, in manner therein mentioned, to as good a condition as that in which it was before the tramway was laid thereon, or at the time of abandonment, as the road authority shall direct ;

Sections 33 and 58 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 ;

Section 41 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 Corporation.

Power to
make tram-
ways.

5. Subject to the provisions of this Act, and of Parts II. and III. of the Tramways Act, 1870, the Corporation 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, chairs, plates, tubes, ropes, engines, engine-houses, subways, manholes, shafts, sleepers, junctions, points, turntables, works, and conveniences connected therewith. The tramways herein-before referred to and authorised by this Act are:—

A tramway, No. 1, 1 mile 8·35 chains in length, commencing in Mitchell Street, at a point opposite the shop No. 88, Mitchell Street, and thence proceeding northwards along Mitchell Street across Gordon Street, and along West Nile Street to Sauchiehall Street, and thence turning in a north-easterly direction into and passing eastwards along Sauchiehall Street, across Buchanan Street into and passing eastwards along Parliamentary Road, and thence turning in a north-easterly direction into Castle Street, and passing in a northerly direction along Castle Street, and terminating in Castle Street at a point opposite the southern side of Kennedy Street;

Tramway No. 1 is intended to be constructed as a double line, except for a distance of 14 yards measured in a northerly direction from the commencement of the tramway, for which distance it is intended to be constructed as a single line;

A tramway, No. 2, 1 mile 2 furlongs 5·13 chains in length, commencing in Castle Street by a junction with the said Tramway No. 1, at its point of termination herein-before described, and thence proceeding in a northerly direction along Castle Street and Springburn Road, and terminating in Springburn Road at a point opposite the shop No. 590, Springburn Road;

Tramway No. 2 is intended to be constructed as a double line, except for a distance of 14 yards measured in a southerly direction from the termination of the tramway, for which distance it is intended to be constructed as a single line;

A tramway, No. 3, 6 furlongs 6·60 chains in length, commencing in Castle Street by a junction with the said Tramway No. 1, at a point in Castle Street, 15 yards or thereby measured in a northerly direction from the point of the intersection of Castle Street with Parliamentary Road, and thence proceeding southwards along Castle Street and High Street, and terminating in High Street at a point opposite or nearly opposite the shop, No. 5, High Street;

Tramway No. 3 is intended to be constructed as a double line between its point of commencement and a point in High Street opposite the shop No. 287, High Street, and as a single line between the last-mentioned point and a point in High Street

A.D. 1885.

opposite the shop No. 235, High Street, and as a double line between the last-mentioned point and a point 14 yards or thereby measured in a northerly direction from the termination of the tramway, and as a single line between the last-mentioned point and the point of termination of the tramway ;

A tramway, No. 4, 5 furlongs 5·06 chains in length, commencing in Great Western Road by a junction with the existing tramways at a point 15 yards or thereby measured in a westerly direction from the intersection of Park Road with Great Western Road, and thence turning south-eastward into and passing southward along Park Road, and turning south-eastward into and passing in an eastwardly direction along Eldon Street, South Woodside Road, and Woodlands Road, and terminating in Saint George's Road at a point 42 yards or thereby measured in a north-westward direction from the intersection of Renfrew Street with Saint George's Road ;

Tramway No. 4 is intended to be constructed as a double line between its point of commencement and a point in Woodlands Road, measured 27 yards or thereby in an easterly direction from the intersection of West-End Park Street with Woodlands Road, and as a single line between the last-mentioned point and a point in Woodlands Road 32 yards or thereby measured in an easterly direction from the intersection of Arlington Street with Woodlands Road, and as a double line between the last-mentioned point and a point in Woodlands Road at the intersection of Lynedoch Street with Woodlands Road, and as a single line between the last-mentioned point and a point in Woodlands Road 28 yards or thereby measured in a westerly direction from the intersection of Woodlands Road with Saint George's Road, and as a double line between the last-mentioned point and the point of termination of the tramway ;

A tramway, No. 5, 2 furlongs 2·65 chains in length, commencing in Great Western Road by a junction with the existing tramways at a point 16 yards or thereby measured in a westward direction from the intersection of Saint George's Road with Great Western Road and New City Road, and thence turning south-eastward into and passing in a southward direction along Saint George's Road and terminating in Saint George's Road by a junction with Tramway No. 4 at its point of termination herein-before described ;

Tramway No. 5 is intended to be constructed as a double line from its point of commencement to a point in Saint George's Road 22 yards or thereby measured in a southerly direction

from the intersection of Buccleuch Street with Saint George's Road, and as a single line from the last-mentioned point to a point in Saint George's Road at the intersection of Hill Street with Saint George's Road, and as a double line between the last-mentioned point and the point of termination of the tramway ;

A tramway, No. 6, 6 furlongs 5·71 chains in length, commencing in Saint George's Road by a junction with Tramway No. 4 and Tramway No. 5 at their point of termination, herein-before described, and thence passing in a southward direction along Saint George's Road and Falkland Place, turning south-eastward and crossing Sauchiehall Street, and turning into and passing in a southward direction along Newton Street, and thence turning in a south-eastward direction into and passing in an easterly direction along Bath Crescent and Bath Street, and thence turning in a south-eastward direction into and passing in a southward direction along Elmbank Street and Elmbank Place, across Saint Vincent Street, and turning in a south-eastward direction into and passing eastward along Bothwell Circus and the bridge carrying the same over Greenhill Street and along Bothwell Street, and turning in a south-eastward direction into and passing southward along Hope Street, and terminating in Hope Street at a point 16 yards or thereby measured in a northerly direction from the intersection of Gordon Street with Hope Street ;

Tramway No. 6 is intended to be constructed in Saint George's Road as a single line between its points of commencement and a point 14 yards or thereby measured in a north-westerly direction from the intersection of Renfrew Street with Saint George's Road, and in Saint George's Road and Falkland Place as a double line between the point last described and a point 34 yards or thereby measured in a south-easterly direction from the intersection of Renfrew Street with Saint George's Road, and in Saint George's Road and Falkland Place as a single line between the last-mentioned point and a point 25 yards or thereby measured in a northerly direction from the intersection of Saint George's Road with Sauchiehall Street, and as a double line between the last-mentioned point and the point of termination of the tramway ;

A tramway, No. 7, 1 furlong 0·65 chain in length, commencing in Hope Street by a junction with Tramway No. 6 at its point of termination, herein-before described, and thence turning in a south-eastward direction into and passing eastward along

A.D 1885.
—

Gordon Street, and turning south-eastward into and terminating in Mitchell Street by a junction with Tramway No. 1 at a point 16 yards or thereby measured southward from the intersection of Gordon Street with West Nile Street and Mitchell Street;

Tramway No. 7 is intended to be constructed as a double line throughout;

A tramway, No. 8, 1·15 chains in length, commencing in Gordon Street by a junction with Tramway No. 7, herein-before described, at a point 15 yards or thereby measured in a westerly direction from the intersection of Gordon Street with Union Street and Renfield Street, and thence turning south-eastward into and terminating in Union Street by a junction with the existing tramways at a point 13 yards or thereby measured in a southerly direction from the intersection of Gordon Street with Renfield Street and Union Street;

Tramway No. 8 is intended to be constructed as a double line throughout;

A tramway, No. 9, 1 furlong 1·15 chains in length, commencing in Hope Street by a junction with Tramway No. 6 at its point of termination herein-before described, and thence passing southward along Hope Street and terminating in Hope Street at a point 28 yards or thereby measured in a northerly direction from the intersection of Hope Street with Argyle Street;

Tramway No. 9 is intended to be constructed as a double line, except for a distance of 14 yards measured in a northerly direction from the termination of the tramway, for which distance it is intended to be constructed as a single line;

A tramway, No. 10, 4 furlongs 5·50 chains in length, commencing in Queen's Drive by a junction with the existing tramways at a point 41 yards or thereby measured in a westerly direction from the intersection of Langside Road with Queen's Drive, and thence passing in an eastward direction along Queen's Drive, and the extension thereof presently in course of construction by the Cathcart District Railway Company, and thence turning northward into and passing in a northerly direction along the new line of Cathcart Road, also presently in course of construction by the Cathcart District Railway Company, and along Cathcart Road, and terminating in Cathcart Road by a junction with the existing tramways at a point 50 yards or thereby measured in a northerly direction from the intersection of Queen Mary Avenue with Cathcart Road;

Tramway No. 10 is intended to be constructed as a double line throughout, and to connect the existing tramways of the Corporation near the Queen's Park. A.D. 1885.

The tramways herein-before described, except Tramway No. 10, will pass from, in, through, or into the following parishes and places, viz.:—The City parish of Glasgow, the City and royal burgh of Glasgow, the Barony parish of Glasgow, the parish of Springburn, and the parish of Maryhill, or some or one of them, all in the county of Lanark; and Tramway No. 10 will be situate wholly in the parish of Cathcart, in the county of Renfrew.

6. If and whenever, after the passing of this Act, any road authority alter any street or road along or across which any tramway of the Corporation is laid or authorised to be laid, the Corporation may and shall, from time to time, at their own expense, vary the position of any such tramway, so that when such street or road is altered the tramways may be constructed with reference to the imaginary centre lines of the altered streets or roads; and if the level of any street or road is so altered, the Corporation may and shall, from time to time, 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 as altered. Tramways to be kept on level with surface of roads.

7. In addition to the requirements of section 26 of the Tramways Act, 1870, the Corporation shall, at the same time as they give notice to any road authority of their intention to open or break up any road for the purpose of constructing, laying down, maintaining, and renewing any of the tramways, lay before the Board of Trade a plan showing the proposed mode of constructing, laying down, maintaining, and renewing such tramways, and a statement of the materials intended to be used therein, and the Corporation shall not commence the construction, laying down, maintenance, and renewal of any of the tramways, or part of any of the tramways respectively, until such plan and statement have been approved by the Board of Trade; and after such approval the works shall be executed in accordance in all respects with such plan and statement and under the superintendence and to the reasonable satisfaction of the surveyor for the time being of the road authority as provided by section 26 of the said Act. Further provisions as to construction of tramways.

8. The rails of the tramways shall be such as the Board of Trade may approve. As to rails of tramways.

9. The Corporation 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 the substructure upon Penalty for not maintaining rails and road in

A.D. 1885.
good con-
dition.

which the same rest ; and if the Corporation at any time fail to comply with this provision, or with the provisions of section 28 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 56 of the said Act. In case it is represented in writing to the Board of Trade by the road authority of the district in which the tramways or any portion thereof are or is situate, or by twenty inhabitant ratepayers of such district, that the Corporation have made default in complying with the provisions in this section contained, or with any of the requirements of section 28 of the Tramways Act, 1870, the Board of Trade may, if they think fit, direct an inspection by an officer to be appointed by the said Board, and if such officer report that the default mentioned in such representation has been proved to his satisfaction, then and in every such case a copy of such report, certified by a secretary or an assistant secretary of the Board of Trade, may be adduced as evidence of such default and of the liability of the Corporation to such penalty or penalties in respect thereof as is or are by this section imposed.

Saving
clause.

10. Nothing in the immediately preceding section contained shall prejudice or affect any arrangements or obligations now existing between the Corporation and the tramway company.

Sanitary
authority to
have access
to sewers.

11. Every sanitary authority shall at all times have free access to and communication with all their sewers and drains, and power to lay lateral and private drains to communicate therewith without the consent or concurrence of the Corporation, and the provisions contained in sections 32 and 33 of the Tramways Act, 1870, shall be applicable in the case of any sewer or private drain of or under the control of the sanitary authority as if the same were a pipe for the supply of gas or water.

Corporation
may be re-
quired to
use improved
form of rail.

12. The Board of Trade may from time to time upon the application of the road authority, require the Corporation to adopt and apply such improvements in the tramways, including the rails thereof, as experience may from time to time suggest, having regard to the greater security of the public and advantage to the ordinary traffic ; and the Corporation shall with all reasonable despatch comply with any order made by the Board of Trade, for the purpose of carrying out any such improvements.

Passing
places to be
constructed
where less

13. Where in any road in which a double line of tramway is laid there shall be less width between the outside of the footpath on either side of the road and the nearest rail of the tramway than

nine feet six inches, the Corporation shall, and they are hereby required to, construct a passing place or places connecting the one tramway with the other, and by the means of such passing place or places the traffic shall, when necessary, be diverted from one tramway to the other.

A.D. 1885.
—
than a certain width left between footway and tramway.

14. The tramways to be made, formed, or laid down under this Act shall be constructed on a gauge of four feet seven and three-quarters inches.

Mode of formation of tramways.

15. The tramways shall be laid and maintained in such manner that the uppermost surface of the rail shall be on a level with the surface of the street or road, and the groove in the rail shall in no case exceed one inch and a quarter in width, and 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 prescribed by the Board of Trade by any rules for the time being in force made by them in that behalf.

Mode of construction of tramways, &c.

16. The Corporation may, subject to the provisions of this Act with the consent of the road authority, and also, in the event of a lease being granted, with the consent of their lessees, 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 and authorised by this Act as they find necessary or convenient for the efficient working of the tramways, or for providing access to any stables, engine sheds, or carriage-houses or works of the Corporation or their lessees connected with the undertaking.

Power to make additional crossing places, &c.

17. Where, by reason of the execution of any work affecting the surface or soil of the road along which any tramway is laid, it shall, in the opinion of the road authority, be necessary or expedient temporarily to remove or discontinue the use of such tramway or any part thereof, the Corporation shall, within fourteen days of receiving an order in writing from any road authority under the hand of their clerk or secretary, discontinue or take up such tramway for such term as may be necessary for the execution of the said work: Provided that the Corporation may, with the sanction of the road authority, and subject to such conditions, and in accordance in all respects with such regulations as the road authority may from time to time make, construct in the same or any adjacent road, and with the like consent, subject to the like conditions, and in accordance with the like regulations, maintain, so long as occasion may require, a temporary tramway, or temporary tramways, in lieu of the tramway or part of a tramway so removed or discontinued.

Temporary tramways may be made when necessary.

A.D. 1885.

If any difference arises between the Corporation and any road authority with respect to the reasonableness of any regulations, or with respect to the mode of constructing any temporary tramway or tramways under the authority of this section, the same shall be settled in the manner specified in section 33 of the Tramways Act, 1870 (as the said section is to be read for the purposes of this Act), for the settlement of differences in the said section mentioned.

For protection of certain bridges of Caledonian Railway Company.

18. Whereas Tramway No. 2 will be laid upon the roadway of a bridge by which Castle Street is carried over the Monkland Canal, forming part of the undertaking of the Caledonian Railway Company (herein-after called "the Caledonian Company") and of another bridge by which Springburn Road is carried over one of the railways of the Caledonian Company, and of another bridge by which that road is carried under another of the railways of that Company; the Corporation shall not alter or interfere with the structure of any of the said bridges, and before commencing any operations on such bridges respectively they shall submit plans and sections of their intended works to the engineer for the time being of the Caledonian Company, and shall obtain his approval thereof; and the said works shall be constructed in conformity with the plans and sections so approved of, at the sight and to the reasonable satisfaction of such engineer, and shall thereafter be maintained and repaired under his superintendence: Provided always that if any difference shall arise between the Corporation and the Caledonian Company with respect to the said plans and sections, or with respect to the said works, or as to whether any work is such as ought reasonably to satisfy such engineer, or as to the maintenance and repair of such works, and if the Corporation and the Caledonian Company fail to agree in respect to the appointment of an arbiter for determining such difference, the same shall be determined by an engineer or other fit person to be nominated as referee by the sheriff on the application of either party, and the costs of the reference shall be borne and paid as such referee shall direct: Provided also that nothing contained in this Act, or which may be done in pursuance thereof, shall prevent the Caledonian Company from maintaining and repairing, and, when necessary, altering or reconstructing the said bridges, and widening their canal and lines of railway under and over the same, without interference on the part of the Corporation, and without incurring any liability to the Corporation, or to the lessees of the said tramways, or to any other parties working or using the same, for any loss, injury, damage, expense, or interruption of traffic which may arise from such maintenance, repair, alteration, or reconstruction, and that any extra expense which the Caledonian Company may

incur in such maintenance, repair, alteration, or reconstruction by reason of the formation, maintenance, working, or use of the said tramways, shall be paid by the Corporation: Provided nevertheless that all such operations shall be executed by the Caledonian Company in such manner as to cause as little interruption or inconvenience as practicable to the traffic on the said tramways, and that the Caledonian Company shall give fourteen days' notice in writing to the Corporation and to the Board of Police before commencing any of such operations, and that the same, so far as interfering with the said tramways, shall be conducted at the sight and to the reasonable satisfaction of the engineers of the Corporation and of the Board of Police, or, in the event of difference, at the sight and to the satisfaction of an engineer to be appointed by the sheriff on the application of the Caledonian Company or of the Corporation or of the Board of Police.

A.D. 1885.

19. Whereas Tramway No. 10 will be laid upon the roadway of a bridge by which the extension of Queen's Drive is carried over the Cathcart District Railway; the Corporation shall not alter or interfere with the structure of the said bridge, and before commencing any operations on such bridge they shall submit plans and sections of their intended works to the engineer for the time being of the Cathcart District Railway Company, and shall obtain his approval thereof; and the said works shall be constructed in conformity with the plans and sections so approved of, at the sight and to the reasonable satisfaction of such engineer, and shall thereafter be maintained and repaired under his superintendence: Provided always that if any difference shall arise between the Corporation and the Cathcart District Railway Company with respect to the said plans and sections, or with respect to the said works, or as to whether any work is such as ought reasonably to satisfy such engineer, or as to the maintenance and repair of such works, and if the Corporation and the Cathcart District Railway Company fail to agree in respect to the appointment of an arbiter for determining such difference, the same shall be determined by an engineer or other fit person to be nominated as referee by the sheriff on the application of either party, and the costs of the reference shall be borne and paid as such referee shall direct: Provided also that nothing contained in this Act, or which may be done in pursuance thereof, shall prevent the Cathcart District Railway Company from maintaining and repairing, and, when necessary, altering or reconstructing the said bridge, and widening their lines of railway under the same, without interference on the part of the Corporation, and without incurring any liability to the Corporation, or to the lessees

For protection of bridge of Cathcart District Railway Company.

A.D. 1885. — of the said tramways, or to any other parties working or using the same, for any loss, injury, damage, expense, or interruption of traffic which may arise from such maintenance, repair, alteration, or reconstruction, and that any extra expense which the Cathcart District Railway Company may incur in such maintenance, repair, alteration, or reconstruction by reason of the formation, maintenance, working, or use of the said tramways, shall be paid by the Corporation: Provided nevertheless that all such operations shall be executed by the Cathcart District Railway Company in such manner as to cause as little interruption or inconvenience as practicable to the traffic on the said tramways, and that the Cathcart District Railway Company shall give fourteen days' notice in writing to the Corporation and to their lessees for the time being before commencing any of such operations, and that the same, so far as interfering with the said tramways, shall be conducted at the sight and to the reasonable satisfaction of the engineer of the Corporation, or, in the event of difference, at the sight and to the satisfaction of an engineer to be appointed by the sheriff on the application of the Cathcart District Railway Company or of the Corporation. Section 28 of the Tramways Act, 1870, shall apply to the Queen's Drive Extension.

As to construction of Tramways 7 and 8.

20. The Corporation shall not construct any part of the said Tramways Nos. 7 and 8 upon the portion of Gordon Street between Hope Street and Union Street otherwise than as shown on the deposited plans nor lay down any crossings passing-places or sidings upon that portion of Gordon Street nor use or permit to be used as a station any part of the said tramways situated between Hope Street and Union Street.

Provision as to crossings of existing Glasgow tramways.

21. The Corporation, or any company or person lawfully working or using the Tramways 1, 2 and 3, shall not stop or otherwise interfere with or obstruct the traffic of the tramway company at any point where the said Tramways 1, 2 and 3 cross the tramways leased or worked by that company; and whenever cars belonging to the Corporation, or any company or person lawfully working or using the said Tramways 1, 2 and 3 as aforesaid and of the tramway company, shall approach within fifty feet of any such crossing at the same time, the car belonging to the Corporation, or such other company or person, shall give precedence to the car of the tramway company so approaching; and if any dispute arise in the working of this section, the matter shall be referred to the Board of Trade, who shall from time to time make such rules and regulations as they may deem fit: Provided always that nothing in this section

contained shall alter, prejudice, lessen or affect the powers of the Corporation to regulate the traffic in the streets. A.D. 1885.

22. The powers of the Corporation for the compulsory purchase of lands for the purposes of this Act shall not be exercised after the expiration of two years from the passing of this Act. Period for compulsory purchase of lands.

23. The Corporation shall not under the powers of this Act without the consent of Her Majesty's Secretary of State for the Home Department purchase or acquire in any district within the meaning of the Public Health (Scotland) Act, 1867, ten or more houses which, after the passing of this Act, have been, or on the fifteenth day of December last, were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers. Not to take houses belonging to labouring class.

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

24. If the proposed tramways are not completed within three years from the passing of this Act, then on the expiration of that period the powers by this Act granted to the Corporation for executing the same or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed. Period for completion of works.

25. The Corporation may from time to time, for the purposes of the undertaking, purchase by agreement any lands, and may hold the same, not exceeding two acres. Power to take additional lands by agreement.

26. The Corporation may, for the purposes of the undertaking, take by agreement, and any person by the Lands Clauses Consolidation (Scotland) Act, 1845, or otherwise enabled to sell lands may grant to them, any servitude, right, or privilege, in, over, affecting or belonging to lands at a yearly rent or otherwise; but in the case of a person not enabled otherwise than by the Lands Clauses Consolidation (Scotland) Act, 1845, to sell lands, except subject and according to the provisions relative to the taking of lands by agreement contained in that Act and the Lands Clauses Consolidation Acts Amendment Act, 1860, for the purposes of this section, any such servitude, right or privilege shall be deemed lands within the meaning of those Acts. Power to agree for servitudes, &c.

A.D. 1885.

Penalty for using tramways with carriages with flange wheels.

27. If any person (except by agreement with the Corporation, or under license from the Board of Trade, as by the Tramways Act, 1870, provided) uses a tramway or any part thereof with a vehicle having flange wheels, or other wheels specially or particularly adapted to run on the tramways on an edged rail, or on or in a grooved rail or other rail adapted for street tramway purposes, he shall for every such offence be liable to a penalty of not exceeding twenty pounds.

Correction of errors in deposited plans and book of reference.

28. If there be any omission, misstatement, or wrong description of any lands, or of the owners, lessees, or occupiers of any lands, shown on the deposited plans or specified in the deposited book of reference, the Corporation, after giving ten days' notice to the owners, lessees, and occupiers of the lands in question, may apply to the sheriff of the county in which such lands are situate for the correction thereof, and if it appear to the sheriff that the omission, misstatement, or wrong description arose from mistake, he shall certify the same accordingly, and he shall in his certificate state the particulars of the omission, and in what respect any such matter is misstated or wrongly described, and such certificate shall be deposited with the principal sheriff clerk of such county, and a duplicate thereof shall also be deposited with the session clerk of the parish in which the land affected thereby is situate, and such certificate and duplicate shall be kept by such principal sheriff clerk and session clerk with the other documents to which the same relate, and thereupon the deposited plans and book of reference shall be deemed to be corrected according to such certificate, and it shall be lawful for the Corporation to enter upon and use those lands accordingly.

Power to Corporation to grant leases of tramways.

29. The Corporation shall have the same powers of leasing the tramways, or any of them, or any part thereof, as they have or are subject to, with respect to the existing tramways, and the Act of the third George IV., chapter ninety-one, intituled "An Act for regulating the mode of accounting for the common good and revenues of the royal burghs of Scotland," shall not apply to any tramway belonging to or authorised to be constructed by the Corporation under this Act.

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

30. The Corporation may use on their tramways carriages with flange wheels, or wheels specially adapted to run on or in a grooved rail, or other rail adapted for street tramway purposes, and subject to the provisions of this Act, the Corporation shall have the exclusive use of their tramways for carriages with flange wheels or other wheels specially adapted to run on an edged rail, or on or in a

grooved rail, or other rails adapted for street tramway purposes. All carriages used on any tramway shall be moved by animal power only. No carriage used on any tramway of the Corporation shall extend beyond the outer edge of the wheels of such carriage more than eleven inches on each side.

A.D. 1885.

31. Section 38, and sections 67 to 75 inclusive, and section 79 of the Glasgow Tramways Act of 1870 shall apply and be applicable to the tramways in the same manner and to the same effect as if the tramways had been authorised by the Glasgow Tramways Act of 1870, or by the Glasgow Tramways Act of 1875, or by the Glasgow Tramways Act of 1879, or by the Act of 1884, and the said section 67 of the Glasgow Tramways Act of 1870 shall be read and have effect as if for the words "the company" were substituted the words "the lessees for the time being of the Corporation, and on the expiration of the lease or leases to such lessees then the Corporation"; and, subject to the provisions of this Act, the Corporation shall, with respect to the tramways, enjoy and exercise the same powers and authorities as they enjoy and exercise under the Glasgow Tramway Acts of 1870, 1875, 1879, and the Act of 1884, with respect to the tramways authorised to be constructed by those Acts.

Sections of Act of 1870 incorporated with this Act.

32. The Corporation may from time to time cause a series of stations to be marked and set out on the several tramway routes on the tramways, and such stations shall be so marked and set out at a distance, as nearly as conveniently may be, of one mile apart, commencing the measurement of such distance, in the case of tramways which are continuations of any of the existing tramways, at the last mile station, coming outwards from the city, already fixed under the powers of section 30 of the Glasgow Tramways Act of 1875, or section 32 of the Glasgow Tramways Act of 1879, or section 36 of the Act of 1884, and numbered consecutively with the mile stations already fixed as aforesaid, and in the case of tramways which are not continuations of any of the existing tramways, or which shall not be joined with any of the existing tramways, commencing in the option of the Corporation at either of the terminations of the tramways, and numbered consecutively along such tramways, or, also in the option of the Corporation, commencing the measurement of such distance from either termination of each tramway route which does not pass the junction of Jamaica Street with Argyle Street, and numbered consecutively along each tramway route; and a list of such stations shall be exposed to public inspection in each car passing the same; and the Corporation or their lessees may demand and take for every

Mode of ascertaining and computing tolls and charges.

A.D. 1885. — passenger travelling on 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 one penny for the distance or any fractional part of the distance, between any such station, or between any such station and the commencement or termination of any tramway route: Provided always that where the commencement or termination of any tramway route shall be less than four hundred yards distant from the nearest station, no charge shall be made for the portion of the route between such nearest station or such commencement or termination respectively.

Through cars.

33. The Corporation, or, in the event of their leasing the tramways, then their lessees, may run through cars along any of the tramway routes authorised by this Act and by any of the Glasgow Tramway Acts, or any portion of such routes, but subject always, as regards any of the existing tramways, to the consent of the lessees thereof; and such cars shall be distinguished from other cars in such manner as may be directed by the Corporation, and they may demand and take for every passenger by such cars, including tolls for the use of the tramways, and of carriages, and for motive power, and for every other expense incidental to such conveyance, any tolls or charges not exceeding a maximum fare, fixed at the rate of one penny per mile, or fractional part of a mile, of the entire distance traversed by such cars.

Sections 33, 34, and 35 of Act of 1875 made applicable to this Act.

34. Sections 33, 34, and 35 of the Glasgow Tramways Act of 1875 shall extend and apply to the tramways, subject to the proviso that the expression "their lessees" in the said sections 33 and 35 shall mean the lessees of the tramways for the time being.

Recovery of tolls, penalties, &c.

35. All tolls, charges, penalties and other moneys, which under this Act or the Glasgow Tramway Acts may become payable to or by the Corporation or their lessees or the Board of Police may be sued for and recovered in the Glasgow Police Court, or in any court of competent jurisdiction, or, at the option of the party or parties claiming the payment, in manner provided by the Companies Clauses Consolidation (Scotland) Act, 1845, with reference to the recovery of damages not otherwise provided for and penalties.

Saving powers and rights of Police Com-

36. Nothing in this Act contained shall prejudice or affect the powers, rights, or privileges of the Commissioners of Police of the burgh of Crosshill, or the magistrates of the said burgh, over

or with respect to the roads and streets of the said burgh, and the regulations of the traffic thereon, under the General Police and Improvement (Scotland) Act, 1862, and the said Commissioners and magistrates shall, with respect to any tramways formed or laid down on any road or street in the said burgh under the authority of this Act, have the same powers of making and enforcing regulations and byelaws as to the rate of speed to be observed in travelling upon the tramway, the distances at which carriages using the tramway shall be allowed to follow one after the other, the stopping of carriages using the tramway and the traffic on the road or street in which the tramway is laid, as are by this Act conferred on the Corporation, and no byelaws made by the Corporation with respect to the matters above mentioned, or any of them, shall be of any force or effect in the said burgh, and the said Commissioners and magistrates shall have the like power of making and enforcing rules and regulations, and of granting licenses with respect to all carriages using the tramways, and to all drivers, conductors, and other persons having the charge of, or using the same, and to the standings for the same, as they are for the time being entitled to make, enforce, and grant with respect to hackney carriages, and the drivers and other persons having the charge thereof, and to the standings for the same, in the said police burgh, under the General Police and Improvement (Scotland) Act, 1862.

A.D. 1885.
 —
 Commissioners
 of Crosshill.

37. If, within six months after the passing of this Act, the tramway company shall signify to the Corporation their desire to undertake the working of the Tramways 1, 2 and 3 by this Act authorised, the financial terms of such working shall, if not agreed on between the tramway company and the Corporation, be referred to and determined by arbiters mutually chosen by the tramway company and the Corporation, or by an umpire to be appointed by such arbiters in case of difference, subject and according to the provisions with respect to the settlement of disputes by arbitration of the Railways Clauses Consolidation (Scotland) Act, 1845, as near as may be; and upon the award of such arbiters or umpire being made, the Corporation shall construct and shall grant and execute a lease of the said Tramways 1, 2 and 3 accordingly to the tramway company, for the unexpired term of the lease of the existing tramways, on the terms and conditions to be determined as aforesaid, and the tramway company shall accept such lease.

For protec-
 tion of Glas-
 gow Tram-
 way and
 Omnibus
 Company
 Limited.

38. The Corporation may from time to time enter into and carry into effect agreements with the tramway company, or any company incorporated, or to be incorporated, for constructing, or

Power to
 agree for
 working,
 &c. of tram-
 ways.

A.D. 1885. working, or leasing tramways, or any local authorities or other parties authorised to do so, or any road authority 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 the 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 Corporation, and the fixing and division between the contracting parties of the receipts arising therefrom ;

Generally all matters incident to or consequent on the making or carrying into effect of any such agreement as aforesaid.

Carrying of mails.

39. (1) The Corporation or the tramway company, or any person owning or working the tramways (each of which bodies or persons is hereafter in this section included in the term “the Corporation”), if required by the Postmaster-General, shall perform with respect to any tramway owned or worked by them, all such reasonable services in regard to the conveyance of mails as Her Majesty’s Postmaster-General from time to time requires ; provided as follows :—

(A) Nothing in this section shall authorise the Postmaster-General to require mails in excess of the following weights to be carried in or upon any carriage, that is to say :—

(i) If the carriage is conveying or intended to convey passengers and not goods or parcels, then in excess of the maximum weight for the time being fixed for the luggage of ordinary passengers ; and

(ii) If the carriage is conveying or intended to convey parcels only, then in excess of such maximum weight as is for the time being fixed for ordinary parcels ; and

(iii) If the carriage is conveying or intended to convey both parcels and passengers but not goods, then in excess of the maximum weight for the time being fixed for ordinary parcels or for the luggage of ordinary passengers, whichever is the greater ;

(B) Mails when carried in or upon a carriage conveying passengers shall be so carried as not to inconvenience the passengers ;

(C) Nothing in this section shall authorise the Postmaster-General to require any mails to be carried in or upon a

carriage conveying or intended to convey passengers but not goods or parcels, except in charge of an officer of the post office travelling as a passenger.

A.D. 1885.

(2) The remuneration for any services which have been performed in pursuance of this section shall be such as may be from time to time determined by agreement between Her Majesty's Postmaster-General and the Corporation, or in default of agreement, by a referee to be appointed by the sheriff at the request of either party.

(3) For the purposes of this section, the expression "mails" has the same meaning as in the Regulation of Railways Act, 1873, and includes parcels within the meaning of the Post Office (Parcels) Act, 1882.

36 & 37 Vict.
c. 48.
45 & 46 Vict.
c. 74.

(4) For the purposes of this section, a requisition by Her Majesty's Postmaster-General may be signified by writing under the hand of any person who is at the time either such Postmaster-General or a secretary or assistant secretary of the Post Office, or the inspector-general of mails; and any document purporting to be signed by any such person as aforesaid shall, until the contrary is proved, be deemed, without proof of the official character of such person, to have been duly signed as required by this section:

Provided always that this section shall apply only to Tramway No. 1 Tramway No. 2 and Tramway No. 3 by this Act authorised and it shall not apply to the other tramways of the Corporation until the expiration on the first day of July one thousand eight hundred and ninety-four of the existing lease to the tramway company of the other tramways of the Corporation: Provided also that if a public general Act of Parliament be passed in substitution for or embodying all or any of the provisions of this section the provisions of that Act shall be substituted for and prevail in lieu of this section.

40. With respect to the notices to be delivered under the Tramways Act, 1870, or this Act, and to the delivery thereof by or to the Corporation, 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 shall be sufficiently authenticated, if given by the local authority, by being signed by their clerk or secretary;

(2) Any notice to be delivered by or to the Corporation to or by any road or local 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 Corporation, as the case may be, or by being sent by post in a registered letter,

A.D. 1885.

addressed to their respective clerk or to the secretary at their principal office, and every such letter shall be deemed to be received by the authority, body, or company, or by the Corporation, 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.

Extension of
borrowing
powers.

41. Section 2 of the Glasgow Tramways Act of 1872, authorising the Corporation to borrow money for the purposes of that Act and of the Glasgow Tramways Act of 1870, and of the Glasgow Tramways Act of 1871, and of any Act which might be passed in the then session conferring powers on the Corporation to acquire and make tramways in the city of Glasgow, as amended by section 40 of the Glasgow Tramways Act of 1875, and by section 39 of the Glasgow Tramways Act of 1879, shall be read and have effect as if the sum of five hundred thousand pounds were therein specified instead of the sum of four hundred thousand pounds, and as if the tramways by this Act authorised had been authorised and constructed under the Glasgow Tramways Act of 1870, or of the Glasgow Tramways Act of 1871, or of the Glasgow Tramways Act of 1875, or of the Glasgow Tramways Act of 1879, or of the Act of 1884.

Priority of
existing
mortgages.

42. All mortgages, assignments, or other securities on the property, funds, rates, or revenue of the Corporation granted by the Corporation in pursuance of the powers of the Glasgow Tramways Act of 1871, or the Glasgow Tramways Act of 1872, or the Glasgow Tramways Act of 1875, or the Glasgow Tramways Act of 1879, or of the Act of 1884, before the passing of this Act and subsisting at the passing of this Act, shall, during the continuation of such mortgages, assignments, or other securities, have priority over any mortgages, assignments, or securities on the same property, funds, rates, or revenue granted by virtue of this Act.

Application
of money
borrowed.

43. Money borrowed by the Corporation under the Glasgow Tramways Act of 1872, as amended by this Act, shall be applied in payment, first, of the costs, charges, and expenses incurred or paid by the Corporation preliminary to and incidental to the preparing and applying for and obtaining and passing of this Act, or otherwise in relation thereto; and, secondly, in and for the purchase of lands and the construction of works authorised by this Act, and in carrying the Glasgow Tramway Acts and this Act into execution, and not otherwise; but they shall not apply any of the money borrowed, or any other money in the nature of capital, to the maintenance of works, or other purposes to which revenue is properly applicable.

44. Nothing herein contained shall be deemed or construed to exempt the Corporation or their lessees or 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, or from any future revision or alteration under the authority of Parliament of the maximum rates of tolls or charges authorised by this Act.

A.D. 1885.
Provisions
as to general
Acts.

